

Town of Rockland Planning Board
February 5, 2019

Members Present: Thomas Ellison, Richard Barnhart, James Severing, Robert Eckert, Nancy Hobbs and John Veleber. Also present: Supervisor Robert Eggleton, Code Enforcement Officer, Glenn Gabbard, Councilman Glen Carlson, Attorney Ken Klein

At 7:00 p.m. Vice Chairman Richard Barnhart opened the public hearing for the Firelight Camps Project. He stated that the room was at full occupancy with more people waiting to come in, if people could rotate out to give others a chance to participate in the public hearing that would be helpful.

As Mr. Barnhart called the first speaker, Meave Tooher, attorney for the Templin family interrupted asking that the applicants give an update for the public present before comments are offered. Mr. Barnhart invited Mr. Frisch forward to update those present.

Mr. Frisch thanked everyone for their input throughout this process and for allowing the progress thus far. He stated that they first began in Ithaca six years ago and have been very successful with their glamping operation. They are enthused by the county's vision to encourage tourism and enjoyment of the outdoors. Mr. Frisch gave an overview of the site plan and noted that the SEQR process is to address and impacts the project may cause. The applicants have met with the DEC, once at the site and again at their offices to address wetlands, the trout stream, water withdrawal, wastewater discharge and the overall project.

Ms. Tooher interrupted to state that there are people waiting outside and not able to hear the presentation or comments. Mr. Barnhart asked how many people were waiting and allowed the one individual to come into the board room.

Mr. Wes Illing, engineer for the project, continued the update. They changed the discharge to two storm water ponds instead of one, allowing better discharge to avoid flooding. The impervious areas were adjusted as requested by the DEC and the complete storm water plan will reflect these changes.

Public Comments:

Nan Gough submitted a letter to the board, pointing out that the applicants have called themselves a hotel operation.

Meave Tooher stated that she has yet to receive a response from the town attorney concerning when a determination was made that this project was considered camping. Ken Klein, attorney for the town was present and responded to Ms. Tooher on the record, informing her that the determination was made by the Code Enforcement Officer when the applicants reviewed the matter with him prior to the applicants submitting the application and such determination is reflective in the Planning Board minutes from the January 2018 meeting which was the first meeting at which the matter was brought before the Planning Board.

Ms. Tooher went on to state that this project has evolved substantially since their first submission and she feels that this will have a greater impact on the environment than first thought. Ms. Tooher submitted a document for the board's review outlining specific environmental impacts of this project with commentary from experts. She has yet to see any DEC reports outlining their findings. She stated that a bar was not allowed per town code in this zoning district nor large density development.

Ms. Tooher encouraged the board to look at this project in depth, reviewing data before the project begins construction in order to assess the changes that will occur. Noise, odor and light all need to be addressed to protect the community character.

John Templin stated that his property adjoins the site in question and feels that these tents with bathrooms are similar to a hotel rooms and not camping.

Evan Lavery stated that he lives and owns a business in the Town of Rockland and hopes to see a project like this get approved. He has seen positive growth recently and would like to see this trend continue.

Douglas Lee owns property to the south and east of the project site. He believes that our natural resources should be embraced but does not see a lot of room for guests to explore these resources without trespassing onto another property. He is in favor of fencing. Mr. Lee also expressed his concerns about the stream impacts. The trout stream that crosses this site is a Class C stream and he'd like to see the water quality kept intact. At times the stream has been very low and injecting effluent discharge into the waters will kill the stream. He supports responsible development.

Vito Racanelli has concerns over water usage with every tent site having a bathroom. This is not a low impact project with 100 tents. What about the vehicle traffic coming and going? How will the tents be heated (spring and fall can be chilly)? Has a bond been offered to cover the impacts if the business fails?

Neil Greenberg feels that this project will change the community character. We do need smart growth as outlined in the town codes and master plan.

Sam Wright, Catskill Mountain Keepers, suggests re-visiting the camping definition as substantial changes have been made to this project since it's first submission. Its complexity and size should trigger a positive declaration.

Joe Templin stated that he is an economic and ethics instructor and submitted information claiming ethics violations by the engineer for the project.

Brian Faquet, from Prohibition Distillery, stated that he supports economic development within the town.

Cat Perry asked what it is about Livingston Manor makes it attractive for this project. If the applicant loves the area like we do then take that into consideration with this project. We need assurances to protect our water and land.

Tabitha stated that she came from a small town similar to Livingston Manor and they resisted growth and they are struggling. This town needs good economic growth.

Glenn Carlson asked about emergency services accessibility to the tent sites - the applicants met with local representatives and they feel the access is sufficient.

Bob Willis has property bordering the site and currently has water problems, he's concerned about noise and light and that this project will devalue his property.

Daimon Lord stated that he knows the board has the interest of the town at heart and will do their best in this review. He feels the project is out of scale for the area.

Nan Gough presented the board with supporting documents concerning similar projects in New York. All the other sites have less tents per acre and feels this project is out of scale for Livingston Manor.

There being no other members of the public present wishing to comment Robert made a motion to recess the public hearing, Nancy seconded and carried 5/0.

Chairman Ellison opened the regular meeting of the Planning Board at 8:30 p.m. with the pledge to the flag. He welcomed John Veleber to the board and thanked Chris Andreola for his years of service. Mr. Ellison stated that he received a letter of resignation from board member Joy Wood and the Town Board will seek a replacement. Tom recused himself from the board.

Wes Illing, engineer for the Firelight project, updated the board on the progress of the project. The test well was pumped at 12 gpm and showed no signs of change in any of the neighboring wells being monitored. The well is 247' deep and when pumped hard a curve showed. They will test again at 7 gpm.

They met with the DEC and will complete the SWIPP, pump tests and final site plan. The DEC did not want the discharge going to the pond but through a pipe where it can be monitored. New technology takes care of the treatment process so much better than the older systems. Using UV to treat the effluent before discharging produces a much cleaner product.

Tom rejoined the board.

Correspondence:

- The Code Enforcement Officer sent a copy of a letter sent to existing camps in the town stating that the moratorium has expired and existing camps may continue but no new camps may operate. Alterations or changes must come before the board.
- Upcoming training, February 11th

Jim recused himself from the board and presented information on a 2 lot subdivision for Pat and Gary Rogers, Grooville Rd, Livingston Manor. A 2.45 acre piece is being cut out of a 7.69 acre piece. The property is in an RC zone. This property borders a county road and is in the Catskill Park so will require a County 239 Review. Soil and deep test pit tests need to be done.

Nancy made a motion that the Planning Board be lead agent, Richard seconded and carried 5/0. The clerk will send paperwork to the county and a public hearing can be scheduled for April.

There being no further business before the board John made a motion to adjourn, Bob seconded and carried.