

At a Regular Meeting of the
Planning Board of the Town of
Gardiner held on
November 20, 2018 at 7:00 p.m.
At the Town Offices

RESOLUTION OF THE
PLANNING BOARD OF THE
TOWN OF GARDINER

In the Matter of the
Application of Lazy River
Resort LLC for a Lot Line
Revision and an Amended Site Plan

WHEREAS, the Planning Board of the Town of Gardiner has received an application from Lazy River Resort LLC, for a lot line revision and an amended site plan; and

WHEREAS, the Planning Board conducted a site visit on June 26, 2018; and

WHEREAS, the Planning Board requested and received reports from the Building Inspector and Fire Department; and

WHEREAS, the applicant has an existing valid Special Use Permit; and

WHEREAS, the application requires an amended Site Plan to be issued by the Planning Board. With a lot line revision, the proposal meets the required minimum setbacks and an area variance is not required; and

WHEREAS, the application is subject to the issuance of a 6 NYCRR Part 666 permit from the NYSDEC; approval by the Department of Health; issuance of a Building Permit; and all other required approvals; and

WHEREAS, a public hearing was held on July 17, 2018 at which time all members of the public wishing to speak were heard; and

WHEREAS, the public hearing was held open until the August 21, 2018 Planning Board meeting for the receipt of additional oral and written comments; and

WHEREAS, the public hearing was closed at the August 21, 2018 meeting and the Planning Board has duly considered the public comments received and the Applicant's responses thereto; and

WHEREAS, in or about October 2018, the Planning Board circulated a letter expressing its intent to act as Lead Agency for the SEQRA review; and

WHEREAS, no objections were received and on November 20, 2018 the Planning Board

declared itself to be Lead Agency under SEQRA; and

WHEREAS, the Planning Board has duly considered all of the materials before it, including the comments of the Planning Board's consultants; and

WHEREAS, on November 20, 2018, by a vote of 6-0 with one abstention, the Planning Board approved a Negative Declaration completing the environmental review process and satisfying the requirements of SEQRA; and

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE PLANNING BOARD OF THE TOWN OF GARDINER, ULSTER COUNTY, NEW YORK:

The Planning Board hereby grants and approves the Lot Line Revision and Amended Site Plan Approval subject to the following conditions:

- 1) The approval is subject to receipt of a Building Permit and all other required approvals (NYSDEC and DOH).
- 2) Subject to review and approval of the Building Inspector, satisfactory completion of minor existing site features that are incomplete, such as parking lot striping.
- 3) Installation of a footpath from the water treatment facility to the water feature.
- 4) The parking area in front of the main access to the water feature shall be posted as a fire zone with no parking or standing allowed.
- 5) There is a jumping feature in the location of the proposed water feature. The jumping feature is to be removed or shown in a new location on the site plan to be submitted for signature.
- 6) The Applicant will install a speed table on Bevier Road in consultation with and subject to the approval of the Town's Highway Superintendent.
- 7) The Applicant will install automatic noise limiters on all amplified sources. The operation parameters of the limiters will be set in consultation with the Building Department.
- 8) All amplified sound will end at 10:00 at which time quiet hours will commence.
- 9) The Applicant will install a split rail fence along the property line with the Lasers.
- 10) The Applicant must take the necessary steps to file the Lot Line revision documents.
- 11) The site plan needs to be submitted in final form for endorsement.
- 12) All fees associated with the application are to be paid.

IT IS FURTHER RESOLVED, that the Planning Board of the Town of Gardiner hereby authorizes and requires the Planning Board Chairman, the Planning Board Secretary, the Planning Board Clerk and the Attorney for the Town to take the appropriate steps to effectuate this resolution including any filing and distribution requirements.

MOTION MADE BY: K. Libolt SECONDED BY: J. Hayes

VOTE:

AYES

NAYS

ABSTAIN

ABSENT

