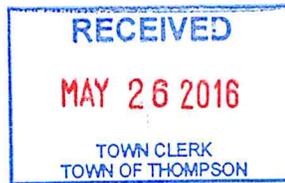


**TOWN OF THOMPSON  
PLANNING BOARD  
WEDNESDAY, MAY 11, 2016**



**IN ATTENDANCE:**

- |   |                             |
|---|-----------------------------|
| Chairperson Patrice Chester                       | Lou Kiefer                  |
| Michael Croissant                                 | Matthew Sush                |
| Melinda Meddaugh                                  | Bobby Mapes, Alternate      |
| Jim Barnicle, Alternate                           | Kathleen Brawley, Secretary |
| Paula Elaine Kay, Attorney                        |                             |
| Richard McGoey, Consulting Engineer               |                             |
| James Carnell, Director, Building/Planning/Zoning |                             |

Chairperson Chester called the meeting to order at 7:06 p.m.

**PUBLIC HEARINGS:**

**TEN HANOFEE ASSOCIATES LLC**

Application for site plan approval in accordance with §250-10 of the Town Code of the Town of Thompson. The property is located at 44 Lanahan Road, Monticello, NY - S/B/L: 13.-1-31.1  
Tim Gottlieb, P.E.

Chairperson Chester read the public notice. Satisfactory proof of mailing was provided to the secretary.

Mr. Gottlieb advised that the applicant is proposing a doctor's office in a former single-family residence. There will be eleven parking spaces, with one handicapped space. Employees will enter in the rear and patients enter in the front of the building. They met with the highway superintendent to replace a culvert in the front of the building. The also appeared before the ZBA and received three variances, as follows: a reduced front yard setback from the required 40 feet to 20 feet; a reduced side yard setback from the required 25 feet to 24 feet; and reduced combined side yard setbacks from the required 50 feet to 49 feet.

**PUBLIC COMMENT:**

Paul Walsh noted that this looks like it will be a good project.

There was no further public comment. The Board had no comments.

A motion to close the public hearing was made by Lou Kiefer and seconded by Michael Croissant 5 in favor; 0 opposed

**CONG. KHAL ADATH KRASNA**

Application for site plan approval in accordance with §250-7 of the Town of Thompson Town Code. The property is located at 203 Anawana Lake Rd., Monticello, NY – S/B/L: 8.-1-41  
Tim Gottlieb, P.E.

Chairperson Chester read the public notice. Satisfactory proof of mailing was provided to the

secretary.

Mr. Gottlieb advised that the applicant is proposing a new parking lot at the north side of the property for 100 parking spaces and 8 buses. They are required for students attending the shul. There will be a cul-de-sac for drop off and pick up. There will also be additional 26 spot parking lot in the front of the property. This will help alleviate any parking issues on Anawana Lake Road. They still have to meet with the Sullivan County Department of Public Works, as the person they were previously working with has retired. They have prepared a storm water plan.

Town Engineer McGoey provided Mr. Gottlieb with photographs of the subject premises. There are electrical issues. The compactor which is in front of one of the residences needs to be moved and hooded and the parking lot needs to be better lit. Town Engineer McGoey asked for landscaping. Michael Croissant asked if would be paved and Mr. Gottlieb advised it could be. Melinda Meddaugh suggested that there be more landscaping on the existing entrances. Mr. Gottlieb advised it was proposed before, but never done. Melinda Meddaugh asked that the fence by the pool and that general area be cleaned up as well as the area by the retaining wall.

**PUBLIC COMMENT:**

Roy Scandura, neighbor – He is the owner of the 50 acres adjoining this property. He has a right-of-way which contains a logging road. The applicants have fenced the property and locked him out of his property leaving him with no access. He also said that they have constructed a structure on his property which was subsequently taken down, but garbage from the same still remains there. He is very angry that they have done this. He also has photographs that show a potential hazard on his land and he wants to provide them to the Fire Department. They have bon fires on the property. Attorney Paula Kay asked that Mr. Scandura provide a survey of his property for the Board’s review and he advised he would provide the same. He also invited the Board to attend at his premises to see the area for themselves.

