

Village of Tannersville

Date

November 14, 2022

Time

4:30 PM

Location Tannersville Village Hall

Present: Lee McGunnigle, Mayor
David Kashman, Trustee
John Gallagher, Trustee
Kimberly Thompson, Trustee

Type of meeting: Planning Session/Regular Board Meeting

Robin Dumont, Village Clerk-
Treasurer

Absent: Greg Landers, Trustee

Also Present: Allyson Phillips, Emily Hamilton, Representatives from Ashley McGraw

Minutes:

The Mayor opened the meeting with the Pledge of Allegiance.

The Mayor turned over the floor to RUPCO Representatives for an updated presentation of their site plan and PDD request.

Representatives from Ashley McGraw presented the updated renderings to the public and board and indicated the changes based on the ZBA recommendations and Engineer's comments from the last meeting.

[Updated site plan on following page]

The Mayor asked if there were further comments from the board regarding the project and no one had any comments.

SEQR

The Board reviewed SEQR Parts 2/3 for the project. The Mayor read the following resolution and made a motion for its adoption:

**ISSUING A NEGATIVE DECLARATION FOR
PROPOSED PDD AND SITE PLAN FOR REDEVELOPMENT PROJECT**

DATE: November 14, 2022

WHEREAS, RUPCO, Inc. (the “Applicant”) is proposing the demolition of an existing vacant hotel, apartment building and associated outbuildings located at 55 Spruce Street in the Village of Tannersville (“Village”), and construction of one (1) new senior housing apartment building composed of fifteen (15) 1-bedroom dwelling units and associated amenities, one (1) new multifamily apartment housing building composed of forty (40) mixed dwelling units (studio, 1-bedroom, 2-bedroom, & 3-bedroom), one (1) community building with leasing offices, two-bedroom Superintendent Dwelling Unit, surface parking lots, and green space and resident amenities; and

WHEREAS, the Applicant has applied to the Village Board for the creation of a Planned Development District (“PDD”) and associated site plan review, pursuant to Article 9 of the Village Zoning Law and other necessary approvals to connect the proposed new development to public utilities, including the Village water system; and

WHEREAS, the Village Board is required to conduct an environmental review of the above-referenced application (the “Action”) in accordance with the State Environmental Quality Review Act and the Regulations promulgated thereunder, (collectively “SEQRA”), and

WHEREAS, the Applicant prepared and submitted to the Village Board a Full Environmental Assessment Form (“EAF”) and the Village Board adopted a Resolution declaring its intent to act as Lead Agency under SEQRA; and

WHEREAS, the Village Board, pursuant to 6 NYCRR Part 617, conducted coordinated review and sought input from various involved and interested agencies on its designation as Lead Agency; and

WHEREAS, the Village Board reviewed Part 1 and Part 2 of the EAF; and

WHEREAS, the Village Board has reviewed the extensive documentation prepared by the Applicant, comments received from involved and interested agencies, oral and written comments received during the public comment period and from the Village’s consultant engineer, and the Applicant’s response to those comments, and have taken a hard look at all of the potential environmental impacts;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE VILLAGE BOARD OF THE VILLAGE OF TANNERSVILLE, GREENE COUNTY, NEW YORK:

The Village Board of the Village of Tannersville, as lead agency, for purposes of compliance with SEQRA, 6 NYCRR Part 617, determines that the proposed Project will result in no significant adverse impacts on the environment adopts the attached Negative Declaration with reasoned elaboration.

Trustee Gallagher seconded. Four in favor, one absent, motion carried.

The Mayor noted the following be entered into the minutes:

RUPCO, Inc. is proposing the demolition of an existing vacant hotel, apartment building and associated outbuildings located at 55 Spruce Street in the Village of Tannersville (“Village”), and construction of one (1) new senior housing apartment building composed of fifteen (15) 1-bedroom dwelling units and associated amenities, one (1) new multifamily apartment housing building composed of forty (40) mixed dwelling units (studio, 1-bedroom, 2-bedroom, & 3-bedroom), an attached community building with leasing offices, two-bedroom Superintendent Dwelling Unit, surface parking lots, and green space and resident amenities.

