
QUEENSBURY PLANNING BOARD MEETING

SPECIAL MEETING

FEBRUARY 13TH, 2025

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THESE ARE NOT OFFICIALLY ADOPTED MINUTES AND ARE SUBJECT TO BOARD AND STAFF REVISIONS. REVISIONS WILL APPEAR ON THE FOLLOWING MONTH'S MINUTES (IF ANY) AND WILL STATE SUCH APPROVAL OF SAID MINUTES.

**QUEENSBURY PLANNING BOARD MEETING
SPECIAL MEETING
FEBRUARY 13TH, 2025
7:00 P.M.**

MEMBERS PRESENT

STEPHEN TRAVER, CHAIRMAN
FRITZ STEFANZICK, SECRETARY
KIMBERLY BULLARD
BRADY STARK
BRAD MAGOWAN
TOM UNCHER, ALTERNATE

MEMBERS ABSENT

ELLEN MC DEVITT
WARREN LONGACKER

SENIOR PLANNER-STUART BAKER

LAND USE PLANNER-LAURA MOORE

STENOGRAPHER-MARIA GAGLIARDI

MR. TRAVER-Good evening, ladies and gentlemen. Welcome to the Town of Queensbury Planning Board meeting for Thursday, February 13th, 2025. This is our first meeting for the month of February and our fourth meeting thus far for the Year 2025. This is a Special Meeting to continue our special review of our Apex Capital/Mountain Top Venture LLC project. I'd first like to say a couple of things. One is, if you'd please make note of the illuminated emergency exit signs. In the event we have an emergency, those are the ways out. If you have a cell phone or other electronic device, if you would either turn it off or turn the ringer off. We would appreciate that. We do record the audio of the meeting so that it's available to the public and it's also transcribed for meeting minutes. And in the same vein, if you wish to have a conversation amongst yourselves during the meeting, other than when we go to public if you' would go to the outer lobby to have that conversation, again, so it doesn't get accidentally recoded and interfere with the meeting minutes. Before we begin, I wanted to talk a little bit about the process. I know I spoke about this once before, but in the time since we last met to consider this project, there's been some concerns expressed to myself and others about clarification of what is the process. How is this actually going to go forward? There's people that have concerns, of course, mostly environmental concerns, but there are concerns, some of which we've heard already, things like stormwater or traffic, how does that impact the view shed and so on, and I want to explain that the Apex Capital project that they are proposing to the Town of Queensbury as it exists cannot be built, as it stands right now, without the Town making some changes to accommodate that project. The most significant one being a change in zoning to allow what's called a Planned Resort Development on this piece of property. Because it involves a change to the zoning, the Town of Queensbury Town Board has elected to be what's called the primary agency with regard to the State Environmental Quality Review Act, and that is to say the environmental concerns, again, such as stormwater, lighting, traffic, visual impacts, pollution prevention and all those types of things. The Town Board, after we have done preliminary review of the application from the applicant, the Town Board will be holding public hearings to address concerns, again, such as stormwater and some of the other issues that we've heard raised. The Planning Board will not be taking any action on stormwater. In fact, the Planning Board will not be taking any action tonight, other than setting another special meeting for next month to continue the review of the project. I have had some people express some concerns that maybe tonight we were going to perhaps approve the project and it would start being constructed and so on. That is not the process. What we're basically doing is we are looking at the concept proposal that was given to the Town by the applicant to see if it has enough information in it so that the Town Board can begin considering whether or not they should allow for the zoning change, and with that the Planned Resort Development or similar to what's being proposed. So unlike what frequently happens with the Planning Board, we're not going to be doing the environmental impact. We're not going to be doing Site Plan. We're not going to be doing any of that at this stage. We are simply reviewing the material that's thus far submitted on behalf of the Town Board, and then giving them an indication possibly next month if we feel they have enough information to preliminarily begin considering this resort and the necessary zoning change to make that happen. Then the Town Board will be conducting the State Environmental Quality Review Act review called SEQRA, where they will ask the applicant to respond to the questions that they've, preliminary questions that they've already responded, as for as all the environmental concerns, and there will be public hearings and so on. There will be many public hearings, actually, before this project comes back to the Planning Board for Site Plan Review, should it be approved. So that's an overview of the process. Now another thing that I would like to do tonight is when we get ready to do the public hearing, I would like to do it in two phases, because, again, I know that there are some people that are concerned because they're not, they're concerned about what is the process, and so the first part

of the public hearing is going to be just an opportunity for members of the public to ask the Planning Board questions about the process, so that hopefully people will feel as comfortable as possible with how the review, the consideration of this potential project and the associated change in zoning and so on will move forward step by step by step, and then the second part of the public hearing will be a conventional opportunity for people to give public comment. So with that, Laura, do you want to go ahead and tell us where we're at tonight?

OLD BUSINESS:

