

**RESOLUTION OF CONDITIONAL APPROVAL
OF
SITE PLAN
AND
WETLANDS AND WATERCOURSE PROTECTION PERMIT
FOR
MOHONK PRESERVE, INC.
[MOHONK BROOK FARMHOUSE REHABILITATION PROJECT]
(PB22-423)**

APPLICATION SUMMARY

Mohonk Preserve, Inc. its successors and assigns (hereinafter “the Applicant”) has applied for site plan approval of a phased redevelopment of the existing Brook Farm Complex located on approximately 7-acres of the Mohonk Preserve Foothills and approval of a wetlands and watercourse protection permit under Chapter 139 (“Wetlands and Watercourse Protection”) of the Town Code for disturbance of 0.66-acres within the Town 100-foot regulated wetland buffer area.

For Phase 1, Applicant proposes to locate its Conservation Programs (Conservation Science and Land Protection) in the Brook Farmhouse, which is classified as an “institutional/Philanthropic and Cultural Use.” Phase 1 involves renovations to the interior and exterior of the farmhouse and exterior site work that includes removing the chicken coop and shed, constructing multiple walkways, a 9-space parking lot, a patio, and installation of a new septic system and enhancement of wetland buffer areas. Phase 1 also includes the selective demolition of nine (9) structurally unsound agricultural buildings (two on the south side of Lenape Lane and seven on the north side of Lenape Lane). Phase 2 includes the installation of a 2,600 square-foot office/meetings space/woodshop, a 2,500 square-foot maintenance garage, a 600 square-foot garage/storage space, a six-bay pole barn, and a 360 square-foot salt storage shed. Phase 2 also includes associated paved parking and access, connections to potable water and septic systems, stormwater management facilities and associated grading and landscaping. Phase 2 development will on the north side of Lenape Lane in the area currently occupied by structurally unsound barns and agricultural buildings to be demolished as part of Phase 1.

The Applicant has proposed two wetland buffer enhancement areas totaling 14,600 square feet (0.34 acres) in size to offset the proposed impacts within the Town regulated wetland buffer. The enhancement areas will be situated to provide a 50-foot vegetated buffer between the area of the proposed renovations and the wetlands

IDENTIFICATION OF THE PROPERTY

The property that is the subject of this Resolution is located along Lenape Lane, approximately 0.5-miles west of Butterville Road, and is shown on the Tax Maps of the Town of New Paltz, New York as Section 86.1, Block 1, Lot 40.121. The property is located within the Agriculture 3 (A-3) Zoning District.

IDENTIFICATION OF THE PLANS

The following are the plans and other submittals which form the basis of the Planning Board's action in this matter:

1. Site Plan Application, revised October 9, 2023
2. Mohonk Preserve Brook Farm Complex Redevelopment *Project Narrative*, revised October 9, 2023
3. Owner's Affidavit, dated January 24, 2024
4. Full Environmental Assessment Form Part 1, October 30, 2023
5. Deed from Open Space Institute Land Trust, Inc. to Mohonk Preserve, Inc., dated December 17, 2014, and recorded with the Ulster County Clerk's office on December 18, 2014 in Book 5819, Page 125
6. Mohonk Preserve Visual Assessment, Brook Farm Complex Redevelopment, prepared by Barton & Loguidice, dated July 2023 (4 sheets)
7. Existing Conditions Report for Brook Farm House, prepared by Carolyn M. Coppola, Coppola Preservation Consulting LLC, dated July 19, 2023
8. Brook Farm Rehabilitation Project Existing Barn Inspections, prepared by Stinemire Engineering, dated July 19, 2023
9. Letter from Chuck Reid, Mohonk Preserve, Inc. to Tomas V. Tryon, Building Inspector, dated October 9, 2023 re: Mohonk Preserve Brook Farm Septic System Demolition and Grading Proposal