Reasons Supporting this Determination:

1. Impact on Land. There are no significant anticipated adverse impacts on land. The project area is a previously disturbed site with existing vacant hotel, apartment building and associated outbuildings that will be demolished as part of the Project. Although the proposed Project will result in a change in land from vacant commercial to residential, the potential impact to environmental resources is considered small.
2. Impact on Geological Features. No unique geologic features exist on the Project site. Therefore, no adverse impacts to unique geologic features will occur.
3. Impact on Surface Waters. There are no significant anticipated adverse impacts on surface waters. There are no identified state or federal wetlands occurring on the Project site and a Stormwater Pollution Prevention Plan (SWPPP) will be prepared for the Project which includes post-construction stormwater controls and standard sedimentation and erosion control measures to limit impacts from stormwater runoff. The SWPPP will be reviewed and approved by the New York City Department of Environmental Protection (DEP) due to the Project site location in the New York City Watershed. With these mitigation measures incorporated in the Project design, significant adverse impacts from stormwater runoff are not anticipated.
4. Impact on Groundwater. There are no significant anticipated adverse impacts on groundwater. The Project will be served by public water and sewer systems. The existing water and sewer mains are located adjacent to the property and can serve the Project site through construction of a lateral connection. Therefore, significant adverse impacts to groundwater resources.
5. Impact on Flooding. The Project is not located in a designated flood hazard area. Therefore, no adverse impacts to flooding are anticipated as a result of the Project.

6. Impact on Air. There are no anticipated significant impacts on air quality. The proposed Project does not include any uses that would result in a substantial change in existing air quality. While the use of generators and equipment during construction may be considered new emission sources, any resulting impact to existing air quality is expected to be minimal and temporary in nature.
7. Impact on Plants and Animals. There are no significant anticipated adverse impacts on endangered plants and animals. The NYS DEC Environmental Resource Mapper indicates that the site of the proposed action does not contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered. Based on the foregoing, no significant adverse impacts to these resources are anticipated.
8. Impact on Agricultural Resources. There will be no significant adverse impacts on Agricultural Resources. It is noted that no farmland will be converted as a result of this Project.
9. Impact on Aesthetic Resources. There are no significant anticipated adverse impacts on aesthetic resources. The proposed Project has been designed to accord with Village-wide design standards and incorporate new landscaping. These features will have a beneficial impact on the parcel's overall appearance.
10. Impact on Historic and Archeological Resources. There are no anticipated adverse impacts on historic and archeological resources. By letter dated August 12, 2022, ORPH responded that the Project would not impact historic properties or resources. Based on the foregoing, no adverse impacts to historic or archeological resources are anticipated.
11. Impact on Open Space and Recreation. There are no significant adverse impacts to open space or recreation anticipated. The property is not identified as an open space resource on any adopted municipal open space plan. In addition, the Project involves redevelopment of property for residential use and incorporates open space and recreational features for residents.
12. Impact on Critical Environmental Areas. There are no significant anticipated adverse impacts on critical environmental areas.
13. Impact on Transportation. There are no significant anticipated adverse impacts on transportation systems as a result of the proposed Project. Proposed entrance ways and internal access pathways were reviewed by the Village Engineer, Fire Department, and Village DPW Superintendent, and deemed adequate for the proposed use.
14. Impact on Energy. There are no anticipated significant adverse impacts on energy generation, or use, as part of the action. While development of the Project will require the use of energy and fuel during construction and operation, the Project will be designed to accord with LEED and passive house certification requirements.

15. Impact on Public Services. There are no anticipated significant adverse impacts on public services as a result of the Project. The proposed site plan allows direct access to the site from Spruce Street for emergency providers and internal site access to buildings that has been designed to accommodate emergency service vehicles.
16. Impact on Noise, Odor, and Light. There are no significant anticipated adverse impacts on noise, odor or light. While some noise and odor from construction equipment during work hours is anticipated during Project construction, these impacts are considered minor and will be temporary in duration. Lighting fixtures will be directed down and all light sources shielded.
17. Impact on Human Health. There are no significant anticipated adverse impacts on human health.
18. Consistency with Community Plans. The Project has been designed to be consistent with the requirements of the Village Zoning Law, including Village-wide design standards set forth in Article 11.
19. Consistency with Community Character. As noted above, the proposed Project has been designed to accord with Village-wide design standards and incorporate new landscaping. These features will have a beneficial impact on the parcel's overall appearance. Based on the foregoing, the Project is consistent with the community character.

