Town of Gardiner Planning Board
Meeting Minutes
April 22, 2025

Members Attending: P. Colucci (Chairperson), Ralph Varano (Vice-Chairperson), Rob Boettcher, Rebecca Fullam, Marc Moran, Tom Penichter, Ryan Wiley (Alternate)

Also Attending: Victoria Polidoro, Esq., Cassondra Britton, Esq., Andrew Millspaugh, P.E., Brian Stiscia, (Highway Superintendent)

The meeting began at 7:00 pm. Ryan Wiley was activated for voting purposes.

Gunks Court House, LLC
Corner of Albany Post Road and State Route 44/55 Gardiner SBL: 93.4-1-7.100 - Site Plan Application

P. Colucci read the public hearing notice and review letter provided by Sterling Environmental Engineering. The board agreed that a variance for the proposed roof pitch is required in order to comply with §220-12.1 D (2) of the municipal code. The applicant wanted to keep the proposed 4:12 roof pitch as proposed in the plan.

A. Willingham reported:

-Work continues to extinguish the easement for a second driveway.
-UCDOT has no issues with drainage along roadways adjacent to the property.
-The caliper of trees proposed for landscaping is increased.
-The arc of the loop driveway is increased.

The question of parking was not resolved from the previous meeting. P. Colucci recommended showing "land-banked" space on the site plan that could be used for any future parking needs.

P. Colucci wanted a financial security agreement to ensure continued health of landscaping and compliance with the site plan. P. Colucci aske A. Willingham to identify a cost estimate for the landscaping component of the project.

R. Fullam asked to see views of the proposed plan from the west on Albany Post Road. This is the view that a passer-by would see while driving from the ridge into Gardiner.

M. Moran motioned to open the public hearing at 7:27 pm.

Joan Parker, Resident of Gardiner, asked that the lighting plan is dark-sky compliant.

There were no other public comments.

R. Wiley motioned to adjourn the public hearing for the evening, and leave the hearing open for the next meeting. R. Fullam seconded the motion. The board voted unanimously to approve the motion.

BE Ventures
Every Avenue at 4th Street, Gardiner, NY 12525 SBL# Section: 93.68 Block: 3 Lot: 1
Application for Three Lot Subdivision

The board discussed use of the town-owned road reservation for a driveway that would service three homes in the proposed subdivision and provide access to the neighboring trucking facility.

Counsel for the applicant opined that the subdivision application has been reviewed by the board for over three years.

Highway Superintendent Stiscia did not approve of constructing a private road over town-owned land. B. Stiscia favored construction of a road to town specifications.

The planning board did not overrule the highway superintendent.

P. Colucci explained that there are too many proposed lots for the size of the property. He asked the applicant to propose a project that fits the size of the property and to consider a two-lot subdivision.

V. Polidoro stated that the applicant should demonstrate that the primary lot size is sufficient for the current plan.

Grey Ridge, LLC
270 Bruynswick Road, Gardiner SBL: 93.1-3-17.200 – Site Plan Application

P. Colucci read the review letter provided by Sterling Environmental Engineering dated April 17, 2025.

P. Colucci asked if there would be electric vehicle charging stations. The applicant responded that electric vehicle charging stations were being considered.

The board asked if each of the cabins would be ADA accessible.

The applicant did not submit plans to the department of health.

V. Polidoro stated that the board should wait until the application is completed in order to make a SEQRA determination.

M. Moran motioned to establish an escrow account in the amount of $7,500.00 with a minimum threshold replacement amount of $1,500.00. R. Boettcher seconded the motion. The board voted unanimously to approve the motion.

Informational:

Brykill
2079 Bruynswick Road, Gardiner SBL: 100.1-3-28.100 – Lodging / Event Space Concept

P. Colucci stated that he no longer farms the property and is not an interested party in the application. P. Colucci has no relationship with the applicant.

Michael Ellis, the presenter and possible future owner, submitted a proxy form to the clerk at the meeting. The possible future owner was represented by Andy Willingham, P.E. and Michael Moriello, Esq. A. Willingham read the project narrative.

The plan was to utilize the historic Gertrude Bruyn farm property as single occupancy family and corporate lodging / event space.

A mid-17th century historic barn in Ohio would be purchased, deconstructed, shipped and rebuilt on the once Bruyn owned farm parcel.

The plan also called for the construction of an approximately 500 sf studio space for use as a shop.

