

Minutes accepted and approved.

Motion made by: Lane

2nd by: Troccoli

In Favor: 4 Opposed/Recused: 0 Absent: 1 Vacant: 0

Signed and Dated: *Sandra Allen 12/5/24*

Town of Windham Planning Board Meeting

Thursday, November 21, 2024

Board Members Present: Chairperson: Lisa Jaeger
Members: Nathan Holdridge, Claudia Lane, Mike Troccoli
Thomas Poelker via phone
Recording Secretary: Sandra Allen

Board Members Absent:

Also Present: See attached

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

Motion to recess the Planning Board meeting at 7:00 PM was made by Troccoli, seconded by Poelker with all in favor.

Motion to reopen the Planning Board meeting at 7:08 PM was made by Lane, seconded by Troccoli with all in favor.

MINUTES: Motion to approve Nov 7th minutes was made by Lane, seconded by Troccoli with all in favor.

PUBLIC HEARING SUBDIVISION/SITE PLAN: Ziad Barghash, Windham Skye, CR 10, TM# 46.00-1-22.

Proposed project is 107.9 acres subdivided into 30 lots of varying acreage. Read notice for the record. Received certified mail receipts. Applicant reviewed project for the Public.

The Public expressed many concerns and comments. The major concerns were regarding water and how 30 new wells would affect the quality and quantity of the water supply. As well as the sewage and the proximity of the leech fields to neighboring lots. High density and additional traffic, especially during construction phases. Additional concerns involved the wildlife including some endangered species, the power grid, which is already strained, how 30 homes affect the view shed, runoff down Mill St, the noise level from potential blasting due to the area being solid rock and light pollution. Another major concern was regarding the title on the property due to past problems and failed perk test in the past.

There were also many complaints about receiving the certified mail just a day or two prior to the meeting. The Applicant did however send the notices out in the allotted time according to Town law. Questions about how Delaware Engineering is hired on behalf of the Town of Windham and who pays them. Some people commented it was a conflict of interest for a realtor to have a vote on this matter and it was explained that Board members always recuse themselves when any conflict arises.

SITE PLAN: Bjorn Boyer, Eastwind TM# 79.00-4.1.1. The project is to rebuild the main building, it will be located in a different location and going from 5 rooms to 11 rooms. Building will be prebuilt off location and

set further back on the property off the road. Connected to Town water and sewer, will require additional EDU's. Building will be on a cement slab. Will discuss with Town Attorney regarding needing an engineer to represent to Town on this project.

UPDATE SITE PLAN/SUBDIVISION: Windham Mountain Master Plan, South Street. Reviewed revisions and timeline to the Adventure Park. Small changes to building locations and enclosing some of the courts. Discussed parking areas and road access, crosswalk for the safety of foot traffic from parking area to Lodge area. Reviewed signage, gating off maintenance roads, curbs, etc.

SITE PLAN/SUBDIVISION UPDATE: Allan Yarmulnik, Windham Pines, 618 & 628 Mitchell Hollow Rd, TM # 61.00-5-31 & 46.00-2-11. Subdivide 108 acres into 7 lots, existing lot line will be eliminated, with a private road. Reviewed SEQRA and part 2 of EAF, motion to classify as Unlisted Action, having gone through a coordinated review in July of this year, declare Board as Lead Agency and set SEQRA Public Hearing for December 5 at 7PM was made by Poelker, seconded by Troccoli with all in favor.

Meeting was adjourned at 10:10 PM on a motion by Troccoli, seconded by Holdridge with all in favor.

Respectfully Submitted,

Sandra Allen, Recording Secretary

Town of Windham Planning Board

Attendance Log

Date: November 21, 2024

Please PRINT Your Name Clearly (Name Only)

Name row 1	Name row 2
Edward Sallie, Jr.	ZIAD BARLEHASTH
Edward Sallie, Sr.	JAY KHORRAMY,
Pjorn Boyer	GHASSAN CHEHADE
Todd Grubbs	DAMEN BUSBY
EN OAKLEY	Marc Farnilette
Anne Oakley	NICOLEMURAS
PAT BLAINE	BERNHARD KAPPF
Lynne BLAINE	Chip Seamans
Karen Matteo	Nicholas Holmud
Donald Alberti	Claudia Holmud-
Scott Ouimet	Tom ALTENSEN
Catherine McShane	Vincent Anguill
ADAM MARSHALL DEWAIZE ENGINEERING INC	Jim Breen
Nancy Sheridan	
Jim Sheridan	
Susan Smith	
Church Moore	
Daniel Cipriani	
Aming Warralen	
Kristina Chehade /	
Estelle FOURNIER /	

Dear Town of Windham Planning Board,

As a land owners and tax payers in Windham of nearly 40 years, we are writing to express our strong opposition to the proposed Major Subdivision for tax parcel 46.00-1-2-.2 located on County Rte. 10. The following are our areas concern:

* Is the title to this property clear? We were led to believe there were questions regarding the deed.