10. Letter from Tomas V. Tryon, Town of New Paltz Building Department, dated October 23, 2023 re: Mohonk Preserve Brook Farm Septic System Demolition and Grading Proposal
11. Endangered Species Habitat Suitability Assessment Report, prepared by Ecological Solutions, LLC, December 6, 2023
12. Screenshot of response from SHPO on archeology review, submitted January 8, 2024
13. Letters from the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation, dated July 26, 2023 and January 5, 2024
14. Letter from Barton & Loguidice, dated January 8, 2024, re: Zoning Code Waiver Requests
15. Stormwater Pollution Prevention Plan for Brook Farm Complex Redevelopment, prepared by Barton & Loguidice, dated January 2024
16. Ernst Conservation Seeds, Riparian Buffer Mix Information Sheet, dated December 19, 2023
17. Town of New Paltz Wetlands & Watercourse Referral Regulated Activities Long Form Application, dated January 24, 2024, including:
 - a. Owner's Affidavit, dated January 24, 2024
 - b. Town of New Paltz Wetlands & Watercourse Referral Regulated Activities Short Form Application, dated January 23, 2024, and Owner's Authorization, dated January 24, 2024
 - c. Memorandum from Mark Carabetta, Town of New Paltz Wetland Inspector – SLR Engineering, Landscape Architecture, and Land Surveying, P.C., dated December 2, 2022
 - d. Full Environmental Assessment Form Part 1, October 30, 2023
 - e. Project Location Map for Mohonk Preserve Brook Farm Redevelopment, prepared by Barton & Loguidice, dated March 2023
 - f. January 2024 Site Plan Submission for Mohonk Preserve, Inc. Brook Farm Complex Redevelopment, prepared by Barton & Loguidice, D.P.C.
 - g. Brook Farm Wetland Delineation for Mohonk Preserve, prepared by Barton & Loguidice, dated March 2023
18. Beacon Lighting Specifications for Mohonk Preserve Brook Farm Redevelopment, dated January 25, 2024 (9 pages)

19. Wave Lighting Specifications for Mohonk Preserve Brook Farm Redevelopment, submitted January 29, 2024 (1 page)
20. Cooper Lighting Solutions Specifications for Brook Farm Redevelopment, submitted January 29, 2024 (3 pages)
21. Generation Lighting Specifications for Brook Farm Redevelopment, submitted January 29, 2024 (4 pages)
22. Design House Lighting Specifications for Brook Farm Redevelopment, submitted January 29, 2024 (1 pages)
23. Barn Light Electric Co. Lighting Specifications for Brook Farm Redevel., submitted January 29, 2024 (4 pages)
24. Draft Letter of Resolution Among the New York State Department of Environmental Conservation, the New York State Energy Research and Development Authority, the New York State Office of Parks, Recreation & Historic Preservation, and Mohonk Preserve, Inc. Regarding the Proposed Brook Farm Redevelopment Project Town of New Paltz, Ulster County, New York, revised February 21, 2024
25. Mohonk Preserve Brook Farm Complex Redevelopment *Wetland Buffer Enhancement Area Establishment and Maintenance Plan*, revised February 22, 2024
26. Memoranda from Mark Carabetta, Town of New Paltz Wetland Inspector – SLR Engineering, Landscape Architecture, and Land Surveying, P.C., dated February 6, 2024 and March 7, 2024
27. Comments from Town of New Paltz Environmental Conservation Board, dated March 22, 2024
28. Site Plan Submission Mohonk Preserve, Inc. Brook Farm Complex Redevelopment, prepared by Barton & Loguidice, D.P.C., consisting of the following:

<u>Sheet No.</u>	<u>Title</u>	<u>Last Revised</u> ¹
G001	Cover Sheet	February 2024
G002	General Notes, Drawing Index, and Legends	February 2024
G003	Vicinity Map and Schedules	February 2024
C100	Existing Conditions Plan	February 2024

¹ The plan set may be updated as authorized by the Planning Board Engineer (see Specific Condition #1).

C101	Master Site Plan	February 2024
C102	Master Lighting Plan	February 2024
C110	Phase 1: Demolition and Removals Plan	February 2024
C111	Phase 1: Layout and Materials Plan	February 2024
C112	Phase 1: Grading and Utility Plan	February 2024
C113	Phase 1: Septic Enlargement Plan	February 2024
C114	Phase 1: Planting Plan	February 2024
C115	Phase 1: Profiles	February 2024
C120	Phase 2: Demolition and Removals Plan	February 2024
C121	Phase 2: Layout and Materials Plan	February 2024
C122	Phase 2: Grading and Utility Plan	February 2024
C500	Typical Sections and Details	February 2024
C501	Miscellaneous Details	February 2024
C502	Small Interpretive Kiosk Details	February 2024
C503	Stormwater Management Sections and Details	February 2024
C504	Electrical Sections and Details	February 2024
C505	Septic System Sections, Details and Notes	February 2024
C506	Planting Details	February 2024
C700	Erosion and Sediment Control Notes and Details - 1	February 2024
C701	Erosion and Sediment Control Notes and Details - 2	February 2024