Review and Vote on Planned Development District and Site Plan Review Application

The Mayor presented the following resolution and made a motion for its adoption:

ESTABLISHING A PDD AND GRANTING
CONDITIONAL SITE PLAN APPROVAL FOR REDEVELOPMENT PROJECT

DATE: November 14, 2022

WHEREAS, RUPCO, Inc. (the "Applicant") is proposing the demolition of an existing vacant hotel, apartment building and associated outbuildings located at 55 Spruce Street in the Village of Tannersville ("Village"), and construction of one (1) new senior housing apartment building composed of fifteen (15) 1-bedroom dwelling units and associated amenities, one (1) new multifamily apartment housing building composed of forty (40) mixed dwelling units (studio, 1-bedroom, 2-bedroom, & 3-bedroom), a community building with leasing offices, two-bedroom Superintendent Dwelling Unit, surface parking lots, and green space and resident amenities; and

WHEREAS, the Applicant applied to the Village Board for the creation of a Planned Development District ("PDD") and associated site plan review, pursuant to Article 9 of the Village Zoning Law and other necessary approvals to connect the proposed new development to public utilities, including the Village water system; and

WHEREAS, the Applicant prepared and submitted to the Village Board a Full Environmental Assessment Form (“EAF”) and the Village Board adopted a Resolution declaring its intent to act as Lead Agency under SEQRA; and

WHEREAS, the Village Board, pursuant to 6 NYCRR Part 617, conducted coordinated review and sought input from various involved and interested agencies on its designation as Lead Agency; and

WHEREAS, the Village Board referred the application to the Village of Tannersville Zoning Board of Appeals (“ZBA”) for its review and report to the Village Board pursuant to Section 9.5 (A)(3) and (4) of Village of Tannersville Zoning Law; and

WHEREAS, the ZBA met on September 19, 2022, September 26, 2022, and September 30, 2022 and reviewed the application and submitted its report to the Village Board on October 18, 2022; and

WHEREAS, the Village Board duly noticed and held a public hearing on the application on October 20, 2022, at which time the Village Board received comments from members of the public; and

WHEREAS, the Applicant submitted a final revised site plan to the Village Board on November 11, 2022 incorporating changes requested by the Village Board and its consultant Engineer; and

WHEREAS, the Village Board has reviewed and considered comments received from involved and interested agencies, public hearing comments that were received on the Application, the Applicant’s responses to comments that were received, including but not limited to revised plan sets and written response to comments from the Village Engineer; and

WHEREAS, the Village Board has reviewed and considered all the materials before it, including the materials submitted by the Applicant, comments from members of the public, involved and interested agencies individual members of the Village Board; and

WHEREAS, the Village Board has publicly deliberated on the Application and considered the criteria for establishment of a PDD and site plan approval set forth in the Village Zoning Law.

NOW, THEREFORE, BE IT RESOLVED THAT, in reliance on the application, and additional submissions and statement by the Applicant, a PDD shall be established on the property located at 55 Spruce Street in the Village of Tannersville identified as Tax Parcel No. 182.09-1-18, and that the Zoning Map for the Village of Tannersville shall be amended to rezone the property from R1 to PDD.

BE IT FURTHER RESOLVED THAT, the final site plan, submitted to the Village Clerk on November 11, 2022 is hereby approved and shall constitute the approved Development Plan (DCP) required under Zoning Law Article 9 and satisfy the requirement for submission of an Incremental Development Plan (ICP), subject to the following conditions:

1. Building permit approval is contingent upon the issuance by the relevant agency and receipt by the Village of all necessary approvals from the NYS Department of Environmental Conservation, NYS Department of Health, the New York City Department of Environmental Protection and the Village of Tannersville Village Board. In the event that any such permits result in a change to the

site plan, no building permit shall be issued, until the Applicant returns to the Village Board for review and acceptance/denial that such change(s) are compliant with the Village Zoning regulations.

