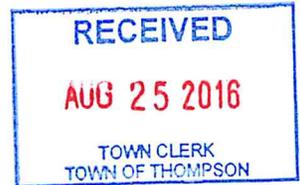


**TOWN OF THOMPSON
PLANNING BOARD
WEDNESDAY, August 10, 2016**

APPROVED

IN ATTENDANCE: Chairperson Patrice Chester
Michael Croissant
Melinda Meddaugh
Jim Barnicle, Alternate
Paula Elaine Kay, Attorney
Richard McGoey, Consulting Engineer

Lou Kiefer
Matthew Sush



ABSENT: Bobby Mapes, Alternate and Kathleen Brawley, Secretary

Chairperson Chester called the meeting to order at 7:00 p.m.

A motion to approve the July 27, 2016 minutes was made by Lou Kiefer and seconded by Matthew Sush
5 in favor; 0 opposed

**ADELAAR/MONTREIGN CASINO
Joyland Road, Monticello, NY – S/B/L: 23-2-3, et al
George Duke, Esq.**

Mr. Duke advised he was appearing on behalf of Monticello Raceway Management. The approval for the casino had conditions, 90% of which are satisfied. The last set of conditions had to do with items needed before a Certificate of Occupancy is issued. The applicant is requesting an extension, as the building is not complete and the applicant is not close to requesting a final Certificate of Occupancy. Road maintenance agreements, etc., have also not been completed yet. They would like an additional six month extension.

A motion to grant the applicant a six month extension was made by Michael Croissant and seconded by Lou Kiefer
5 in favor; 0 opposed

**LOCKI T. KASIOTIS
47 Cooper Rd, Monticello, NY - S/B/L: 11.-1-41.12
Jacob Billig, Esq.**

Lou Kiefer recused himself from this application. Chairperson Chester appointed Jim Barnicle as a voting member for this application.

Mr. Billing presented the Board with photographs of the site from the beginning of the week.

Mr. Billig advised that the applicant has reviewed the Town Engineer's comments. They tried to respond to some of his comments.

Mr. Billig advised that the neighbor formerly ran the business. He moved into the home next door knowing full well that the business was being run there. Litigation was previously commenced and settled. The applicant feels he is complying and operating in a manner which is not a nuisance. The issue is one neighbor. This neighbor knew what the conditions were before they moved in.

Mr. Billig further advised that relative to the impoundment area, the closer you are to the fence, the less visual impact there is. That is why they want to place the impoundment area so close to the complaining neighbors. This impoundment area is for cars which do not start and were towed. They have not fenced in the area yet, as they are looking for the Board's suggestions. If the area is farther away from the house, they can see the entire impound area. They believe the fence already in existence is in compliance with code. They will install a chain link fence. The applicant did previously obtain variances from the Zoning Board a few months ago. The reason for his delay in coming before this Board before now was because the cost of scrap metal was down. The applicant relies on this income as a small business. The applicant will represent that all cars on the site will start other than those in the impound yard. Jim Barnicle asked if the cars have titles and can be sold and Mr. Billig advised that they do.

Attorney Paula Kay asked about the tires and other materials on the site. She noted that the Board would look more favorably on this application if a lot if not all of those materials were stored indoors. Mr. Billig advised that the site has been substantially cleaned up and showed an older photo showing the progress. The Board previously noted that they did not want junk cars on the site. They wanted emergency vehicle access, screening and handicap parking. Town Engineer McGoey reminded Mr. Billig that the Board also wanted less cars on the site. Mr. Billig advised that he does not understand why the Board wants less cars on the site, as there is nothing in the Town Code that restricts the number of cars. The number of cars on the site plan fit the area. Town Engineer McGoey advised that he does not feel you should be able to cover an entire lot with cars. There needs to be some green space and to become more attractive. Mr. Billig disagreed, as this lot is for auto sales and repair. There will be a fence to screen it. It is at the top of a hill in a hidden location. Mr. Billig advised that his client sells over 70 cars per year. They do have customers come to the site. They need to have a reasonable inventory. Attorney Paula Kay asked what the acreage of the site was and the applicant advised it is 2 acres. Chairperson Chester advised that this Board always addresses landscaping and likes to see green space and shrubbery. Mr. Billig asked where they would like to see landscaping. Jim Barnicle suggested by the business sign in the entrance of the lot and Mr. Billig advised that they do not own that area. Attorney Paula Kay advised that the minimum lot for outdoor sales is 3 acres pursuant to Code. Mr. Billig advised that he does not fee it is outdoor sales, as that is for a flea market, farmers market, etc. They are storing vehicles outside, but they do finance applications, etc., inside. Mr. Billig asked if other auto sale site plans are considered outside sales. The Board advised that the new tractor supply store was considered outdoor sales, as do boat sales lots. Mr. Billig asked if WalMart is outdoor sales and Attorney Paula Kay advised that they had to obtain separate permits for outdoor sales of fireworks, etc.