29. Plans for Mohonk Preserve – Brook Farm House, prepared by Alfandre Architecture, consisting of the following:

<u>Sheet No.</u>	<u>Title</u>	<u>Last Revised²</u>
A-001	Cover Sheet	07/05/2023
A-002	Means of Egress Plans	07/05/2023
A-003	3D Views of Exterior	07/05/2023
A-100	Demo Plans	07/05/2023
S-100	Basement Plans	07/05/2023

² The plan set may be updated as authorized by the Planning Board Engineer (see Specific Condition #1).

S-101	First Floor Framing Plan	07/05/2023
A-101	First Floor Plan	07/05/2023
A-102	Second Floor Plan	07/05/2023
A-103	Reflected Ceiling Plans	07/05/2023
A-104	Attic and Roof Plans	07/05/2023
A-201	Elevations	07/05/2023
A-202	Elevations	07/05/2023
A-301	Sections	07/05/2023
A-302	Sections	07/05/2023
A-501	Details	07/05/2023
A-502	Details	07/05/2023
A-503	Corbel Template	07/05/2023
A-601	Schedules	07/05/2023
A-602	Finish Plan and Schedule	07/05/2023
M-101	Mechanical	07/05/2023
M-102	Mechanical	07/05/2023
E-101	Electrical Plan	07/05/2023
E-102	Electrical Plan	07/05/2023

30. Brook Farm Maintenance Building Schematic Design, prepared by Plum Buildings, consisting of the following:

<u>Sheet No.</u>	<u>Title</u>	<u>Last Revised</u>
A-00	3D Massing	03/12/2024
A-01	Elevations	07/13/2023
A-02	Floor I Overview	07/13/2023
A-03	Plans FL I	07/13/2023
A-04	Plans FL 2	07/13/2023

31. Renderings for Mohonk Preserve, prepared by Alfandre Architecture submitted February 22, 2024, consisting of the following:

- Brook Farm – Farmhouse & Barns Circa Early 1900’s – Pre-Sky Top
- Brook Farmhouse Current Condition and Brook Farmhouse Completed Restoration

- Brook Farm House Front View from Lenape Lane
- Brook Farm House Rear View from Lenape Lane

PROCEDURAL HISTORY

The application for this matter was received by the Town Building Department on or about October 31, 2022. An amended application was submitted on or about October 9, 2023. The Planning Board determined that under the State Environmental Quality Review Act (“SEQRA”), the project was an Unlisted action. The Planning Board circulated a Notice of Intent to be Lead Agency on November 3, 2023 and subsequently assumed Lead Agency status on January 22, 2024, having received no objection from any other SEQRA Involved Agency. On March 25, 2024, the Planning Board issued a Negative Declaration on the application under SEQRA, declaring that the project will have no significant adverse impact on the environment.

On January 22, 2024, the Planning Board granted the Applicant’s request to waive the following site development plan requirements pursuant to Town Code § 140-52(B)(3) as requested in the written waiver request letter from Barton & Loguidice, dated January 8, 2024, as such requirements are not in requisite in the interests of the public health, safety or general welfare and/or inappropriate for this particular site plan:

- “names of all owners of record of adjacent properties” (Town Code § 140-52(B)(2)(b));
- “accurate location of the boundaries of the applicant's property and any existing lot lines, streets, easements or other reservations located within it” (Town Code § 140-52(B)(2)(c)); and
- “location of all buildings, structures and other man-made features of the site, as well as those on adjacent properties within 100 feet of the property boundary, including existing utility lines” (Town Code § 140-52(B)(2)(d)).

The application was referred to the Town Wetland Inspector and EnCB in accordance with Town Code § 139-12(E). The Town Wetland Inspector issued a final Memorandum on this application, dated March 7, 2024, and offered the following opinions:

- The choice of plant species comprising the proposed seed mix is appropriate.
- The steps for establishment and maintenance described in the *Wetland Buffer Enhancement Area Establishment and Maintenance Plan* are appropriate and should be adhered to.

