

Minutes accepted and approved.

Motion made by:

2nd by:

In Favor: Opposed/Recused: Absent: Vacant:

Signed and Dated: *Sandra Allen*

Town of Windham Planning Board Meeting

Thursday, July 20, 2023

Board Members Present: Chairperson: Lisa Jaeger
Members: Nate Holdridge, Claudia Lane, Mike Troccoli
Recording Secretary, Sandra Allen

Board Members Absent: Thomas Poelker

Also Present: Karen & Larry Gardner, John Valenti, Kara ?, Jon Behling, Scott Ouimet, Dan Ruzow, Darrin Elsom, Adam Yagelski, Sandy Schelhorn, Carol Spear, Evan Schieren, Margaret Scary, Kate Sullivan, Thomas Hoyt William Lawson, Chuck Hertz, Illegible, Dennis McLynn, Chip Seamans, Debra Bunce, John Bunce, AnneMarie Troccoli, Danielle Larsen, Lisa Larsen, Wendy Larsen, George & Christine Tellas, Ariana Tellas, Susan Sommers Evans, John Brust, Illegible, Gloria Grafi (see attached 1)

Chairperson called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

The Library Committee requested an audience with this board regarding their concerns about the Brendan Hughes - Dutchess Gable (formerly Gardner Building) 5364 State Route 23 TM# 78.19-1-30 project. First notice was never received because it went to an old president therefore no one was able to attend the Public Hearing. The project was approved for the small addition to the back of the building but when construction started the entire building needed to come down. No one informed the committee or the Tellas' that this was being done, the air conditioners were on at the time, and this caused damage to the unit. A fence was erected around the lot which was on the "Library" property. Work crews were scheduled for painting and maintenance starting July 12th, the Town Clerk advised they call Thomas Poelker, which was done on June 29th, On July 6th Poelker returned the text stating that the owner had been contacted and was told the fence had to be moved as soon as possible. July 14th the fence was still not moved. On July 16th the Code Enforcer was contacted, he stated the fence will be moved by 17th end of day. Other concerns included, does Hughes have permits to rebuild? Will Hughes adhere to set back regulations? There has been damage to the lawn because of the fencing and dumpsters, who's responsible for the repairs?

Hoyt explained that when the building was deemed unsafe the decision to knock the building down before it fell down and the fence was erected so that no one would fall in the hole. Once construction started, the hole needed to be cleared out and yes, it is larger but that is to have the room to put in the foundation. The building cannot exceed the footprint of the original building with the approved addition. Architecturally the building must be what is on the plans submitted for the addition it is in the ARB and it must meet all the requirements. (see attached 2)

LOT LINE ADJUSTMENT: Maganaias & Sparta Manor Nauvoo Rd TM# 62.00-1-49. Received Approval Letter from the Town Attorney. Reviewed the maps and documents. Motion to approve was made by Troccoli, seconded by Holdridge with 4 in favor and 1 absent.

SKETCH PLAN: Windham Mountain Partners LLC – Windham Resort Master Plan. Mr. Seamans outlined the proposed project which includes 58 town houses and 16 single family homes, 63 room hotel and 3 tree houses in the area of the existing parking lot and the adjacent lots (formerly owned by Fromm and Fleckin). Elsom reviewed all the agencies that will require permits. Motion to establish an escrow account in the amount of Fifteen thousand (15,000.00) dollars was made by Lane, seconded by Troccoli with 4 in favor and 1 absent. Motion to hire Delaware Engineering on behalf of the Town of Windham was made by Jaeger, seconded by Holdridge with 4 in favor and 1 absent. Motion to be Lead Agency was made by Troccoli, seconded by Jaeger with 4 in favor and 1 absent. Motion to classify SEQR as Type I action was made by Jaeger, seconded by Troccoli with 4 in favor and 1 absent. SEQR motion was read for the record. (see attached 3)

SITE PLAN: Bob McLynn, Mountain King Brewery State Route 23 TM# 79.00-6-6. Proposed project is a 5600 sq foot brewery with a tasting room. It has septic and a well on 7 acres. Received Letter to Represent. Again, requested maps showing the entire lot and neighbors, all the structures, well and septic, designated parking, setbacks, garbage, bridge across creek, lighting and landscaping. Also requested a copy of the deed.

SITE PLAN: Evan Schieren Windham Escape LLC, Route 296 TM# 96.00-1-14. Motion to set Public Hearing for August 3, 2023, at 7:05 PM was made by Troccoli, seconded by Holdridge with 4 in favor and 1 absent.

Meeting was adjourned at 8:18 PM on a motion by Lane, seconded by Troccoli with 4 in favor and 1 absent.