Chairperson Chester advised Mr. Scandura that the applicant will respond to his comments and no action will be taken by the Board this evening.

Paul Walsh noted that he hopes the Board will ask the applicant to address Mr. Scandura’s concerns before they take any action.

A motion to close the public hearing was made by Lou Kiefer and seconded by Matthew Sush  
5 in favor; 0 opposed

**PRIMAX PROPERTIES LLC/5 STAR LAND DEVELOPMENT**

Application for site plan approval in accordance with §250-10 of the Town Code of the Town of Thompson. The property is located at Glen Wild Road, Rock Hill, NY - S/B/L: 32.-1-22  
Lawrence Marshall, P.E.

Attorney Paula Kay advised the Board that plans were dropped off at the Town Hall last Friday, May 6, 2016, which may be insufficient time for the public to review the same and the Board should consider that. Also proof of mailing was not provided to the Board at the commencement of the public hearing and the Board will hold the hearing open if not received. Mr. Marshall

advised that they were being delivered by his office and would be received by the Board before the end of the meeting.

The minutes of this specific application were taken by a professional stenographer due to the large interest in the project. The transcript of this application will be annexed and made a part of the official meeting minutes.

A motion to leave the public hearing open until the May 25, 2016 meeting was made by Matthew Sush and seconded by Lou Kiefer  
5 in favor; 0 opposed

**REGULAR MEETING:**

A motion to accept the April 27, 2016 meeting minutes as amended was made by Melinda Meddaugh and seconded by Matthew Sush.  
5 in favor; 0 opposed

A motion to take the agenda out of order and take 10 Hanofee Associates LLC first was made by Lou Kiefer and seconded by Matthew Sush.  
5 in favor; 0 opposed

**TEN HANOFEE ASSOCIATES LLC**

44 Lanahan Road, Monticello, NY - S/B/L: 13.-1-31.1  
Tim Gottlieb, P.E. and Jorge Delgado, D.C.

Chairperson Chester noted that there was no public comment and therefore, the Board will act on this application tonight.

A motion for negative declaration motion under SEQRA was made by Lou Kiefer and seconded by Michael Croissant.  
5 in favor; 0 opposed

A motion for site plan approval was made by Melinda Meddaugh and seconded by Lou Kiefer.  
5 in favor; 0 opposed

**AERO STAR PETROLEUM, INC. (MOBIL)**

4375 State Route 42, Monticello, NY, S/B/L: 13.-2-3.3.  
Michael North, North Engineers and Tariq Gujar

Mr. North provided updated site plans to the Board which contained modifications to the site plan recommended by the Town Engineer. Mr. North advised that he has addressed all of the Town Engineer's concerns. Town Engineer McGoey advised that they Board does not usually do a site plan review the night of the meeting. Mr. North advised that the comments were minor. Mr. North advised that the landscaping has been addressed. Melinda Meddaugh advised that the landscaping and the Welcome to the Town of Thompson sign still needed to be addressed, but they are waiting on the Department of Transportation in regards to the right-of-ways. Mr. North advised that the

applicant would approve any sign the Town wants, but that it may look small from other angles. He does not feel they should rush but that none of that affects the site plan approval. Mrs. Meddaugh advised that the plantings are part of the site plan. Mrs. Meddaugh also asked if the County Planner could contact the applicant with respect to the plantings and Mr. North advised it was fine.

Mr. North advised that the Town Engineer asked that they install “right turn only” or “no left turn” on both Route 42 entrances or exits and they cannot live with the upper one. The DOT agreed that it was a good idea and it may be in their letter to the applicant. Mr. North advised that the DOT has no records of incidents in that area. They did agree that the lower exit, closest to the traffic light, be right turn only. Having a right turn only on the upper entrance would be a detriment to the business. Chairperson Chester felt that if people are not permitted to make a left hand turn, drivers will just find another way to make a left turn, including going on to adjoining properties and making a left from there. Chairperson Chester also felt that the heavy traffic on Anawana Lake Road will create a problem if no left turns are permitted. Town Engineer McGoey advised that he suggested it because the road is very wide at that intersection. Bobby Mapes advised that Taco Bell will be coming in and the Valero across the street are also becoming busier. Bobby Mapes advised that if the only left a person can make is from the Anawana Lake Road exit, it will cause a problem.