- The Planning Board should consider making it a condition of permit approval that a representative from the Town of New Paltz make annual visits during a 3-year period to confirm successful progress with the establishment and maintenance of the wetland buffer enhancement areas.

The EnCB provided written comments, dated March 22, 2024, stating that it concurs with the comments of the Planning Board Engineer and Wetland Inspector, and emphasized that the Town should require the site to be monitored annually for a period of 3 years to ensure the maintenance of the wetland buffer enhancement areas.

A duly noticed public hearing on this application was held on February 12, 2024, March 11, 2024 and March 25, 2024, when it was closed.

Pursuant to the agreement between the Ulster County Planning Department and the Town of New Paltz relative to General Municipal Law § 239-l, -m or -n, this application was referred to the Ulster County Department of Planning. On or about March 6, 2024, the Ulster County Planning Board issued its determination which contained the following required modification:

- Final approval of the propose septic by the County Health Department will be necessary as a condition of approval.

The Planning Board has incorporated Ulster County Planning Board's required modifications by including the following as a condition of approval:

- Prior to the signing of the plans, the Applicant shall submit to the Building Department proof that Ulster County Department of Health has approved the proposed septic system.

FINDINGS – WETLANDS AND WATERCOURSE PROTECTION PERMIT

The Planning Board has determined that approval of this permit will protect the health, safety and well-being of the persons and property in the Town that lies outside of the Village of New Paltz, and that the wetlands, waterbodies, watercourses, and associated buffer areas contained therein will be conserved and protected, not despoiled nor destroyed, and that the loss or impairment of the natural functions and values thereof will be avoided.

The Board additionally finds, in accordance with Section 139-14 of the Town Code, that there are no reasonable alternatives to the approval herein which would avoid substantial adverse

effects on the regulated areas, and that any adverse effects on the function of, or the benefits derived from, regulated areas has been minimized to the maximum extent feasible.

FINDINGS – SITE PLAN

The Planning Board has determined that approval of this site plan will protect and promote public health, safety, morals, comfort, convenience, economy, Town aesthetics and the general welfare, will have no adverse effect or impact upon the physical or environmental conditions of properties in the immediate vicinity, nor upon the existing use or uses of such properties and, to the extent applicable, the Planning Board has been guided by the standards set forth in Town Code § 140-52(D), including, but not limited to: the public health, safety and general welfare; the comfort and convenience of the general public; the recommendations of the Town Master Plan and the Official Map; the proposed height, bulk, location, materials and architectural features of main and accessory buildings and their appropriateness and relationship to the site and to one another; screening of paved and surfaced outdoor areas and areas devoted to outdoor storage from abutting residence districts and from abutting streets; traffic circulation within and without the site; the nature and design of exterior lighting, signs, landscaping, benches, buffer areas and other open spaces; and the availability of supporting services and facilities, so that any development on the site will satisfactorily and harmoniously relate to the existing or permitted development of neighboring land and buildings.

RESOLUTION OF APPROVAL

NOW, THEREFORE, the Planning Board of the Town of New Paltz, New York hereby resolves to issue site plan approval to the application of Mohonk Preserve, Inc. (PB22-423), but only as specifically set forth on the plans, reports and other documents identified above, and as further conditioned as set forth below. The Chairperson (or her designee) is hereby authorized to sign such plans and other documents evidencing this Approval only in strict accordance with all of the terms and conditions of this Resolution of Approval.

