

Planning Board Minutes – September 19, 2017

Present: Paul Colucci, Vice Chairman, John Friedle, Secretary, Joe Hayes, Keith Libolt, Warren Wiegand, Carol Richman, Josh Verleun. Absent Ray Sokolov
Also, Present: James Freiband, Consultant and David Brennan, Attorney, Allyson Phillips, Attorney

PUBLIC HEARING HELD OPEN:

Heartwood

Chairman Paul Colucci re-opened Public Hearing on Heartwood.

Carol O'Biso – McKinstry Road: against, would like meeting left open, needs materials, was denied walking property.

Andi Weiss Bartczak-Gardiner: against, moved here

Annie O'Neil-North Mtn Rd: against, read a NY Times of trending happenings everywhere, ziplines, kayaking, etc 8/27/17 Travel Section

Claudia Hill: Albany Post Rd across from Shawangunk Kill against, hears everything even ac, tv's from camp ground, events already problem in neighborhood. Is concerned with wildlife, water table sent in memo

Elias Kassiver-North Mtn Rd: read letter 2004 Comprehensive Plan needs to be reviewed and rewritten-community input to (1) Town Board- growth in Gardiner (2) Moratorium new zoning laws. Keep open space but the Planning Board can only follow the law. Zoning laws outdated now

Vicki Morgan: people to be on the committees to make a point, be on a board-get your opinion. Encourages people to get on boards to make an opinion

Amy Little: - clean water. Take our natural resources; a moratorium needs to be done. What are our missions before we can move on big projects

John Pihea: -38 Tinker Lanes don't bend over for developers-New Paltz Walmart did not move to become a tourist trap, take over town. Bradley-glamping 200 acres @ Bradley property-Not a Las Vegas say NO to this, you have the power to protect the community

Felice Hunter-22 Majestics Wood Drive: worked in Brooklyn, Bronx moved from Putnam County came here 17 years ago-spent 8 months in New Paltz and left due to noise and came to Gardiner. Traffic, parking noises gets to me and all of you-ride all over Ulster County. More traffic unsafe, best interest of the town-disapproves of building

Don Badgeley: -new resident 1988 not against developing or making money but it's a gift of mother nature-leave it alone, protect gift. Make us poorer not anti-developing but this needs to stay-protect us, Earth, land, water!

Bridget Regan: -grew up on 120 acres dairy farm in northern NY. Land surrounded by business-impact on nature of community, value taken away-Does not want to be a vacation community. People w/no money treated the same, if we can't take all cabins out of the woods. Need an annual review. No one said how this will help local people, save on taxes, developer applied for tax abatement, employee certain amount of people. How does this help my taxes! Moratorium if you cast support

Andy Cohn-Albany by McKinstry:-people saying what the board do-Law tells them what we want if they follow the law then we will need to change the law. 10% but the law is the law-All of Gardiner not just the 10% in room, do it as a town in full. Law protects-vote in and address the law. Campgrounds in following the law they need to follow the law

Hilary Adlerz: "the law" wants to talk about the law-property as a matter of right needs special permit, best interest of the town as a matter of right. Major criteria, developer cannot exceed.

Gardiner gets nothing, apples to apples impacted doesn't have anything. Must look at dust, glare, pedestrian safety-natural resources buffer, public roads. Non-residential comparable to residential use. Accommodating Q's & A's, ECC, Hudsonian, DEC, Sierra Club. Number of environmental open source, polished back, environmental concerns, service not substance.

Danny Saracino:-Rockland Co moved here 11 years-Road maintenance who is going to! I don't this to become Rockland County be careful what you ask for.-out of town people don't care.

Have over 40 years plus of construction

Laurie Willow:number of people want to make change in Gardiner-people, volunteers work ignored. Recommendations: do not even know if memos read. Beginning lodging in woods, disagreement lodge instead of camping, lodging insulation R factor required; handicap building to code; little units must be code;nothing changing lodging definition.

Geralyn T.: 38 Tinkertown tree farm has walked it seasonal cabins in the woods, very wet likely under water springs not addressed. Soil sampling, mid to back side wetlands to protect Shawangunk Kill. Cabins in wood compromises tree roots, health to trees, windy trees come down. Everyone on board to walk the property septic system, ponds-taking trees down for septic, tennis courts-appreciates the relocating. Think long and hard; its very wet put your boots on!