Mr. North advised that the other notable change is that the Town Engineer asked that easements be reflected on the site plan. Mr. North spoke with the Water Department who provided him with a metes and bounds description and map of the easements in question. After review, the located another easement at the back of the property and they had to move the location of the dumpster accordingly. Mr. North also advised that the Town Engineer asked that the Town Engineer re-utilize the existing catch basin (which is uncovered) which is currently there to catch water off of the existing car wash. The water from the lot ends up in a culvert. Mr. North has spoken to the State about the culvert and they suggested that they pipe into that culvert.

Mr. North also noted that they added more delineation of lighting and canopy lighting. Town Engineer McGoey asked if the lights would be flush mounted and the applicant confirmed they were. Town Engineer McGoey asked if the pole mounted lights would be removed and Mr. North confirmed that they will be.

Melinda Meddaugh advised that she wants to work with the applicant with respect to landscaping.

Chairperson Chester asked about the two signs previously proposed by the applicant. One is in the DOT right-of-way. Bobby Mapes asked about the cheap signs along Anawana Lake Road for the store. The applicant advised he will not be using them, they get dirty quick. He does not plan on using them. The applicant advised that the current store is ugly and falling apart. Once the new building is up, he can keep it nicer. Town Engineer McGoey advised that landscaping, signage, removal of one sign and the left turn issue needs to be addressed. Approval can be made subject to his review of those items.

A motion for negative declaration motion under SEQRA was made by Michael Croissant and seconded by Matthew Sush.

5 in favor; 0 opposed

A motion for site plan approval, subject to the Town Engineer's review and approval of the items noted above which must be addressed by the applicant, was made by Melinda Meddaugh and seconded by Michael Croissant.

5 in favor; 0 opposed

**MUSA AND SOKOL KUKAJ**

98 Gregory Road, Monticello, NY; S/B/L: 56.-1-10.1

Larry Marshall, P.E.

Mr. Marshall advised that at the last meeting, a three-lot subdivision was proposed. There was an issue with the Certificate of Occupancy on the home, which has been resolved. The Town Engineer's comments have been received and addressed. The existing shed on the property line (in between lots 1 and 2) has not yet been addressed. They spoke to the property owner and it will be located prior to the signing of the subdivision maps. Once that is done, they will update their site plan and submit the same for signature.

Town Engineer McGoey asked Mr. Marshall to note on the offer of dedication that it is "a gratuitous offer of dedication" and that the easement to the Wilson Parcel be straightened out by the filing of a deed.

Approval based on removal of shed and "gratuitous" Michael, Lou all in favor

A motion for negative declaration motion under SEQRA was made by Lou Kiefer and seconded by Melinda Meddaugh.

5 in favor; 0 opposed

A motion for site plan approval, subject to the removal of the shed, revision to the offer of dedication, and the Town Engineer's final review and approval of the same, was made by Michael Croissant and seconded by Lou Kiefer.

5 in favor; 0 opposed

**MACHNE MIVTZER HATORAH**

218 Hilltop Rd, Monticello, NY; S/B/L: 41.-1-24.1

Larry Marshall, P.E., Jay Zeiger, Esq., Rabbi Goldman, Joel Kohn and Ben Halberstam

Mr. Marshall advised that at the last meeting, proposed modifications were discussed. The Board has many concerns because the site plan had only been recently approved. They have submitted a revised plan to maintain the same bedroom count. Attorney Paula Kay noted it was always the same bedroom count and Mr. Marshall advised it was always the same occupancy. The new plan demolishes four buildings and replaces them with three new buildings. The number of occupants remains the same. They have revised the number of bedrooms to be consistent with the original site plan. Chairperson Chester clarified that this new site plan contains the same number of bedrooms as was originally approved. Mr. Marshall confirmed it is. Mr. Marshall advised that

there is a building legend on the site plan to make it easier for the Board to review. Mr. Marshall also advised that note 11 on the plan notes maximum campers of 100 and staff/family of 90. That note was not contained in previous applications. The applicant wanted to make it abundantly clear of their intent.