Respectfully Submitted,

Sandra Allen, Recording Secretary

MY NFO - here w. other board members, our tenants and concerned citizens

Trustees own ~~5360 Main St.~~ little Queen Anne Victorian on 5360 Main St. near little library

our ^{concerns} Harry Gardners old building & property @ 5364 Main owned by ^{Brandon} Hughes

Orig. notification cert. letter ^{from Hughes} sent to Margaret Mulford, ^{past} pres, add. addressed to Trustees Marg hasn't been prese. for 2 yr. & has been in nursing home for 7+ mo. - that notified us about small addition to rear of existing building. We got letter 2 weeks after ^{meeting} after someone @ PO notified our library director

Next thing we know. Telles left office Friday Night. Fencing ^{sat AM} went up encroaching on our property - roll off dumpster & porta potty also on our property. - Same day building was demolished w/o any notice to us.
No Demo permit posted

(2)

Our concerns are: we had a carpenter & painting crew scheduled to start work on our building July 12

I contacted Bonnie @ T.H. & was told to contact Tom P. which I did June 29. July 6 I received a text from Tom that the owner had been contacted, advise work crews coming & fence needed to be moved asap line of sight to phone pole.

July 14 I contacted Bonnie & also spoke to Sandra Allen who advised me to contact Domenic Carpenzo, Building Insp. & Code Enforcer. I phoned Dome July 16 explaining situation. He told me he make several calls & the fence would be moved ^{by} Monday end of day.

I came back from Albany late Mon and saw that only part of fence had been moved a few feet - 2 front panels remained by tree. Called Tom said unacceptable - Poolker said fence to be moved free of sight to phone pole. Pls call me to let me also note roll off dumpster removed as well

③

know when this would be rectified.

Tues. afternoon the fence (Woot) was moved to phone pole. Tues. night my painter called & said he would start work Wed - the next day.

Questions

① Does Mr. Hughes have a building permit for new construction? - We were not notified - checked w. PO this afternoon.
NONE VISIBLE

② Main St. Windham is deemed a Historic District. Has Mr. H submitted plans to the Architectural Review Board & will adhere to set back regulations?

③ Repairs to our lawn caused by fencing, roll off dumpster & truck tire tracks - should we repair & send Mr. Hughes a bill or must we notify him of damages & our intent?

Town of Windham Planning Board

July 20, 2023

Windham Resort Master Plan

Motion to Classify the Proposed Action Under SEQR and Initiate A SEQR Coordinated Review

A motion was made by _____, as follows:

The Town of Windham Planning Board has

- received an application from Windham Mountain Partners, LLC. with an address of 19 Resort Drive, Windham, NY12496 for site plan and subdivision approval,
- which application has been submitted for a project, known as “Windham Resort Master Plan,” involving redevelopment and expansion of existing commercial uses to construct 58 Townhouses, 13 single-family house lots, 3 treehouse rental units, and a 63 room hotel and associated roadway, water supply, stormwater, and wastewater disposal improvements, located on an approximately 59 acre site off of South Street between Resort Drive and Trailside Road, as shown on a sketch plan entitled “Windham Resort Master Plan,” prepared by Kaaterskill Associates, dated July 2023 (the “Project”),

and hereby:

1. Classifies the proposed action as a type 1 action under SEQR, in accordance with 6 NYCRR Part 617.4(b)(6)(i), as the action involves i) construction of 10 new residential units in a municipality that has not adopted zoning regulations and ii) and involves the physical alteration of 5 acres in order to expand an existing nonresidential facility, respectively;
2. Declares its intent to assume lead agency status in connection with a coordinated review, in accordance with the requirements of SEQR; and
3. Directs that the application be sent to potential involved and interested agencies, including, without limitation:

Involved

Town of Windham Town Board
USACOE
NYSDEC
NYSDOH
Greene County Highway Department
NYCDEP

Interested

Windham Host Company
Greene County Planning Board
SHPO
Town of Jewett
NYSDOT

Town of Windham Planning Board

Attendance Log

Date: July 20, 2023

Please Print Your Name Clearly (Name Only)

Karen + Larry Gardner	George
John Valch ^{Knobloch}	Cynthia Argiana Telles
Jon Behling	Susan Summers Evans
Scott Quinnet	John Brant
Dan Ruzow	Gloria
Darren Filsom	GLORIA FLOTT
ADAM YAGIELSKI ^{Delaware Engineering}	
SANDY SCHELLHORN	
Carol Lisa Spear	
Evan Schieren	
Margaret Scarey	
Kate Sullivan	
Thomas Hoyt	
William Lawson	
Clark Hertz	
Dennis McLean	
Chip Seaman	
Debra Brun	
John Buel	
Emadain Troccoli	
Danielle Larsen	
Lisa Larsen	
Wendy Larsen	