



July 18, 2022

VIA EMAIL (chowardpost@gmail.com)

Mr. C. Howard Post, Chairperson
Town of Saugerties Planning Board
4 High Street
Saugerties, New York 12477

Re: Terramor Catskills Glamping Project Proposal

Dear Mr. Post,

This office represents several residents who have serious concerns about and objections to the pending Terramor Glamping Proposal (the “Terramor Proposal”) currently pending before your Board. It is our understanding that the proposal has substantial opposition, which is not surprising as the project is inconsistent with the Town of Saugerties Zoning Code and the requirements of the MDR Moderate-Density Residential District (the “District”).

As the Board is aware, the District is intended to preserve the area’s rural environment and all the benefits that go along with that, while living relatively close to compatible and interdependent land uses where County and State highways are easily accessible. The definition of the District provides that small-scale convenience businesses designed to serve the adjacent residential population and certain cultural, educational, and recreational uses compatible with a rural environment may also be permitted, subject to conditions designed to protect the residential character of the District.

As you may be aware, the Town and Village of Saugerties Comprehensive Plan 2021 Update identified housing concerns in the MDR and LDR districts. Based upon The Town of Saugerties Open Space Plan limited build out analysis, the density permitted in the MDR and LDR districts is likely to compromise the integrity of important natural and agricultural resources, could have significant impacts on the town’s natural resources, agricultural resources, scenic views, biodiversity, and rural and historic character. It could also result in economic impacts due to increased costs of

EDWARD J. O’CONNELL
1925-1939
SAMUEL E. ARONOWITZ
1925-1973
LEWIS A. ARONOWITZ
1951-1979

STEPHEN R. COFFEY
THOMAS J. DiNOVO
PAMELA A. NICHOLS
JEFFREY A. SIEGEL
DAVID R. ROSS
KURT E. BRATTEN
MICHAEL P. McDERMOTT
PETER A. PASTORE
KEVIN LAURILLIARD
KELLY J. MIKULLITZ
WILLIAM F. BERGLUND
ROBERT J. KOSHGARIAN
MATTHEW J. DORSEY
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CHAD A. JEROME

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CORNELIUS D. MURRAY
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FLORENCE M. RICHARDSON
CRISTINA D. COMMISSO
DANIEL J. TUCZINSKI
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MICHAEL Y. HAWRYLCHAK
SAMANTHA L. FEMIA
MARINA W. CHU
NICHOLAS M. CERVINI
MICHAEL J. LAWSON
COLLEEN R. PIERSON

HOLLY E. VEGAS*
(DIRECTOR, HEALTHCARE
CONSULTING GROUP)

*NOT A MEMBER OF THE
LEGAL PRACTICE

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services to town taxpayers. See Town and Village of Saugerties Comprehensive Plan 2021 Update Page 11.

The Terramor Proposal is clearly a threat to the density permitted within the MDR district. According to the Terramor Full Environmental Assessment Form, the Terramor Proposal seeks a permit for a 75-tent glamping campground. These are not ordinary tents that are temporary in nature and can easily be taken down, but rather tents constructed of hard and soft canvas materials situated on a wooden foundation or platform that are permanent in nature. These tents are luxury dwelling analogous to mobile homes, not to be confused with recreational vehicles. The tents will have running water, septic and electricity and are designed to be permanent structures. The Terramor Proposal also proposes multiple additional permanent structures consisting of a proposed lodge that will provide food and beverage services for resort guests, not housing; a swimming pool area; an event lawn pavilion; a wellness tent; a manager's residence; multiple-family homes for employee housing; and several parking lots. All in all, there will be approximately 90 permanent structures constructed on the premises, which will service up to 480 people on site at a time. In addition to camping activities, the Terramor Proposal's proponents have proposed to use the site as a venue for weddings and special events.

The sheer size, scope and multiple uses of the Terramor Proposal are inconsistent with the nature of the MDR Moderate-Density Residential District and the concerns expressed in the Comprehensive Plan 2021 Update. As the Board is aware, the projects outlined in the Terramor Proposal are not permitted uses within the MDR Moderate-Density District. As a result, Terramor has applied for a Special Use Permit and Site Plan Approval pursuant to the Town of Saugerties Schedule of District Use Regulations, under Lodging Places. Therein, Lodging Places is defined as having a lodge (50 maximum units), camps and recreational parks. Neither lodge or camps are defined, nor does the Special Permit definition associated with lodging places permit the multitude of structures, improvements and uses of the premises proposed by Terramor. In addition, nowhere in the Code, is there specific support for 75 permanent tents in the MDR Moderate-Density Zone. The number appears to be arbitrary and given the limits of 50 on the number of units for a Lodge, appears to be unwarranted and unauthorized. Indeed, given the definition of lodge under the Zoning Code, it is doubtful that the nonresidential structure called a lodge by Terramor satisfies the definition of lodge under the Zoning Code.

While Terramor may argue that the additional structures and uses are accessory uses as defined in the Code, that argument is similarly without merit. The definitions of accessory uses are as follows: "Accessory use customarily incident to any uses listed herein, and on the same lot" and "Accessory use customarily incident to any of the uses listed herein, and NOT on the same lot." Multiple residential buildings, a wellness tent, a swimming pool and wedding and special event venues, along with the multiple uses of the premises as proposed by Terramor, do not satisfy the definition of accessory use under the Saugerties Zoning Code.

In applying the Town Zoning Law to the Terramor Proposal, its application for a site plan approval and special use permit must be denied. At a minimum, given the serious questions as to

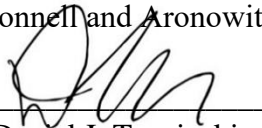
whether Terramor's application satisfies the requirements for a Special Use Permit (including whether the multiple structures and uses satisfy the definition of Accessory use) the application must be referred to the Zoning Board of Appeals for a determination before the application can proceed with Planning Board review.

In addition to the legal infirmities and questions as set forth above, there are numerous engineering and development shortcomings and issues which require a hard look at Terramor's Proposal. Submitted along with this letter is correspondence from Sterling Environmental Engineering, P.C. and principal Mark Millspaugh, detailing those concerns. As explained in Mr. Millspaugh's analysis, a substantial amount of information is missing from the Terramor proposal and needs to be provided. Multiple approvals from multiple agencies are required, and thorough and detailed information must be provided by Terramor. Mr. Millspaugh has itemized missing information and items which need to be provided by Terramor, along with areas of concern for the Board's consideration.

Given the lack of satisfactory information, we reserve the right to submit further comments and analysis once the missing information is received.

A copy of this letter is being submitted electronically to all Planning Board Members for their review and consideration as well.

Very truly yours,

O'Connell and Aronowitz
By : 
Daniel J. Tuczinski

DJT/meg
Attachment

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