Attorney Paula Kay asked about the timing of the project. She is assuming they would take down the old building first and Mr. Zeiger advised they have to. The Board felt this was a small amount of time to accomplish this. Mr. Zeiger advised that the applicant feels they can get it done. Attorney Paula Kay advised that the building permit process does take time and Mr. Zeiger advised they are aware of that.

Michael Croissant asked about the difference in square footage and Joel Kohn advised that the new units will be 1,100 square feet per unit. Attorney Paula Kay noted that the Board specifically asked the applicant to show them that the occupancy that is actually going to be on the site would match what is on the plan. The applicants need to show the Board that they are not building something bigger to accommodate more occupants, so this Board can be comfortable before moving forward with approval of the site plan revisions. Not setting up the units to handle more occupants than what was approved. Joel Kohn advised that there will not be any new bedrooms installed after these new buildings were constructed. Bobby Mapes advised that the Board has told the applicant on many times, the Board's concern is that these proposed modifications change the area and the community character around it. It will change the look of the camp and neighborhood. The Board really wants the camp to operate as it was previously approved for one summer. Mr. Marshall advised that two of the existing buildings will remain, but they will not be used for staff housing. The total square footage for the new staff housing will be very similar, although he does not have the exact calculations. Lou Kiefer asked what the intent of the existing buildings was and Mr. Marshall provided the Board with each building's intended use. Michael Croissant advised that Joel Kohn advised that they are significantly larger, which is contradicting Mr. Marshall's statement. Lou Kiefer questioned the size of the dining hall and whether it could be sufficient for the camp's needs.

Attorney Paula Kay advised the applicant that the Board previously asked for specifics, as the applicant is asking the Board to permit a major modification to a site plan approved. The Board was not provided with the information requested.

Chairperson Chester advised that the Board questioned the condition of the site many times previously and the Board was told by the applicant that it was sufficient. Joel Kohn advised that the site was taken over by a new group with more funds and the ability to make the changes necessary. Rabbi Goldman confirmed the same. He feels that the Board would want them to have newer, safer units. He does not feel the changes are significant. Attorney Paula Kay asked what the square footage difference was. Rabbi Goldman said it was insignificant.

Mr. Marshall advised that 8 buildings were proposed for housing. Four will be removed, two will be repurposed and three new buildings are proposed to be constructed. Rabbi Goldman further advised the housing will all be together instead of all over the site. There will be larger living rooms in the staff housing. Melinda Meddaugh asked for clarification of each of the staff houses as depicted on the site plan and Mr. Marshall went through the buildings one by one.

Bobby Mapes noted that the applicants were asked to come back before this Board with MINOR modifications. The plans as submitted are not minor. Mr. Mapes once again reiterated that the Board wants the applicant to get through this season first. Attorney Paula Kay advised that between last meeting and this meeting, the applicant came to the Chairperson and Town Engineer asking to come back with these modifications. Chairperson Chester advised that she told the applicants that if they could show by some sort of engineer proof that these modifications will not increase the number of bodies at the camp, the Board would consider it. The applicant has not provided that proof. Rabbi Goldman advised that last time, they were going to make more bedrooms and they came here tonight just to make it safer and nicer without increasing bedrooms. Instead of changing bedrooms, they came back with the same number of bedrooms. The living rooms are larger but bedrooms have not changed. Mr. Marshall advised that the housing is consistent between the two plans. Mr. Marshall noted that certain buildings which were previously approved for housing which will not be used for housing, together with the three new buildings are within reason. Michael Croissant advised that the applicant was asked for square footage and they have not provided it. The applicants felt they were not asked to provide that. Chairperson Chester advised that the Board did not ask for specifics such as square footage and instead it was up to the applicant to provide specifics to the Board. However, the Board does feel the information provided is sufficient to answer their questions.