SPECIFIC CONDITIONS

1. This approval is subject to a final engineering review of the plans and the Stormwater Pollution Prevention Plan (“SWPPP”). The plans shall not be signed until receipt of a letter from the Planning Board Engineer certifying that he has found the plans submitted for signature and SWPPP to be in proper order and in compliance with his various memoranda and with this Resolution.
2. Prior to the signing of the plans, the Applicant shall submit to the Building Department proof that Ulster County Department of Health has approved the proposed septic system.
3. Prior to the signing of the plans, the Applicant shall submit to the Building Department proof that NYSDEC has approved (1) an Article 24 Freshwater Wetlands Permit for disturbance to the regulated 100-foot adjacent area of state-regulated wetlands; and (2) a SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001).
4. The Applicant shall comply with the NYSDEC tree removal restriction (limiting all tree removal to between November 1 and March 31) to avoid impacts to Indiana Bat and Northern Long-eared Bat and their habitats. This tree removal restriction shall be included as a note on the plan sheets prior to the signing of the plans.
5. Prior to the signing of the plans, the Applicant shall submit to the Building Department proof that the New York State Office of Parks, Recreation & Historic Preservation (“OPRHP”) has approved the building renovations and demolition. The Applicant shall comply with all mitigation measures required by OPRHP to compensate for the removal of existing farm structures on the site. At a minimum, the Applicant shall comply with the following to mitigate impacts on historic resources:
 - a. Document Barns 1 through 4 with photographs prior to and subsequent to demolition to the satisfaction of OPRHP;
 - b. Disassemble Barns 2, 3, and 4 and salvage, to the greatest extent practicable and safe, intact building components to either be, as appropriate, reused on site or offered to a qualified historic salvage company, or historic restoration contractor;
 - c. Continue to consult with the OPRHP to review the stabilization and renovation of Barn 1 and the design of the proposed Facilities and Maintenance Building;

- d. Salvage and reuse intact wood flooring in the Brook Farmhouse to the greatest extent practicable;
 - e. Replace existing wood windows in the Brook Farmhouse with new windows that match the configuration and proportions of the existing windows, with muntins that will be either true divided lites or a three-part grid system which includes an interior grid, an exterior grid, and a spacer bar inside the insulated glass (also known as simulated true divided light); and
 - f. Salvage existing wood windows in the Brook Farmhouse to the greatest extent practicable, to either be, as appropriate, reused at other Mohonk Preserve-owned properties or offered to a qualified historic salvage company, or historic restoration contractor.
6. Prior to the signing of the plans, the Applicant shall enter into a maintenance agreement with the Town for post construction stormwater management practices in such form as is approved by the Town Attorney. Said agreement shall be filed with the Ulster County Clerk's Office and proof of such filing submitted to the Building Department prior to the issuance of a building permit.
7. The Planning Board Engineer shall perform inspections during construction to ensure compliance with the Stormwater Pollution Prevention Plan and Chapter 116 of the Town Code. Prior to the issuance of a building permit, the Applicant shall establish a construction escrow account in the amount of \$1,000.00 to cover the fees for the Planning Board Engineer's inspections and the Applicant must maintain a sufficient balance in escrow (at least 50% of such initial escrow amount) to cover all such inspection fees incurred until after the issuance of a permanent Certificate of Occupancy.
8. Prior to the issuance of a building permit, the Applicant shall submit to the Building Department plans designed by a professional engineer for all retaining walls higher than four (4) feet.
9. Pursuant to Section 139-15(J) of the Town Code, the Wetlands and Watercourse Protection Permit activities shall commence within one year from date of issue.
10. Prior to the issuance of a building permit the Applicant, as required pursuant to Town Code Section 139-15(M), must post a letter of credit or maintenance bond, in a form satisfactory to the Town Attorney, in the amount of the cost of work under the Wetlands and

Watercourse Permit as determined by the Planning Board Engineer. Said letter of credit or maintenance bond shall remain in effect until the Wetlands Inspector has certified that the regulated activity has been completed in accordance with permit approval and a certificate of compliance or a certificate of occupancy is issued by the Building Department.