2. Building permit approval is contingent upon the Village receiving a copy of the Notice of Intent associated with the Stormwater Pollution Prevention Plan and written approval from the NYCDEP regarding the site stormwater design for the proposed PDD.
3. Building permit approval is contingent upon the Village receiving calculations indicating the adequacy or inadequacy of the culverts and roadside drainage to convey all stormwater and drainage discharge from the site. The Village shall not be responsible for upgrading any roadside drainage and culverts along Spruce Street and Quarry Road in order to accommodate PDD site design and drainage. All improvements to the Villages existing roadside drainage and culverts shall be by the applicant to the satisfaction of the Village Board and Village Engineer.
4. Building permit is contingent upon the Village receiving written approval from the NYCDEP for the sewer connection for the proposed PDD.
5. The site plan approval is issued only for the particular use described in the application materials currently before the Village Board, to wit, senior and workforce housing. If the use changes in any way from that described in the application materials or to the Village Board, a new approval may be required from the Village Board.
6. All parking on the premises shall be confined to the parking lot depicted on the site plan.
7. Any improvements to the intersection of Quarry Road and Spruce Street in order to widen the roadway and enhance the intersection shall be as depicted on the approved site plan and completed by the Applicant to the satisfaction of the Village Board and Village Engineer. In the event that following the completion of construction, the Village determines that the proposed enhancements will create an unexpected and undesirable impact to neighboring parcels, traffic flow, sight distances, etc., the Village shall have the discretion to require modification to mitigate such impacts.
8. To prevent dirt from being tracked onto public highways or sediment run-off from entering the adjacent drainage way, the site entrances shall be gravel or pavement. The applicant shall thoroughly clean and sweep Spruce Street and Quarry Road and the projects entrance as often as necessary or as requested by the Village of Tannersville, to prevent dust and dirt accumulation from the project during construction periods.
9. Building permit approval is contingent on the applicants field verification that sight distances for the Spruce Street driveway entrance shall meet or exceed those required for the posted speed of Spruce Street. This information shall be presented for review and approval to the Village Board and Village Engineer. In the event that following the completion of construction, the Village determines that the proposed site entrance creates an unexpected and undesirable impact to pedestrian and traffic safety, the Village shall have the discretion to require modification of the lighting plan to mitigate such impact.
10. Building permit approval is contingent upon the applicant satisfying the Village Engineer, Village Water System Operator and Village Board requirements for connection to the Village water

system infrastructure. Applicant shall pay all necessary fees for connection as necessary. All water services and water main extensions for the PDD shall be considered privately owned and not the responsibility of the Village unless otherwise approved by the Village Board. The buildings shall be individually metered and meters shall be obtained from the Village. All hydrants to be owned and maintained by the Village of Tannersville shall be constructed in the Village right-of-way.

11. Building permit approval is contingent upon verification of adequate fire flow supply for fire suppression/sprinkler systems. Prior to issuance of a building permit the applicant shall submit for review and approval the fire flow requirement for the proposed structures. The Village Engineer and DPW, in the presence of the applicant, field verified that the available fire flow to the site is 658 gpm at the minimum system pressure of 20 psi.
12. Building permit approval is contingent upon the Village receiving a lighting plan that depicts the lighting intensity/illumination of the proposed site lighting and that no light emanating from the site is cast upon an adjacent property or roadway. This lighting plan shall be submitted to the Village Engineer for review and consideration. All lights must be down directed and all light sources shielded. All lighting must be down directed and all light sources shielded, including sign lighting. In the event that following the completion of construction, the Village determines that the lighting plan as set forth above creates an unexpected and undesirable impact to the surrounding properties, the Village shall have the discretion to require modification of the site lighting to mitigate such impact.
13. Provisions shall be made during construction and post-construction to remove trash on a regular basis to the satisfaction of the Village Board and Village code enforcement officer.
14. If any term of condition of this site plan approval is annulled by a court of law, then the Village shall retain the right to reconsider whether this approval continues to meet the requirements for the granting of a site plan approval in accordance with the code of the Village of Tannersville. If any of the terms and conditions of this approval shall be violated, such violations shall be dealt with in accordance with the Village of Tannersville local laws including the possibility of termination/revocation of this approval by a Court of the competent jurisdiction following adjudication of the violation.
15. Any signs erected at the premises shall be constructed, erected and shall appear a set for by the applicable Village law.
16. The applicant shall allow representatives from the Village of Tannersville to access the site, at reasonable times and upon reasonable notice, to determine if the terms and conditions of this site plan approval are being complied with.
17. The proposed buildings shall be constructed and the use shall be conditioned in accordance with the site plan, all engineers reports, and any other documentation submitted to the Village Board including but not limited to, any and all plans submitted by the applicant and requirements of the Village Engineer.
18. Applicant shall install landscaping (i.e. evergreen trees) to screen on-site generators and to limit the visual impact of the project on the neighboring residences.

19. Prior to applying for a building permit, applicant shall present to the Village Board renderings of the structures (limited of a maximum of 3) for review and input depicting different veneer and siding colors/textures.

BE IT FURHTER RESOLIVED THAT, the Village Clerk, with the assistance of the Village Attorney and/or consultant Engineer is hereby authorized and directed to take such other and further actions as are necessary to effectuate the purposes of this Resolution.

Trustee Gallagher seconded. Four in favor, one absent, motion carried.