Chairperson Chester asked about specific building specifications and Joel Kohn advised they would be on piers, with no basements. Jay Zeiger, Esq., advised that he feels this will be a nicer project and a nice development. Lou Kiefer advised that the applicants first came in asking to double the bedrooms but not the number of people. Michael Croissant advised that there have been many changes. Joel Kohn advised that they are planning on constructing three buildings: two, two family residences and one single family residence. Chairperson Chester advised that the Board was given a set of plans. It was already hard for the Board to permit the change change of an existing site which was used as a day camp operated 9-5 Monday through Friday to a 24 hour, seven-day plan. That changes the character of the neighborhood. Based on the large amount of input from the public at the public hearings, we worked with the original plan to address those changes. Chairperson Chester noted that at that time, she was disappointed that the old buildings were being left as is, but is really unhappy with now learning that they remained that way because of financial reasons. This is different than what was originally proposed, even after the applicant has not operated even one summer as originally approved. This modification is not minor and she feels that it is important that the site plan remain as is. Landscaping has not been discussed. The building specifications have not been provided, only a floor plan. Chairperson Chester further advised that while she does not want something unpleasant or unsafe, she wants no negative impact on the community or neighbors. She wants to see what the buildings are going to look like. She feels better with this proposal with the same number of bedrooms and the notes on the site plan. She understands the funding issues and having to re-do buildings later. Lou Kiefer advised that landscaping has not been done from the original plan.

Rabbi Goldman advised that this camp will be totally different. These are older boys 13-16 and this is a school atmosphere. This is a high education school and difficult to get into. Because of this, the boys study day and night. Rabbi Goldman feels it is the best thing that could happen to this property. Rabbi Goldman advised this will be much nicer than originally proposed. He feels

that if they add landscaping but then have to do more construction on the site, it would be cost prohibitive. Lou Kiefer feels that they do not have enough time to open for the season with these changes and the Board wants plans with what the buildings look like. The Board wants to see landscaping. The applicants will need to get permits. Michael Croissant noted that whenever they approve applications similar to this project, they are provided with much more information by the applicant.

Attorney Paula Kay asked for clarification since the approval was for a summer camp and not a school. Mr. Zeiger advised that it is a summer camp. It is a summer camp for boys in Yeshiva in New York City. Michael Croissant advised that Rabbi Goldman said they would be studying a major part of the day and called it on more than one occasion a school.

Chairperson Chester polled the Board members to see what they wanted to do. We could table the application and await more information or call a vote. Michael Croissant advised that due to the lack of information and the fact that it is a school and not a camp, he is not for this application and wants to go for a vote. Lou Kiefer would go for a vote, but later changed his mind. Matthew Sush feels that the camp-versus-school definition is important and he wants to table the vote. Melinda Meddaugh feels she could go either way, but she is fine with voting.

Mr. Marshall computed the living space which was previously approved at 6,770 square feet. What is being proposed in the three units proposed is an increase of 66 square feet. Bobby Mapes wanted to know what the square footage for living space will be removed. Chairperson Chester advised that some of the buildings will be repurposed. Bobby Mapes felt that there was not 6,770 square feet previously; he is extremely familiar with the site and there is no way there was that much living space previously. Rabbi Goldman advised that he really wants to do what is best for the kids and he wants a vote tonight and the Board's support. Mr. Zeiger advised that he shares in the Board's concerns that at the eleventh hour to try and push through an approval is inappropriate. The Board wanted to make sure the population would not change and they have provided that proof. Mr. Zeiger feels that they have provided the Board sufficient information to make them comfortable. He agrees that the outside of the buildings not being provided was not fair but they will be nicer than what is there. The applicants can ask the Building Inspector to provide the Board with copies. He agrees landscaping should be addressed. Lou Kiefer advised that landscaping was supposed to be done previously and it should have been done already for this area. Trees and landscaping are done in the spring. Rabbi Goldman advised he would pay a bond to ensure that the landscaping would be done. Joel Kohn advised that the landscaping can be done as soon as possible.

A motion for negative declaration motion under SEQRA was made by Lou Kiefer but not seconded.

