Town of Gardiner Planning Board
Meeting Minutes
June 24, 2025

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

Also Attending: Cassondra Britton, Esq.

The meeting began at 7:03 pm. R. Wiley was activated for voting purposes.

Old Business:

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

C. Britton updated the planning board on the legal status of the project and advised the board that in order to avoid segmentation, SEQRA should be re-opened and that the planning board should recirculate lead agency intent, while conducting coordinated review of the project. The lead circulation letter should be sent to the Town Board, Town Highway Superintendent, Ulster County Department of Public Works, and the Ulster County Planning Board.

M. Moran motioned to reopen SEQRA, and the planning board intends to be the lead agency while conducting a coordinated review of the project. R. Wiley seconded the motion. The board voted unanimously to approve the motion.

New Business:

Riverbend – CLI Subdivision
North side of Church Farm Road, Gardiner SBLs: 93.2-2-1.200 and 1.110

James McCormick-DA Companies was the developer, Andy Willingham, P.E., engineer and Michael Moriello, Esq., Counsel. J. McCormick provided an overview of the project that included seventeen (17) single-family homes in an open-space subdivision in the RA zoning district at the end of Church Farm Road terminating at a hammer-head turn-around and gate. The subdivision would be partially bounded by seven (7), live-work studios in the CLI zoning district originating from both Steve's and Osprey Lanes and terminating at a hammer-head turn-around and gate. Approximately fifty (50) percent of the property would be held in a conservation easement.

A. Willingham explained that the lots were laid out as roughly two-times the minimum lot size permitted by zoning. Percolation tests were performed on many of the proposed lots.

M. Moriello prepared an addendum to SEQRA. He classified as a Type 1 Action and recommended a coordinated review of the project. The addendum was circulated to legal counsel for the planning board. A conservation analysis was prepared by La Bella Associates, D.P.C. and submitted to the planning board. Wetland areas were flagged. At this time P. Colucci asked the board for comments.

R. Fullam asked what the difference was between NYS DEC delineated wetlands and those delineated by the U.S. Army Corps of Engineers. A. Willingham explained that the NYS DEC wetlands have a one-hundred (100) foot buffer from the boundary. U.S. Army Corps of Engineers have no buffer, but introduce a specific procedure for each delineated area over which they have jurisdiction.

There was a brief discussion whether paving over a gravel road that exists in a wetland area constituted a disturbance. A conclusive answer to this question was not rendered during the meeting.

The board discussed lot size. M. Moran asked if lot calculations were done that considered homes with community water and sewer.

R. Varano offered the following comments:

> Connectivity between the communities is important. There should be walking space to get around.
>
> Likes the use of the upper floor for apartments in the CLI district.
>
> Would like to see lots with more road frontage.
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> Shared driveways and flag lots are concerning.
>
> Would like a site visit.

J. McCormick told the board that he was already in contact with the Wallkill Valley Land Trust in regard to easements. He addressed ADA connectivity as a way of receiving other grant opportunities and funding sources.

P. Colucci advised the applicant to address the matter of conserved land and easements early in the subdivision process.

T. Penichter asked about the size of the homes.

J. McCormick responded that the proposed home sizes will mostly be between 2750-3250 sf with a blend of 3-4 bedrooms. There will also be some 1250 sf homes.

T. Penichter asked what the developer was offering to the community other than a large subdivision.

J. McCormick said that the unlocked HEO parcel sentiment has moved away from us. This, coupled with wetland regulation makes a larger more and more comprehensive project difficult to realize. Technical solutions exist but politics get in the way.

M. Moran: The Town Board has to implement HEO Zoning and the wetlands have always been there so there is no change in reality.

A. Willingham said that there could be a total of 21 lots in an open-space arrangement, but 17 works with the current design.

R. Fullam asked if lot sizes could be reduced and conserved land increased. Design the plan with lots as close to 40,000 sf, cluster the arrangement, and maximize the amount of preserved open-space.

M. Moran wanted to see Steve's Lane connected to Osprey Lane.

M. Moran asked if the large water source found on the property will be used.

J. McCormick said that the large water source discovered on the parcel near the Wallkill River is on the parcel slated for conservation and would not be used for this project.

M. Moran asked to see a resume for La Bella Associates.

P. Colucci noted that lots 2, 3, 6, 7, 8, 9, 11, 12, 14, 16, and 17 have shared driveways.

P. Colucci did not favor subdivision plan with this kind of driveway configuration. He cited lots 6 and 7 as the worst example.

P. Colucci noted that the CLI district is not a commercial zone. There are no storefronts and retail is limited to a specific amount of floorspace to sell products manufactured on site, (i.e. beer formerly sold at the Yard Owl brewery).

P. Colucci echoed R. Fullam's comments to increase density.

C. Britton advised that the board should consider having through roads without a break.

P. Colucci read the review letter provided by Sterling Environmental Engineering dated June 20, 2025.

The board then discussed opening SEQRA. C. Britton advised that the board may not be prepared with enough information to declare lead agency. There are many issues already identified.

R. Wiley had no issues with the shared driveways and no overall objections from the information presented.

R. Fullam: We have opened SEQRA before and then made modifications.

C. Britton: This is acceptable for minor projects.

R. Fullam had no objection to opening SEQRA.

M. Moran: It's typical to open SEQRA early in the subdivision process.

M. Moran motioned to designate the planning board as lead agency, classify the action as Type 1, and to undertake a coordinated review of the application. R. Wiley seconded the motion. The board voted 6:0 to approve the motion.

Lacking a definitive delineation of conserved land and delineated access from the rail trail, the board did not refer the application to the Environmental Conservation Commission.

M. Moriello asked if the board preferred a conservation easement or restrictive covenants.

P. Colucci: Conservation easement.

The board wanted to have the lots flagged and visit the site.

The board discussed an amendment to the conservation analysis that identifies all sustainable areas for development within the parcels.

Privilege of the Floor:

Frank Vigna, 260 Libertyville Road, Gardiner, updated the planning board from his perspective on the ongoing solar project located at 262 Libertyville Road. The amended site plan did not appear to be updated to reflect what was agreed upon by the planning board at the 28 JAN 2025 meeting. The trees have not been planted and there has been a lot of wasted time and expense.

R. Varano said that the code enforcement officer has the final say.

P. Colucci said that there is nothing to stop you from contacting the applicant.

Jenifer Gilligan, Church Farm Road, Gardiner offered three comments about the proposed Riverbend – CLI Subdivision.

Road safety when turning onto Church Farm Road in either direction.

Increased traffic volume – hence, an even greater concern for the previous comment.

Flooding concerns and potential drainage issues due to disturbance and increase impervious surface coverage.

Tara Hoey, Gardiner, was concerned about the subdivision name due to its potential conflict and cause for confusion and/or association with the Riverbend Trail Alliance, a volunteer organization that performs maintenance and trail work in Gardiner Park. Gardiner Park is located on property adjacent to the proposed subdivision.

M. Moran motioned to accept draft minutes from the May 27, 2025 planning board meeting. R. Fullam seconded the motion. The board voted unanimously to approve the motion.

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

Prepared By:

Michael Makely 23 JUL 2025

Michael Makely **Date**

Filed:

Julia Hansen 7/23/25

Julia Hansen **Date**
Town Clerk / Town of Gardiner