There was no firm plan to maintain farm animals or continue agricultural production.

There was no plan to subdivide the lot.

There was a discussion about planting five acres of trees in exchange for grant funding.

The board informed the potential applicant about the town's community preservation plan. The parcel had a CPP score of 64. The parcel rates in the top 10% of community preservation scoring for the Town of Gardiner.

T. Penichter asked if there were additional structures planned for the future.

R. Varano asked about other future planned build-out.

A. Millspaugh advised that the applicant should submit to the State Historic Preservation Office (SHPO).

Yin 2025
891 Albany Post Road, Gardiner SBL: 93.2-1-35.100 – Lodging / Restaurant Concept

Justin Dates, P.E. (Colliers Engineering) presented the informational on behalf of Jilian Yin. The plan called for the construction of a central lodge / restaurant, fabric covered yurts, and multifamily residence.

The area of disturbance appeared to be in excess of 10 acres. There are uses already in existence on the property that are not part of the approved site plan. Uses on the entire property would have to be approved by the planning and/or town board and brought into compliance with respect to state and local building, fire, and property maintenance codes.

Vidal Blanc BESS
McKinstry Road, Gardiner SBL: 93.3-2-32 – 100,000 KWAC Battery Energy Storage System

Gerry Leonie and Alex Yeager, associate project engineers from New Leaf Energy proposed building a 100,000 KWAC Battery Energy Storage System on 10 acres of agricultural land in the RA district. The plan called for building a sound wall and eventual subdivision in order to construct another substation. The plan called for a financial instrument know as payment in lieu of taxes (PILOT).

P. Colucci provided the representative a brief conservation history lesson of Gardiner. The Shawangunk Ridge is a geologic and cultural resource that defines the western border of the town. Preservation of the ridge and view-shed, both of and from, are pre-eminent considerations for any board approval.

R. Varano added that Gardiner begins and ends with recreation, conservation, protection of the viewshed, preservation of land and water; all resources that make Gardiner a desirable place to live.

R. Boettcher emphasized that there must be consideration of the ridge, in terms of project siting and the view of the facility from above.

V. Polidoro questioned the board whether this proposed project would fit with the definition of a utility.

P. Colucci asked if the representatives thought about siting the facility elsewhere and if they wanted to leave prior to entertaining privilege of the floor.

The meeting room held many residents waiting to speak.

Privilege of the Floor:

Adrienne Pisciotta, a landowner of multiple lots on Misty Ridge Road opposed an industrial use on agricultural land in the RA District citing concerns of safety, fire, explosion, cyber-attack, physical risks, and health. Construction of an industrial project as proposed would cause property values to plummet.

Joan Parker, a Gardiner resident, stated that soon, local boards would not be able to disapprove industrial-electric infrastructure support projects or establish moratoriums because it will be handled by the state. Home rule will be supplanted in order to meet NYS energy goals.

Steven O'Herron, a landowner on McKinstry Road, was concerned about noise generated from the large-scale HVAC required for battery energy storage systems.

Matthew Goodnow, Gardiner Fire Chief / CEO-New Paltz Rescue stated in no uncertain words that the Gardiner Fire Department could not handle a fire at a Battery Energy Storage System industrial facility.

Alyce Dolce, a Gardiner resident, read a letter that outlined fifteen reasons for opposition to a Battery Energy Storage System in Gardiner. They included concerns of fire, environmental impacts, evacuation plans, fumes, health, decreased tax revenues, decreased property values, nighttime light impact, increased costs of insurance, clean up, remediation of the environment, decommissioning, visual screening and more.

Brian Stiscia, Highway Superintendent and Assistant Fire Chief of the Gardiner Fire Department posed the question, "does the risk exceed the benefit"?

Dave Wingfield, a Gardiner resident, told the board that a proposed battery energy storage system was already reviewed and "shut-down" by the towns of Clintondale and Plattekill.

R. Varano motioned to approve the minutes from the April 22, 2025 planning board meeting. R. Fullam seconded the motion. The board voted unanimously to approve the motion.

M. Moran motioned to adjourn the planning board meeting. R. Wiley seconded the motion. The board voted unanimously to approve the motion.

Minutes Prepared By:

Michael Makely 28 May 2025

Michael Makely Date

Filed:

Julia Hansen 5/28/25

Julia Hansen Date
Town Clerk / Town of Gardiner