Town of Gardiner Planning Board
Meeting Minutes
September 30, 2025

Members Attending: Paul Colucci (Chairperson), Ralph Varano (Vice-Chairperson), Rob Boettcher, Rebecca Fullam, Keith Libolt, Marc Moran, Tom Penichter

Also Attending: Cassondra Britton, Esq., Andrew Millspaugh, P.E.

Public Hearing:

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

P. Colucci recused from review of the project.

R. Varano chaired this portion of the meeting.

The board discussed the signage and a bond for maintenance of the initial landscape installation.

The board reviewed Part 2 of the EAF, which was recorded into a resolution.

R. Varano read Resolution PB 10-2025, approving site plan and special permit applications for the construction of an 11,820 sf indoor tennis court and clubhouse with associated parking, septic system, and well located at the northeast corner of Route 44/55 and Albany Post Road, Gardiner SBL: 93.4-1-7.100.

WHEREAS the applicant, Gunks Court House, LLC, has submitted an application for special permit and site plan approval for the construction of a 11,820 sf indoor tennis court and clubhouse with associated parking, septic system, and well (the "Project") located at the northeast corner of Route 44/55 and Albany Post Road Tax ID 93.4-1-7.100 (the "Property"), in the Hamlet Mixed use District; and

WHEREAS the Project is depicted on a plan entitled "Site Plan Gunks Court House" Prepared by Willingham & Towne Engineering dated February 14, 2025, last revised March 14, 2025 Sheets SP-1 – SP-6,SD-1, and SD-2 and architectural renderings entitled "Gunks Court House" prepared by Plans last revised June 25, 2025 (the "Site Plan Set"); and

WHEREAS the applicant has submitted a Short Environmental Assessment Form ("EAF") dated February 14, 2025, pursuant to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS on February 25, 2025, the Planning Board classified this Project as unlisted action and declared itself lead agency in an uncoordinated review; and

WHEREAS on April 28, 2025, the Office of Parks, Recreation and Historic Preservation (OPRHP) issued a no effect letter for the Project; and

WHEREAS the Planning Board has reviewed the EAF, and all available information concerning the potential impacts of the Project and found that the Planning Board has sufficient information on which to base a determination of significance; and

WHEREAS the Planning Board has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern; and

WHEREAS the Site Plan Set indicates a drainage easement along the southwest portion of the Property and by email dated April 22, 2025, the New York State Department of Transportation stated that no additional easements or stormwater analysis is required but is requesting minor upgrades to the catch basin on Route 44/55; and

WHEREAS the Project was referred to the Ulster County Planning Board pursuant to Section 239-m of the General Municipal Law, which responded on May 7, 2025, that there were no county wide impacts with comments; and

WHEREAS by letter dated April 15, 2025, the Code Enforcement Officer has indicated that an area variance is required to deviate from the 8:12 roof slope requirement; and

WHEREAS on June 27, 2025, the Gardiner Zoning Board of Appeals granted the area variance to allow a roof pitch no flatter than 4:12; and

WHEREAS a duly noticed public hearing was opened on April 22, 2025, and closed on September 30, 2025, during which all those who wished to speak were heard.

NOW THEREFORE BE IT RESOLVED that the Planning Board hereby determines that the Project as proposed will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared.

BE IT FURTHER RESOLVED that the Planning Board hereby makes the following written findings pursuant to § 220-63 of the Zoning Law:

1. **The Project will comply with all applicable land use districts, overlay districts, floating districts, and other specific requirements of this and other chapters and regulations, and will be consistent with the purposes of this chapter and of the land use district in which it is located.**

2. **The Project will not result in excessive off-premises noise, dust, odors, solid waste, or glare, or create any public or private nuisances. The outdoor lighting will be minimum and downward facing.**

3. **The Project will not cause significant traffic congestion, impair pedestrian safety, or overload existing roads, considering their current width, surfacing, and condition, and any improvements proposed to be made to them by the applicant.**

4. **The Project will be accessible to fire, police, and other emergency vehicles.**

5. **The Project will not overload any public water, drainage, or sewer system, or any other municipal facility.**

6. **The Project will not materially degrade any watercourse or other natural resource ecosystem or endanger the water quality of an aquifer.**

7. **The Project will be suitable for the property on which it is proposed, considering the property's size, location, topography, vegetation, soils, natural habitat, and hydrology, and, if appropriate, its ability to be buffered or screened from neighboring properties and public roads.**

8. **The Project will be subject to such conditions on operation, design and layout of structures, and provision of buffer areas or screening as may be necessary to ensure compatibility with surrounding uses and to protect the natural, historic, and scenic resources of the Town.**

9. **The Project will be consistent with the goal of concentrating retail uses in hamlets, avoiding strip commercial development, and buffering nonresidential uses that are incompatible with residential use.**

10. **The Project will not adversely affect the availability of affordable housing in the Town.**