Melinda Meddaugh advised that she does not want to do a motion. This was approved as summer camp, which was an existing use. What they are proposing is use as a school and that was not what it was previously proposed or approved by this Board, this is a change of use compared to the original approval and application.

A motion to deny this application for a modification to a previously approved site plan was made by Michael Croissant and seconded by Melinda Meddaugh.  
5 in favor; 0 opposed

Mr. Zeiger asked if that meant just the new modifications and the Board confirmed that was the case.

Attorney Paula Kay advised that if the use is not in accordance with the previously approved site plan, the Building Department would have to issue violations.

Rabbi Goldman advised that he felt it was not fair that it was being denied. They are removing buildings that any Building Department would have asked for. He felt that the Board was going to pick anything to deny it. He said they “don’t do sports”. They can put up a loud speaker, if that’s what the Board wants. Rabbi Goldman advised that he is disappointed that they will have to use the older buildings and he cannot see why this was denied. He feels this is so nice and they were willing to be accommodating and the Board looked for any reason to deny this. He has built many buildings in New York City and he has never seen anything like this. He is not trying to trick the Board. He feels that no reason was given to deny this.

Rabbi Goldman then stated that he did not want to say what he really thinks the Board is, but that “we all know”. To say it is not a camp because they do not play sports is unfair. They do not play sports. Rabbi Goldman advised that he tried to give the Board comfort. He once again threatened litigation if the Board could not give him a good reason for the denial. After the Board declined to comment further, Rabbi Goldman advised he would “do what he had to do”.

Attorney Paula Kay suggested that Rabbi Goldman read ALL of the meeting minutes for this application. Rabbi Goldman asked for another vote or he will go in another direction. The Board advised they have already voted. Lou Kiefer advised that they have not denied them to open, just for the modifications as requested.

**YESHIVA VIZNITZ TORAH CHAIM**

167-168 Gibber Rd, Monticello, NY – S/B/L: 6.-1-11.7

Abe Berkovic

Mr. Berkovic advised that the applicant was before the Board to build an addition to their Yeshiva. They received approvals and it was signed by the Board in March 2014. They started developing the plans and submitted it within the twelve-month time frame after they were approved. It took a long time to get the Building Permit close to issuing a building permit. When they were going through a check list to finalize, the Building Department realized the site plan approval expired. However, during the one year, from March 2014-2015, the Building Department had the plans and were reviewing the same. They are asking for the same conditions as was previously approved. Chairperson Chester asked if we had new applications and Abe Berkovic advised they were filed, which Jim Carnell confirmed. Mr. Berkovic advised that he will pay all fees if we can make it subject to approval tonight.

Attorney Paula Kay advised that the fees need to be calculated. Chairperson Chester suggested we make it subject to that, as well as the Town Engineer's review and a site visit. Town Engineer McGoey advised that there is no dumpster enclosure, which is the law. Mr. Berkovic argued that the Building Department should issue a violation and have the owner build the same. Town Engineer McGoey advised that it has been sitting there for years without a cover. Mr. Berkovic advised that the permit is ready to be issued and said the permit cannot be issued without the building of the enclosure. Town Engineer McGoey advised that a time limit must be set. After discussion, Mr. Berkovic advised 60 days. Town Engineer McGoey advised that any enclosures not block, must be converted to block. Mr. Berkovic asked if a building permit was required, which Jim Carnell confirmed it was. The time limit will be thirty days for the submission of the application for the enclosure and sixty days after a permit is issued.

A motion for negative declaration motion under SEQRA was made by Melinda Meddaugh and seconded by Matthew Sush.

5 in favor; 0 opposed

A motion for site plan approval, subject to payment of the filing fees and escrow, construction of the Dumpster enclosure pursuant to Code, a site visit by the Building Department and the Town Engineer's final review review and approval of the same, was made by Matthew Sush and seconded by Melinda Meddaugh.

5 in favor; 0 opposed

A motion to adjourn the meeting at 9:47 p.m. was made by Melinda Meddaugh and seconded by Matthew Sush.

5 in favor, 0 opposed.

Respectfully submitted,

  
Kathleen Brawley, Secretary  
Town of Thompson Planning Board