11. During construction periodic visits shall be made by the Town Wetland Inspector, Building Inspector or Planning Board Engineer, at the cost of the Applicant, to ensure that all sedimentation and erosion prevention measures are being adhered to and that the proposed plantings within the regulated 100-foot buffer are being installed as indicated on the planting plan. The Applicant shall adhere to the *Wetland Buffer Enhancement Area Establishment and Maintenance Plan*, revised February 22, 2024, including all steps for site preparation, planting, and maintenance of the wetland buffer enhancement areas. The Town Wetlands Inspector, Building Inspector or Planning Board Engineer shall, at the cost of the Applicant, conduct annual inspections to confirm successful progress with the establishment and maintenance of the wetland buffer enhancement areas and submit reports to the Planning Board. The annual inspections and reports shall continue for three (3) years from the Applicant's completion of planting the wetland buffer enhancement areas unless extended by the Planning Board at the end of the three years for good cause. Prior to the issuance of a building permit, the Applicant shall deposit sufficient monies in escrow, in an amount determined by the Town Wetlands Inspector, to cover the costs of all such inspections and reports.
12. An environmental monitor/qualified biologist acceptable to the Town Wetland Inspector shall be present during construction to ensure no species are present that would be adversely impacted by such activities. Prior to and during construction, the proposed disturbance areas shall be cleared by the qualified biologist to move any wildlife out of the work zone. The bio-monitor presence throughout construction shall ensure by their actions and directions that any species dispersed from wetlands will not be directly impacted.
13. All outdoor lighting shall meet dark sky friendly standards and have motion sensors after business hours to the satisfaction of the Planning Board Engineer. All lighting fixtures shall be downward-directed except for the two sconces located by the front door of the Brook Farmhouse which shall be controlled by a smart switch or automatic timer device and

limited in duration to up to one hour before and up to one hour after the hours of operation set forth on Sheet G003.

14. The exterior siding type and color of the Facilities and Maintenance Building shall match the existing historic barn that will remain on the site.
15. The fuel tank and fueling area shall be designed with appropriate containment in conformance with prevailing regulations to the satisfaction of the Planning Board Engineer.
16. The Applicant shall complete all Phase 1 improvements in accordance with the approved plan prior to commencing construction of Phase 2 improvements. Both phases shall be completed within 10 years of the date of this approval.
17. All conditions of prior approvals in connection with this property shall continue to be in full force and effect, and this Resolution does not supersede or otherwise modify such prior approvals and conditions except as specifically set forth in this Resolution.

GENERAL CONDITIONS

1. This Resolution of Approval is further conditioned upon all other approvals that are needed by operation of federal, State or local laws and regulations, including, but not limited to the United States Army Corps of Engineers, New York State Department of Environmental Conservation, New York State Department of Health, New York State Department of Transportation, Ulster County Department of Health, Ulster County Department of Transportation, the Town of New Paltz Town Board, and compliance with the New York State Uniform Fire Prevention and Building Code.
2. Except as otherwise provided in the Code, no deviation from the plans, reports or other documents that form the basis for this approval are effective unless and until an amendment to this Resolution is secured from the Planning Board in writing. The Town may stop work on this project, and/or revoke a building permit, and/or withhold a certificate of occupancy, and/or seek any other additional relief as authorized by law, if any term or condition of this Resolution is violated.
3. All fees regarding this Application must be paid in full, including all application fees, other fees required by the Town Code, and the fees of the Planning Board consultants, including all engineering, planning, and legal fees. All bonds or other security required by this

Resolution shall be submitted in a timely manner as required by the Town Code or Building Inspector. No building permit may be issued by the Building Inspector unless and until such fees have been paid in full and such bonds or other security shall have been filed with the Town.

4. No changes, erasures, modifications, or revisions to the plans shall be made after approval has been given by the Planning Board, unless the plan is first resubmitted to the Planning Board and the Planning Board approves such modifications.

IN FAVOR: ADELE RUGER, LYLE NOLAN, JENNIFER WELLS,
ADRIAN CAPULLI AND LAUREN MCPADDEN

AGAINST: 0

ABSTENTIONS: 0

ABSENT: MATT DiDONNA AND JANE SCHANBERG

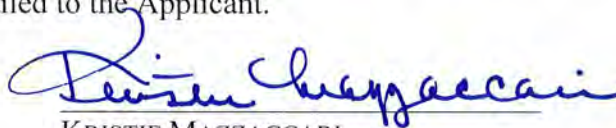
DATE OF APPROVAL: MARCH 25, 2024

DATE OF SIGNATURE: ~~MARCH~~ 10, 2024
APRIL



ADELE RUGER, CHAIRPERSON
TOWN OF NEW PALTZ PLANNING BOARD

I, Kristie Mazzaccari, Deputy Town Clerk, do hereby certify that the foregoing Resolution was filed in the Office of the Town Clerk on April 10, 2024 and copies provided to the Building Inspector and mailed to the Applicant.



KRISTIE MAZZACCARI
DEPUTY CLERK, TOWN OF NEW PALTZ, NEW YORK