David Gordon: Attorney for Friends of Gardiner-simple request-Hudsonian was denied access to property. Technical info from developers. askisboard to hire a consultant. no reason not to let them on site. Shawangunk Kill must do it-have a good consultant hired and others need to do your job-Hold the hearing open

Chairman Paul Colucci noted that the Board has retained Sterling Environmental - who report dated September 14, 2017 was done, memo available

M. Meyers:-McKinstry moved to Gardiner 1985 Hilary Adler addressed most issues. Respect what you do, and people should look at me when I speak

Adam Casper: Board is not paying attention. They are moving papers-people stand on it-are we approving it-what are people thinking.

Mike Boylan: Responding... Planning Board is to listen, and they are not to talk back, pick and choose what we want!

Friends of Gardiner: Rather have houses

Jim Freiband . the hearing is not a forum for debate

Mike Boylan continued) zoning changed in 2008. AR district is now 5 acres. Large property owners 5 acres zoning is to be based on district- not the individual ownerships. I am for "glamping" to have its fair share according to code

Paul Harke Sand Hill Road: 2nd most unpopular person in community, it will help the community. How can we encourage to bringing people in. Everyone is not here tonight and not everyone in the community is against it!

Roberta Clemens Document – houses better than glamping. Best way to develop the land people have the right- not my dream. Engineer septic, round buildings, codes for winter-look

Richard Smith: 126 McKinstry Road: immediate serious concerns not to speak of impact of neighbors' impact Even if Heartwood goes away, but something will go there-not devastating to neighbors.

4 conditions to help neighbors, cabin out of the woods and off ridge, amplified music inside and annual renewal. Make conditions annual no one is going to get 100% just consider conditions

There being no further requests to be heard, Resolution to continue Public hearing made by Keith Libolt and 2nd by Warren Wiegand for Public Hearing to be held open next month. All ayes

Shaft Road/Kiviat 10 Lot Open Space Development – Shaft Road

Jim Freiband read his memo dated 9/13/17 on file and draft Negative Declaration as reviewed by the Board at the August 22_workshop and on file.

Motion made to adopt Negative Declaration by John Friedle and 2nd Keith Libolt

Discussion: Carol Richman memo 9/13/17 refer to no large impact-criteria moving scales keeping w/SEQR criteria. Bagdon Report species protection, habitat, no mythology. Bagdon report outside of scope, report scope of assignment

Norbert report not considered - planning board has ignored the report. Bagdon Report site 10 also the ECC was ignored. ECC We told this site is a low priority Open Space Map 3 sides 4-7 priority (med to high) low priority 3,4. High priority 1 area not on Shaft Rd. No conservation habitat is listed? Marked in purple (OSP document)

David Brennan, Attorney - OPS Map opinion hard to read and is guidance.

Josh Verleum shows same concern Neg Dec-issues on Bagdon not addressed comments on ECC issues not addressed-cannot support at this moment

Warren Wiegand was at the meeting and Neg Dec appropriate supports-yes

John Friedle was at meeting yes should move on

Keith Libolt-no comment

Joe Hayes at meeting great property for Open Space Bagdon 8/28/17 replied to all direct technical. ECC have not discussed the memos

Keith Libolt we spent over 2 hours going over it ECC and Bagdon Reports Med to High

Map Joe Hayes requests vote on Motion

David Brennan again looking at OPS map - Carol Richman is correct as to category - it appears to be there

VOTE: Carol Richman and Josh Verleum both opposed Motion

Ayes Paul Colucci, John Friedle, Joe Hayes, Keith Libolt, Warren Wiegand

Motion carries.

Discussion: Preliminary Plat documents are in form for required second hearing per attorney.