11. **The Project will comply with applicable site plan criteria in § 220-65D of the Zoning Law.**

BE IT FURTHER RESOLVED that the Planning Board hereby approves the Site Plan Set and authorizes the Chair or his authorized designee to sign the Site Plan Set after compliance with the following conditions:

1. **Payment of all fees and escrow.**

2. **Ulster County Department of Health approval of the proposed wastewater disposal system.**

3. **Planning Board Attorney approval of the extinguishment 50-foot delivery easement and proof of recordation of the same with Ulster County Clerk.**

4. **NY Department of Transportation approval of drainage features along Route 44/55.**

5. **Revision of the Site Plan Set to include placement of a minimum of two "no parking signs" along the driveway, at the mid-point and furthest point, to the satisfaction of Planning Board Engineer.**

6. **Revision of the Site Plan Set to include the note "No more than 40 persons may occupy the building at any time."**

7. **Approval by Town Attorney of the driveway maintenance agreement.**

BE IT FURTHER RESOLVED that the Planning Board hereby recommends that the Town Board accept a performance guaranty of a 2-year period for a landscape maintenance bond in the amount $80,000, an amount recommended by the Engineer, in the form and manner of execution acceptable to the Town Attorney.

R. Fullam motioned to accept Resolution PB 10-2025. K. Libolt seconded the motion. The board voted unanimously to approve the motion.

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

P. Colucci recused from review of the project.

R. Varano chaired this portion of the meeting.

R. Varano read the public hearing notice.

M. Moran motioned to open the public hearing. T. Penichter seconded the motion. The board voted unanimously to approve the motion.

Briana Kane, 242 Bruynswick Road, commented that the eastern portion of the property is wet and oftentimes has standing water. The proposed plan should be re-evaluated. She claimed that the site is in the national wetlands inventory. She submitted a written letter to the planning board.

C. Britton advised the board that there is nothing holding up approval for this project.

K. Libolt read Resolution PB 11-2025 approving a site plan application for the establishment of a lodging facility consisting of four cottages, one main lodge building, off-street parking, septic system, a well and related improvements on an approximately 7.5 acre parcel on the north side of Bruynswick Road, Gardiner, SBL: 93.1-3-17.200.

WHEREAS the applicant, Grey Ridge, LLC, has submitted an application for site plan approval for the establishment of a lodging facility consisting of four cottages, one main lodge building, off-street parking, septic system, a well and related improvements (the "Project") on an approximately 7.5-acre parcel located on the north side of Bruynswick Road, Tax Map 93.1-3-17.200 (the "Property"), in the Hamlet Mixed Use ("HM") Zoning District; and

WHEREAS a lodging facility is a permitted use in the HM Zoning District subject to site plan review by the Planning Board; and

WHEREAS the Project is depicted on a plan entitled "Pitch Pine Cottages" prepared by Willingham & Towne Engineering, dated March 14, 2025, last revised August 8, 2025, Sheets SP-1 – SP-6, SD-1, and SD-2 (the "Site Plan Set"); and

WHEREAS the applicant has submitted a Full Environmental Assessment Form ("EAF") dated March 14, 2025, pursuant to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS on August 26, 2025, in accordance with SEQRA, the Planning Board determined that the Project will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement (EIS) will not be prepared; and

WHEREAS the Project was referred to the Ulster County Planning Board pursuant to Section 239-m of the General Municipal Law, which responded on September 3, 2025 with comments and recommended that the applicant obtain approvals from the Ulster County Public Works and Ulster County Department of Health; and

WHEREAS a duly noticed public hearing was held on September 30, 2025, and during which all those who wished to speak were heard.

NOW THEREFORE BE IT RESOLVED that the Planning Board hereby approves the Site Plan Set and authorizes the Chair or his authorized designee to sign the Site Plan Set after compliance with the following conditions:

1. **Payment of all fees and escrow.**

2. **Approval of the proposed wastewater disposal system from the Ulster County Department of Health.**

3. **Approval by the Ulster County Department of Public Works of the proposed access to the county road.**

There was no further discussion by the board.

K. Libolt motioned to close the public hearing. R. Fullam seconded the motion. The board voted unanimously to approve the motion.

R. Boettcher motioned to accept Resolution PB 11-2025. K. Libolt seconded the motion. The board voted unanimously to approve the motion.

Old Business:

Lextin Properties, LLC
321 Guilford Road, Gardiner, SBL: 85.4-2-46 Application for Minor Subdivision

P. Colucci returned to the board for review of this application.

P. Colucci read the review letter provided by Sterling Environmental Engineering dated September 26, 2025.

R. Fullam drove the board into a lengthy discussion about applying the concept of open-space subdivisions to minor subdivision applications. The board opined the possibility of creating more lots in the given acreage of the lot.

The applicant wanted to keep the plan as proposed.

