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Town of Kinderhook Planning Board:

Below you will find a compiled list of comments from the May 19, 2022 Town of Kinderhook Planning Board Meeting. Sun Communities and their various consultants have provided responses to the best of their ability based upon the studies, reports, planning, and design that has been completed to date. Comments that did not pertain to the project, answered during the meeting, or are not required for the application or permitting were omitted. The comments are arranged into major categories for clarity.

Traffic

Comment: The entrance to the site will be Orinsekwa Road, which is off of Route 28, a 55 mph zone. The site distance to see oncoming vehicles is not good. This entrance road is not well seen by vehicles as they pass the area.

Response: County Department of Public Works (DPW) staff reviewed the traffic study, proposed access design and visited the site. DPW determined that the site distance will be suitable with limited tree removal on the west side of Orinsekwa Road.

Comment: It is noted that a traffic study has been done for this site. The study used data from 2015. To be fair, this data was used since the 2019 data was lower due to the pandemic. However, there have been many more houses build since 2015. Route 28 is used as a local road for people in our communities as well as for Kinderhook Lake. It is also used as a pass through for people who have built beyond our area. We would ask that a new traffic study be done to reflect the actual present day activities. Summer traffic will build up as compared to winter travel volume.

Response: The traffic study was prepared by a professional engineer (P.E.) in accordance with the trip generation data and methodology as specified in the current Institute of Transportation Engineers Trip Generation Manual (11th edition). DPW has reviewed the traffic study and has not requested any revisions or additional information.

The traffic study is based on existing traffic data for CR-28 from the New York State Department of Transportation (NYSDOT). According to NYSDOT, traffic counts were collected in December 2015 and April 2020. Traffic data from 2015 is considered more accurate due to the onset of the Covid-19 pandemic in early 2020. According to the traffic study:

- **Comparing the data from both 2015 and 2020, it shows that 2020 volumes are approximately 70% of the 2015 volumes. Therefore, the 2020 data is being ignored in favor of 2015 data.**
- **The newly generated traffic volumes are low and are well within the capacity of CR-28. It is the opinion of this office that traffic from the proposed camp resort will not present an adverse environmental impact.**

Comment: It should be noted that Route 28 in this area is 55 mph. The entrance to the site has limited site distance visualization. This site is a bus stop for children, as is Pine Hill Drive and farther down. The entrance to Pine Hill Drive is approximately 150-200 feet down from this entrance and would cause a dangerous situation. Traffic moves through this area at a fast pace. Their traffic analysis from their report indicates that 23 more vehicles will use this road in the morning and 37 vehicles use this road in the afternoon. As an example, it is stated that in the PM time period studied, there are 245 vehicles using route 28 daily and this project will add 37 to that time period. That is approximately 11% more not including delivery vehicles and other service vehicles.



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Response: CR-28 is designated as Level of Service (LOS) "A" which is the highest LOS. According to the traffic study, the newly generated traffic volumes are low and are well within the capacity of CR-28; therefore, CR-28 will continue to function at LOS A for both the AM and PM peak hours. Please refer to the previous responses above regarding the traffic study, trip generation, and site distance.

Comment: How will the traffic impact our children who wait for school buses at the corners here, including Orinsekwa Drive?

Response: No new curb cuts are proposed. Orinsekwa Drive will only be widened by approximately 12 feet to accommodate two-way traffic and meet code requirements for fire and emergency vehicle access.

Student drop-off and pick-up is accounted for in the NYSDOT data that was used for the trip generation analysis. As previously mentioned, CR-28 will continue to function at LOS A during AM and PM peak hours.

Comment: We will have additional traffic that comes with rushes in and out of the site. I would think that there will be a large traffic problem on Friday and Sunday nights especially.

Response: *The separation distance from the intersection of CR-28 and Orinsekwa Road to the proposed Welcome Center (check-in) is approximately 1,200 feet which can accommodate stacking for approximately 80 vehicles. However, according to the traffic study, the maximum number vehicles during peak hours would be at most 37 vehicles which is less than 50% capacity.*

Access

Comment: Orinsekwa Road is currently 13 feet wide and an unpaved road. We understand the road will be widened to approximately 26 feet wide. Mature trees are on both sides of the road, but especially the south side. These consist of mature spruces, maples and various other species. What are the ribbons around the trees for? Will the trees be removed or will they be preserved? If they are preserved, any roadwork will weaken them. The roadbed will have to be dug down according to specifications. This will do two things: 1) damage the tree roots, causing damage to water and nutrient uptake. Over the course of several years, these trees will weaken and possibly die. 2) Cutting the anchoring roots will cause the trees to be weak on one side and possibly subject to blowdown by a strong north wind.

Response: The parcel has 50 feet of frontage on CR-28, which is more than necessary to accommodate two-way traffic including emergency and fire vehicles.