Additional demand put on fire and emergency services

Additional demands put on the schools

Can Fire trucks easily and safely access all these homes? How about access to water to fill trucks?

Proposed roads in and out - do they meet visibility safety requirements? Visibility is limited at the crest of that hill. We have experienced several near miss accidents entering and exiting the driveway abutting this property. We see this as a major safety issue to all traveling on County Rte. 10.

Wells and septic . Led to believe that previous developers could not pass perk tests. Concerns about the water demand due to this high density housing . What will this do to the water table and the surrounding home owners?

There is a grave site on this property. Has that been taken into consideration?

New proposed road. Will it be a private road or will it be dedicated to the town or county? What is the additional cost to the town to maintain this?

Habitat destruction . This goes with saying the major negative effect it will have on wildlife. Have any studies been done to look at the short eared owl. This bird is on the threatened species list and it is known to winter in Greene County. What about the salamanders in the wetland area on this property. We were also led to believe that there were threatened species of salamanders found there.

Erosion and flooding? The effect on surrounding wetlands, streams, roads and property owners.

Proposed pond?! Digging up natural wetlands for a pond has enormous negative effects.

Windham is a mountainous rural community. This major high density proposal does not fit into this community!!

Visual integrity. This will destroy the natural beauty of the area of which Windham is know for.

Again, we have major concerns about this proposed major subdivision. There are enormous negative effects on the town, community and environment. In approving this major subdivision, it will set a precedent for future. Please do not allow a developers greed ruin beautiful Windham.

Respectfully,

MaryBeth and Ralph Magnetti

To Windham Planning Board,

It is not unreasonable to object to a mini-city popping up some 40 yards from one's home, not unless you just landed from another planet. Seriously though, as a Windham resident of almost 50 years, I have witnessed its growth, generally all good. That said, this Rt 10 proposed (suburban-like) project covering Bump Mountain is nothing less than greed being perpetrated on my adopted town! With it, we are witnessing the loss of what our town is...a beautiful piece of heaven on Earth, and seeing gluttonous investors who are not considering the beauty that makes Windham special. Please end this hideously misguided project!

Over the decades, I have watched many attempts by various owners to reasonably develop this same property. ALL have failed for a variety of reasons including dirty deeds, an unclean title, failed perk tests, impossible septic fields, just to name a few.

Proper development benefiting the community without irrevocably destroying the landscape and environment is always welcome. This proposal, as we are seeing it, would be a stain on our bucolic town! It needs to be shut down.

Go Windham!

Pete McShane
905 County Rt. 10

Nikolay Malyutin
910 County Route 10
Windham, NY 12496
nikolay.malyutin@gmail.com
718-614-0636

11/21/2024

Town of Windham Planning Board
c/o Bonnie Poehmel, Town Clerk
371 NY-296
Hensonville, NY 12439

Re: Objection to Proposed Windham Skye Subdivision

Dear Members of the Windham Planning Board,

I am writing to express my strong opposition to the proposed Windham Skye Subdivision. I am a current resident of Windham at 910 County Route 10, Windham NY – a parcel located directly across the street, abutting the proposed subdivision. While I understand the desire for development, this project poses numerous significant concerns that must be addressed.

Firstly, perk tests for water and septic have failed on this lot in the past. This raises a critical question: can the water table sustain 30 new wells? The potential impact on surrounding homes is concerning, especially considering that my property already experiences water issues (high sediment, clay) especially during droughts like we've had recently.

Secondly, the environmental implications are profound. The proposed subdivision threatens the habitat of endangered species like the short-eared owl and the threatened salamander, among others, found in local wetlands and forest. Additionally, disturbing the wetlands to create a pond for the subdivision is unacceptable. Erosion and flooding concerns must be looked at.

Furthermore, there are town public services and safety considerations. The proposed driveway entrance off Route 10 presents a major safety issue due to its limited visibility (it slopes upward allowing for minimal visual sight). There would be additional maintenance required for the road by the town if it was deemed public. Moreover, can our volunteer emergency services, schools, and police departments handle the influx of population associated with 30 new lots? Ensuring the fire department can safely access each new home and that there is adequate access to water is crucial.

Windham is a mountainous, rural community, and this subdivision does not fit in with the existing landscape and character of our town. Allowing this development would set a dangerous precedent for future subdivisions across Windham, altering our community's identity and environment.

In conclusion, I urge you to consider the substantial negative impact this subdivision will have on our community and reject the proposed Windham Skye Subdivision project. Regretfully I will be unable to attend the meeting in person on November 21st but hope the Planning Board will hear and consider the concerns of many local neighbors and stakeholders that will be negatively affected.

Sincerely,



Nikolay Malyutin