The Mayor made a motion to close the planning portion of the meeting. Trustee Kashman seconded. Four in favor, one absent, motion carried.

Regular Board meeting

Vouchers/Abstracts/Reports

Trustee Kashman made a motion to approve the vouchers/abstracts and reports. Trustee Seconded Four in favor, one absent, motion carried.

Reports

Taxes sent to County for Collection: \$62,695.26 Interest \$5,015.63

Town Water Bills sent to County For Collection: \$62,458.47 Interest \$3,107.36

Grants Update: C1000972 Proceeding with closeout and final reimbursement from DOS.

C1001671 – final bid documents under review with DOS, and will going out to bid soon for park work at upperside of the lake.

Water Grant – working on closeout with Jason, finalizing list of items to be completed – Sunview tower, 4 hydrants on transmission line.

Water Department Report – Non Grant

Continuing to update inventory for new parts received

Located curb boxes for 4 homes on Park Lane and Spring Street

Shut off water at Helmreich House and repaired curb box

Shut off water at 106 Park Lane

Shut off water at 148 Park Lane

Working on piping for Sunview Tower, cleaning out tower and distribution line in preparation for start up next week.

Turn on water at Former Hoagland House

4 Dig Safe markouts

Service Call at Par 4 Drive for Fromer new house. Contractor did not have line properly connected and came loose. After Curb box. Billable labor and needed parts their plumber did not have.

Service Call 2 days to Millenium Building – Tapped new line for Radcliffes, low pressure internal or on old service line. Billable time and materials. Found 2 former foundations owner not aware of.

Winterized boathouse and pavilion.

Contract of Sale for 55 Spruce Street from Village of Tannersville to RUPCO

The Mayor presented the following resolution and moved for its adoption:

AUTHORIZATION TO EXECUTE PURCHASE AND SALE AGREEMENT

DATE: November 14, 2022

WHEREAS, the Village of Tannersville is the owner of an approximately 5.6 acre parcel of land located at 55 Spruce Street (Section 182.09, Block 1, Lot 18) in the Village of Tannersville (the “Property”). Located on the property are the remnants of a hotel, apartment building and associated outbuildings that are in substantial disrepair and must be demolished and removed; and

WHEREAS, RUPCO, Inc. (“RUPCO”) has approached the Village and offered to purchase the Property to facilitate its’ redeveloped for the following uses: one (1) new senior housing apartment building composed of fifteen (15) 1-bedroom dwelling units and associated amenities, one (1) new multifamily apartment housing building composed of forty (40) mixed dwelling units (studio, 1-bedroom, 2-bedroom, & 3-bedroom), a community building with leasing offices, two-bedroom Superintendent Dwelling Unit, surface parking lots, and green space and resident amenities (the “Project”); and

WHEREAS, the existing vacant hotel, apartment building and associated outbuildings would be demolished as part of the Project; and

WHEREAS, the Village has negotiated an agreement for the sale of the Property to RUPCO for its fair market value which is appended hereto (see attached “Purchase and Sale Agreement”); and

WHEREAS, under the PSA, closing is contingent upon, among other events, RUPCO obtaining final written commitments for all construction and permanent financing and having obtained all necessary municipal and/or governmental approvals for the project including required rezoning of the Property to Planned Development District and site plan approval, and completion of the related review of

environmental impacts under the New York State Environmental Quality Review Act and the Regulations promulgated thereunder, (collectively "SEQRA").

NOW THEREFORE, IT IS HEREBY RESOLVED, by the Tannersville Village Board, as follows:

1. The Property is not needed for any municipal purpose or use and is considered surplus property.
2. The Village Board finds it is in the public interest that said Property be made available for the Project subject to the contingencies set forth in the Purchase and Sale Agreement.
3. The Village Mayor is authorized to execute, on behalf of the Village of Tannersville, the Purchase and Sale Agreement, which has been reviewed and approved by the Village Attorney.

Trustee Gallagher seconded. Four in favor, one absent, motion carried.

Letter of Support for RUPCO Grant Application to NYS Homes & Community Renewal

Representatives from RUPCO stated that they are seeking a letter of support from the Village for a grant application to be submitted to the New York State Office of Homes and Community Renewal. Funding received if awarded will assist with project costs.

The Mayor made a motion to provide a letter of support for their application. Trustee Kashman Seconded. Four in favor, one absent. Motion carried.

Being there was no further business, Trustee Kashman made a motion to adjourn the meeting. Trustee Thompson seconded. Four in favor, one absent. Motion carried.