There are ongoing analysis regarding tree removal at the intersection of Orinsekwa Road and CR-28. A final decision has not been made. Some trees on the site may have remaining flagging from tree survey that was conducted. Sun is committed to designing with nature which includes retaining as many existing trees on site as possible. However, limited tree removal may be required to accommodate fire and emergency vehicle access and to meet site distance requirements. The root zone of preserved trees will be protected by construction fencing and/or other means. The landscape plans are being developed.

Lake



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Comment: What is the health of the water? This lake is on the flyways for various birds including Canadian geese. Many of them oversummer in the lake. What is the fecal count from these birds? Will Dept of Health be required to sample the lake during the season? Will the water be safe to use for water recreation?

Response: Water quality will be sampled in accordance with New York State Department of Health's (NYSDOH) rules procedures as required to obtain a NYSDOH permit for water recreation.

Comment: The applicants have shown a dock and kayaks, canoes and paddleboards in their literature. It it required to get a permit from DEC for this dockage? Will swimming be allowed?

Response: water recreation including swimming is proposed. Temporary removable docks with no excavation of the shore or lakebed do not require a permit. A permit from New York State Department of Conservation (NYSDEC) is required for permanent dock structures. Water recreation will require ongoing testing which will result in improved water quality for Knickerbocker Lake.

Wetlands

Comment: What will be the impact on wetlands that surround the area?

Response: There will be no impact to any jurisdictional wetlands on the site. The property is 71.1 acres. According to the wetlands survey, 26.67 acres of the site is jurisdictional wetlands. The State requires a 100-foot undisturbed buffer adjacent to all wetlands areas which amounts to 15.0 acres of designated wetlands buffer areas. NYSDEC has reviewed and approved the wetlands delineation. U.S. Army Corps of Engineers is reviewing the wetlands delineation and is expected to issue their final determination in the near future. Walkways within the 100 ft adjacent area to access the lake will be in accordance with the stipulations of the Nationwide Permit.

Storm water

Comment: Will stormwater runoff affect homeowners around site? Will water runoff affect site in any way?

Response: There will be no impact to adjacent property owners. The project's stormwater management system will be designed to detain and treat all stormwater runoff on-site in accordance with NYSDEC requirements. There will be no off-site discharge. A stormwater pollution prevention plan will be designed in accordance Best Management Practices (BMPs). The SWPPP will be reviewed by the Town, and a State Pollutant Discharge Elimination System Permit (SPDES) will be obtained prior to site preparation.

Environmental

Comment: Will there be an environmental impact study done?

Response: Environmental studies were conducted as summarized in the Environmental Assessment Form (EAF) and supporting Narrative. These studies include wetland delineations, soil percolation testing, archeological and historic consultation with SHPO, groundwater drilling, and water quality testing.

Comment: Will a State Environmental Quality Review Act (SEQR) be performed?



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Response: A SEQR EAF and supporting narrative have been prepared for the Lead Agency, which is the Town of Kinderhook. This form was distributed to other potentially involved agencies for their consideration.

Comment: What will be the impact on the wildlife in the area? We are losing land for wildlife in the Town of Kinderhook due to housing and other development. This project will remove more of the natural land for use by native plants and animals.

Response: As outlined in the previously mentioned environmental studies, there will be no major impact to any plant or animal species.

Landscaping

Comment: We have not seen any landscape type of buffer screening neighbors from parking lots, glamping or other unwanted sights. Landscaping buffers of trees and shrubs also but down on noise and light pollution.

Response: A tree survey of all existing trees greater than eight (8) inches in diameter was conducted for the entire property. The project will meet or exceed the Town Code's requirements. Refer to the Sections below for additional information.

Lighting

Comment: We are concerned about lighting. What will be the effect on our community with this lighting? Even if the lights are more pointed down, there will be an amount of refracted light going up into the sky. Dark skys or other standard? ill it be lighted affecting neighbors?

Response: Sun Communities is committed to preserving a dark sky for the benefit of patrons and surrounding property owners. Lighting will be shield by a combination of buffers, setback, retaining existing vegetation and light fixtures.

Utilities

Comment: This type of proposal will need an extensive amount of water to fulfill its needs on a daily and weekly basis. How many gallons of water will be necessary for the whole site on a daily basis. One of the things the Kinderhook Comprehensive Plan took into consideration was the amount of water use by residents. Water conservation was a priority for the town. With climate change, we are concerned with our water table that is there for our use. We have noticed that as more houses have been built in our community, the water has a more sulphurish taste. Will this change our water? Will this affect our wells causing them to run low or dry?

Response: a sustained pump test was conducted to determine the safe yield of the drinking water wells without impacting neighboring supply wells. The NYSDOH permit will include a safe yield limit.

Comment: 90 units will require a large septic system for both solids and water effluent. How will this be accomplished? How many cement septic pits will there be for solid waste? It is noted that there will be four wastewater treatment beds. How will water be brought to them? Where will the effluent going into these beds go. Into the lake of other freshwater wetlands?



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Response: The on-site wastewater treatment system has been designed in accordance with NYSDOH standards. Treated wastewater will be infiltrated into the subsurface area. No treated wastewater will be discharged off-site or to the lake or wetlands.