Attorney Paula Kay noted a service station has a minimum lot requirement of one acre, so this lot is fine. However, the Board feels that there are a lot of cars and equipment on the site. They want some give and take. Mr. Billig advised that the applicant has placed the cars in orderly rows. They have emergency access. If they are selling over 70 cars a year, they need to keep a reasonable

inventory. Attorney Paula Kay advised that if the applicant moved the tires inside and all of the materials that are around the site inside, the Board may feel better. Mr. Billig advised that tires and other materials may be piled up, but they are removed regularly. The Board advised that they felt they would be better stored inside. Mr. Billig advised that there may be material stored outside from time to time. The only people who would see it are people coming to the site. Attorney Paula Kay advised that she cannot let the Board think it is okay to keep debris all over the site because they are not visible from the road when other more visible sites are held strictly to that standard. The Board noted that Tire Discount keeps an extremely neat site and they are doing essentially the same thing as the applicant. Mr. Billig advised that the applicant could use a box truck to store these items and Town Engineer McGoey advised any truck would have to be a street-legal vehicle in working condition not a storage trailer. Chairperson Chester felt that the Board needed another work session with the applicant. Chairperson Chester asked if the number of cars and how they are organized now is the same as shown on the site plan and Mr. Billig advised it was. She clarified that if the Board made a site visit it would be substantially the same as shown on the site plan and Mr. Billig confirmed it was. Mr. Billig advised that if someone comes up and buys vehicles in the next few days, the configuration may change. The Board understood that and felt as long as it was substantially the same it was okay. Attorney Paula Kay asked about cars stored behind the building and Mr. Billig advised that some of those cars are employee parking and some are cars which are headed into the garage to be worked on.

Chairperson Chester asked that the applicant should give the site plan to the Fire Department for review and Mr. Billig advised that this was fair. Attorney Paula Kay advised that this matter also needs to keep moving forward to keep the Town Court happy.

Town Engineer McGoey advised that the dumpster enclosure needs to be improved and when Mr. Billig asked what the Board wants, Town Engineer McGoey advised it need to be three sided with a gate on the front. Mr. Galligan advised that the road is substantially better. Mr. Billig advised that they have paved some and installed handicap parking areas. Chairperson Chester advised that the Board does see the progress but there is still more to be addressed. Town Engineer McGoey noted that the handicap access needs better paving for access to the building.

Chairperson Chester noted that the Board wants to see a maximum number noted on the site plan and not a "+/-". Mr. Billig advised that the applicant has no objection to that, but wants the Board to understand he sells a lot of vehicles yearly. The applicant will work on screening and getting tires, etc., stored indoors rather than on the site. Mr. Galligan advised that many of the tires on the site have been cleaned up.

After discussion the Board felt that a site visit by a Town official would be beneficial to ensure that the site is seeing some progress. Melinda Meddaugh asked about emergency access and Mr. Billig advised that he will contact the fire department as he is interested in seeing what their opinion is.

COLD SPRING COTTAGES (UNITS 6 & 7)
Cold Spring Rd, Monticello, NY - S/B/L: 49.-1-8.1, et al
Joel Kohn

Mr. Kohn advised that this site plan was approved last year. They want to move forward but it will not be until after the summer is over.

A motion to extend the site plan approval for one year was made by Lou Kiefer and seconded by Matthew Sush
5 in favor; 0 opposed

A motion to close the meeting at 7:31 p.m. was made by Lou Kiefer and seconded by Matthew Sush
5 in favor; 0 opposed

Respectfully submitted,



Kathleen Brawley, Secretary
Town of Thompson Planning Board