Set Public Hearing on Preliminary Plat

Motion by Joe Hayes and 2nd by Keith Libolt. All ayes. motion carried

Motion by John Friedle 2nd Keith Libolt UC Planning Board to received updated Information

Mike Moriello to supply mailing envelopes

Rte 208/Green Project; Site Plan for Multiple Residence Rte 208 and Jenkinstown Road

Sterling Memo re Environmental Documentation Report did not come until last week. Allyson Phillips (Young Summer Attorney) will prepare a draft a Negative Declaration as previously reviewed by the Board. Allison would like to consider additional language. and review the Sterling document-several questions unanswered- rounding error on acreage in report David Brennan report was received late-Neg Dec make some 72-hour pump test-adjust well data in the Neg Dec

Joe Hayes – RE Mark Millspaugh memo. Sterling Environmental responded to 72 hour requirement review- Board has not yet determined SEQR standard

Jim Freiband has had a phone conversation w/Sterling or Paul Colucci can explain what they are looking for.

David Brennan agrees w/Jim Freiband. FEAF Part 2 -2 items pump test only remaining open for review.

Planning Board no further comments

Paul Colucci, Chairman discussed re 2 Public Hearings for October.

Board will await draft from attorney. For review at October meeting

Ohioville Acres PDD Final Overall Subdivision Map for Sectional Filing with Town Clerk

Chairman Paul Colucci recused himself from the Ohioville Acres

Keith Libolt Vice Chair to preside.

Jim Freiband read his memo dated September 15, on file.

Requirements for filing copy: Index sheet, section maps filing subject sign 1st, 3 copies town clerk, planning board and building dept.

Town maintains 3 copies, 5 go back to applicant

David Brennan office received updated documentation and is satisfied

Keith Libolt Vice Chair and John Friedle, Secretary to the Planning Board to sign and all fees, deposit made to town completed

Motion made by John Friede and 2nd by Warren Wiegand: maps to stamp and sign for Town Clerk section map filing. All ayes. Motion carries.

NEW BUSINESS

THOMAS AND PATRICIA CARANO LOT LINE REVISION

Jim Freiband read his memo on file: 5 copies of the map and envelopes received

Assessor takes care of filing for tax maps. Surveyor changes the SBL they will file a new deed and given to assessor 5 copies and fee

Motion to approve lot line revision made by Carol Richman and 2nd by John Friedle all ayes motion carried

Solar Farm 321 Burnt Meadow Rd: SITE PLAN AND SPECIAL PERMIT APPLICATION (Informational)

Escrow check of \$10,000.00 to the Town Bookkeeper for Cypress Creek with Contact information

Jim Freiband read his memo dated September 15, on file.
David Brennan asked to set up joint meeting of the board Town Board, Planning after application is filed.
51-acre parcel, solar will be 20 acres, tree clearing a problem and acreage issue for ZBA. Panels installation will removes trees covering only 8.7 acres.
Prior unpaid planning board review fees on this property need to be paid from previous property owners prior to application.-have previous fees that need to be paid from property subdivision application, review fees, the fees estimated to be less than \$20,000.00.
David Brennan recommends submitting application to all boards with guidelines and chart of processing recommended by attorney
Application materials must be received 1st of month-September 29th submit with clearing shown, no lights, application checklist.
Applicant should address any Wildlife migration issues
Jim Freiband disagreed with counsel believes the-ZBA can entertain application and resolve the variance without SEQR.. Part 617Allows ZBA to do SEQR type II for area and lot variance.
ZBA can do that SEQR on their own. Type I action not subject to SEQR form needs to be done before the ZBA by Planning Baord if not a Type II (variance) applies..

Board member Keith Libolt had to leave 10:16 pm.
David Brennan will correspond with Jim Freiband. First to ZBA

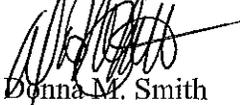
INFORMATIONAL

Theresa Shand Colucci- Subdivision
Esser Property – Turnpike .92-acre Farmers Turnpike & 44/55 subdivide to 2 lots ½ acre
Hamlet-yellow 2 story
7500 sq. ft. vacant lot well test Hydrologic

Motion was made by Carol Richman, seconded by Joe Hayes to adjourn the meeting. All in favor. Motion carries

ADJOURNMENT

Respectfully submitted,



Donna M. Smith
Clerk to the Planning Board

APPROVED DECEMBER 19, 2017