Zoning

Comment: Multiple questions on zoning and Special Use Permit

Response: As discussed and agreed upon at the January 20th, 2022 Planning Board meeting, according to the Town Code, a glamping resort is defined as CAMP. The Town Code defines a CAMP as: any parcel of land on which are located two or more tents, shelters or other accommodations of a design or character suitable for seasonal or other temporary living purposes, including resort and day camp, but not including a trailer park, boardinghouse, hotel or motel or bungalow colony.

The site plan adheres to the Town's General Design Standards and Guidelines:

- On-site utilities will be located underground.
- Replacement trees will be a minimum of 2 inches in diameter
- Trees and existing vegetation will be retained where possible.
- Removal of vegetation at the edge of Orinsekwa Road will be minimized.
- The site design minimizes the visibility of structures from Knickerbocker Lake, adjacent properties and CR 28.
- View tunnels will be minimized by limited removal or thinning of vegetation to allow visual access by selective clearing of small trees and lower branches.

The site plan adheres to the following Town Code requirements for Camp Use:

- 100-foot minimum setback for structures from side or rear property lines.
- Minimum setback of 50 feet from a street right-of-way line.
- The swimming pool and site amenities will be located a minimum of 100 feet from side and rear property lines and screened from adjacent properties.

Resident Lake easements

Comment: what will happen to my existing lake access easement

Response: The existing easements to lake rights will remain as is

Miscellaneous

Comment: Will there be staff housing onsite? Where? Over the winter, will there be anyone onsite as security or other emergency?

Response: Presently there is no on site staff housing planned. There will always be staff onsite during the operating season. In the winter we don't anticipate being "open to the public" but will have core staff on site preparing for the



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following season. There will always be a designated individual locally to deal with issues in both “on season” and “off season” periods.

Comment: How many jobs will be created for our community? We have heard there will be between 12 and 15 seasonal jobs created. This is not a lot for the size of disruption. Will these be local people or workers brought in from other places?

Response: During peak season it is expected a maximum of 25 employees per day could be working. With days off and adjustment to schedules for weekend vs. mid-week staffing, we anticipate no more than 30 employees during peak season. Sun Communities will always endeavor to hire local individuals for these rolls.

Comment: It was mentioned at workshops that propane will be used as a fuel. What for? It was also mentioned that the units would have electric heat. How many propane tanks will there be onsite; will they be buried? Electric coming in: will it be underground?

Response: Propane may be used for a variety of uses such as heating, bbq, and firepits. It is anticipated that most large tanks buried, but tanks used for things like bbqs will be above ground. On-site electrical will be underground.

There is a minimum undisturbed buffer width of 100 feet which precludes fires anywhere near wetlands. The propane system will be designed and installed by HL Propane. Propane tanks and utilities will be located underground.

Sun will provide an equipment list and detailed specifications to the Niverville VFD Fire Chief which meet or exceed the New York State Fire Code regulations:

- **Propane: Fires must be in approved containers and at least 15 feet from a structure**
- **Recreational Fires (Wood): The minimum required distance from a structure or combustible material is 25 feet where the pile size is 3 feet or less in diameter and 2 feet or less in height. Conditions that could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition.**
- **Bonfires: are not allowed within 50 feet of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within 50 feet of a structure shall be eliminated prior to ignition.**
- **(Include only if proposed) Portable outdoor fireplaces: shall be used in accordance with the manufacturer's instructions and are not allowed within 15 feet of a structure or combustible material**
- **Open burning, bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished**
- **A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.**

Comment: It is STRONGLY noted that you are purchasing land alongside of a Conrail railroad line. There are trains that run on this line throughout the day and night. Have you given any thought to rail noise and rumbling of 100 car freight trains right next to your guests?



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Response: a fence will be installed near the railroad tracks to prevent access.

Comment: We require the various services provided such as fire protection, Valatie rescue squad, police. What kind of pressure will this development put of these services? Medical, fire protection, police?

Response: The project will pay property taxes and generate sales taxes like all other land owners to go towards the operation of these services and any fee based services will be paid in accordance of the service provided.

Comment: How is this in character of the community?

Response: First and foremost, this property has been a camp for a very long time and is proposed to remain a camp. Sun Communities intends to preserve the natural beauty of the property with selective enhancements. Buildings will be designed in accordance with the Town's Architectural Guidelines, codes, and ordinances.

Comment: We will have additional trash on the sides of the roads to mar our community

Response: All refuse will be stored on site in dumpsters that are fully enclosed and screened. Trash will be picked up and disposed by a local service provider.

Comment: How much tax will be received by the Town of Kinderhook?

Response: this has not been studied or part of the application process.

Comment: Has the Town of Kinderhook been approached by Sun Communities or any parties associated with the project for tax abatements for any number of years to put the site here?

Response: No tax abatements have been requested or being planned to be requested

Comment: Is this project viable with less than 90 units? The density of sites and small houses to be put here violates the density factors of the zoning.

Response: The project has been planned and designed for 90 units on approximately 71 acres, 1.27 units per acre.