The board discussed informational wetlands on adjoining parcels and the proposed layout of driveways.

R. James presented the preliminary plan showing minor changes as recommended by the board at the August 26, 2025 meeting.

M. Moran read Part 2 of the EAF.

R. Varano motioned to accept Part 2 of the EAF and make a negative declaration of environmental impact. R. Boettcher seconded the motion.

P. Colucci wanted to confirm sight distance from driveways.

M. Moran motioned to hold a public hearing at the October 28, 2025 planning board meeting. R. Fullam seconded the motion. The board voted unanimously to approve the motion.

P. Colucci rearrange the agenda to accommodate an informational presentation on behalf of Full Circle, LLC.

Full Circle, LLC
Route 44/55 & Bruynswick Road, Gardiner NY SBL: 93.2-1-46.1 Site Plan Amendment

The amendment to the plan was for the installation of a 320 sf heated and conditioned storage container for holding supplies for the bakery. The container would be clad with wood and painted to match buildings already on the site.

P. Colucci advised that plans should be submitted to the building inspector by October 14, 2025.

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

P. Colucci read the review letter provided by Sterling Environmental Engineering dated September 26, 2025.

R. Fullam asked for a review of the changes made to the road configuration.

A. Willingham showed that the roads were separate but there are no permanent dead ends.

R. Fullam asked if a variance would be required for a dead end road to be longer than 1,200 feet.

M. Moran asked if the gate was put back on the plan, would the road be considered a dead end.

C. Britton advised the board to obtain formal determination from the building inspector and an opinion from the fire department.

M. Moran asked about the plans for the production level wells located on the property.

M. Moran commented that much of this property is in a proposed Hamlet Expansion Overlay (HEO) District. Since this has not been formally rezoned, the HEO is null and void.

M. Moran commented that the proposed plan doesn't look like an open space development.

T. Penichter agreed.

P. Colucci asked how the plan went from HEO to an open-space plan.

M. Moriello cited that the explanation is contained in the addendum to the current proposal. Given the new wetland regulations, much of the former HEO area is undevelopable. The applicant is proposing what is permitted and not more. Each home will have its own well. The production wells are not going to be utilized.

C. Britton: The plans should show existing conditions and DEC layers.

T. Penichter wanted to see wetland and habitat layers on the plan.

R. Varano agreed with M. Moran, this plan is different from earlier proposals. There is no community connectivity to environmental or recreational resources such as parkland, the rail trail or Wallkill River. There must be connectivity built into the plan, otherwise, the subdivision will just have cars driving down the road.

P. Colucci: This is not the right plan.

New Business:

Richards
513 South Mountain Road, Gardiner, SBL: 92.4-2-26 Special Permit Application

P. Colucci read the review letter provided by Sterling Environmental Engineering dated September 26, 2025.

Clarification was needed to what was being proposed versus what was provided for review purposes prior to the meeting. A permit to construct a waste disposal system was provided in advance of the meeting. The septic plan designed by Robert Hagopian, P.E. was furnished at the meeting. Several deficiencies in the plan and application were identified in the review letter and during the meeting.

P. Colucci advised the applicant that R. Hagopian would be able to update all plans to the meet the requirements of the board.

P. Colucci advised the applicant that the matter will have to be referred to the Environmental Conservation Commission, however no referral was made at this meeting.

He advised that R. Hagopian could also produce a conservation analysis in accordance with §220-20 of the municipal code.

R. Fullam motioned to accept Planning Board Resolution PB 12-2025, classifying the project as a Type II action under SEQRA. K. Libolt seconded the motion. The board voted unanimously to approve the motion.

After initial review of the application at the planning board meeting, M. Moran motioned to establish an escrow account in the amount of $3,500.00 with a minimum replenishment threshold amount of $1,500.00. K. Libolt seconded the motion. The board voted unanimously to approve the motion.

Rosenbloom
Northwest side of Hasbrouck Road near Route 299, Gardiner, SBL: 85.4-1-10 Application for Two-Lot Subdivision

P. Colucci read the review letter provided by Sterling Environmental Engineering dated September 26, 2025.

The applicant's engineer was asked to stake out proposed driveway, septic system and well locations and prepare for a site visit.

Lead agency with an uncoordinated review was discussed briefly but no motions were made.

Privilege of the Floor:

Roberta Clements, Stella Drive, Gardiner, commented that the Natural Resources Inventory (NRI) provided on the town's website was only informational. Wetland's determinations should be made by the DEC. R. Clements also commented that adding a random shipping container at Full Circle may not be the best plan.

Administrative:

T. Penichter motioned to approve draft minutes from the August 26, 2025 planning board meeting. K. Libolt seconded the motion. The board voted unanimously to approve the motion.

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

Prepared By:

Michael Makely 29OCT2025

Michael Makely **Date**

Filed:

Julia Hansen 10/29/25

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