PLANNED UNIT DEVELOPMENT 1-2024 PETITION OF ZONE CHANGE 1-2024 SEQR TYPE: TYPE I. APEX CAPITAL LLC/MOUNTAIN TOP VENTURES LLC. AGENT(S): STUDIO A LANDSCAPE ARCHITECTURE. OWNER(S): APEX CAPITAL, LLC. ZONING: RC. LOCATION: 59 WEST MOUNTAIN ROAD. APPLICANT PROPOSES A 254 ACRE PLANNED RESORT DEVELOPMENT ON MULTIPLE PARCELS WITH A TOTAL OF 365.43 ACRES. THE PARCEL CURRENTLY CONTAINS WEST MOUNTAIN, A MULTI SEASON RECREATIONAL FACILITY INCLUDING WINTER SPORTS, SUMMER CAMPS, MOUNTAIN BIKING, VARIETY OF FESTIVALS, AND FACILITY SITE EVENT RENTALS. THE PROPOSAL INCLUDES REZONING THE PARCEL FROM RECREATION COMMERCIAL ZONE TO A PLANNED RESORT DEVELOPMENT. THE PROJECT INCLUDES THE FOLLOWING MAJOR COMPONENTS "BASE AREA ALPINE VILLAGE" – MIXED USE RETAIL AND RESIDENTIAL USE, TOWN HOUSE DEVELOPMENT – 56 UNITS, "HOTEL/BANQUET/SPA COMPLEX/ATHLETIC CLUB" – 80 ROOM HOTEL AND AMENITIES, "DAY-USE LODGE AREA" – EXISTING NORTHWEST MOUNTAIN LODGE TO BE RENOVATED AND SITE AMENITIES INCLUDE AN OUTDOOR AMPHITHEATER, AND "SINGLE FAMILY HOME DEVELOPMENT" = 65 SINGLE FAMILY HOMES. PURSUANT TO ARTICLE 179-12B-050 PLANNING BOARD RECEIVED REFERRAL FROM THE TOWN BOARD AND TOWN BOARD SEEKS LEAD AGENCY, ARTICLE 179-12B-050(A)(3) PLANNING BOARD TO SET UP REVIEW FOR COMPLETENESS OVERVIEW. CROSS REFERENCE SP 65-96, SP 67-96, SP 3-97, SP 4-97, AV 92-2002, SP 22-2008, SP 34-2011, SP 61-2011, SUP 72-2012, SUP 11-2013, SUP 63-2014, SP 60-2018, SP 53-2019, SP 49-2022, SUP 3-2022. WARREN COUNTY PLANNING: N/A. LOT SIZE: 365.43 ACRES. SECTION: 179-3-060, 179-12-050.

JON LAPPER, REPRESENTING APPLICANT, PRESENT; SPENCER MONTGOMERY, PRESENT

MRS. MOORE-So the project is a 254 acre Planned Resort Development. We have reviewed the intent which included four items, and we are now onto objectives. The objectives one through four we covered them, but I don't mind going over them again, and then we can continue on to each objective individually. I wasn't going to, I will read them at some point, maybe after the public hearing, and then we can go, the Board can look at them individually, and if there's additional information or questions that you have of the applicant, you can proceed with that.

MR. TRAVER-Okay. That would include any potential new information that we might request of the applicant and so on, right?

MRS. MOORE-Yes.

MR. TRAVER-Okay. Well, welcome back.

MR. LAPPER-Thank you. For the record, Jon Lapper with Spencer Montgomery on behalf of the ownership. And, Steve, tonight we brought Mark from Creighton Manning Traffic Engineers who did the traffic report in case there's any questions. Just a few general comments to start out. It's unusual for a community of our size to have our own ski mountain, and it's a resource for people who live here. Many of us taught our kids how to ski or learned to ski here. At the same time, it's a difficult time in the world to own a ski mountain, a low altitude ski mountain, that it's very expensive to pay for Town water to make snow. So part of this project is to bring in untreated river water because they don't need to pay for potable water to make snow. There's nothing that we're doing that's going to increase the amount of water coming on the mountain when we have snow being made. It's just going to be made from less expensive water, but most importantly the questions that were asked by the public, the comments three weeks ago, are all exactly what the process is, concerns about traffic, noise, stormwater, wastewater, that's what this is all about, and the public that has concerns because they live in Bedford Close or they live right near the mountain, you know, don't come to Planning Board meetings a lot and don't understand yet that nothing gets built, nothing gets approved, until we have a stormwater plan that's fully approved by the Town Engineer, by DEC, approved by the Town Board and ultimately by you in Site Plan Review. So we're at the beginning of the process, as the Chairman said where you're making a recommendation based on the criteria in the Town Code, a PRD, Planned Resort Development. So everything will be fully vetted by the time we get even close to a decision on the project, but this is also an opportunity for Spencer to make this viable for a long time in the future. The area of Northwest Mountain is completely undeveloped, except for a small lodge, a little bit of parking. It's available for development, mostly flat, and this part of Town

has capacity for development with County, highway, near the river, and he fully understands that this has to be done in a way that this is an amenity that's an addition for the neighbors to have the Alpine Village, to have another restaurant, shopping, another ski lodge, activities that the neighbors can utilize, and obviously it has to be done in a way that doesn't impact them negatively. So, we're, again, at the beginning of the process. We understand that we have to answer all these questions and things will get fine tuned and changed as the review continues, but nothing's getting slammed through or approved and we hope that the neighbors will ultimately appreciate that it will make a better quality of life for them because there'll be more opportunities on that site. So that's where we are. We've got our whole team. We're ready to answer any questions. Let us know how you want to proceed.

MR. TRAVER-Okay. All right. Laura, do you want to, should we do questions now, or should we do public hearing now? What do you think?

MRS. MOORE-It depends. I mean I think there's a few public comments that I have that can be read into the record. I know there's people that have some questions in the audience or they may read their comment letter. I think I would proceed in that sense, and then we can go through the objectives.

MR. TRAVER-All right. Well then let's open the public hearing, and again, as I stated before, I'd like to start by giving the public, when the applicant gives up the table, I'd like to start by giving the public, members of the audience, an opportunity to ask us questions about the process. I want to make people as comfortable as they can be with what our understanding is of how this project review is going to go forward, and that could be what we're doing tonight or not doing, what the process is going forward. So let me start with that. Does anyone have any questions about the process? Sir, I think you were the first to raise your hand. If you would come up to the microphone, please. We want to make sure we get your comments on the minutes.

PUBLIC HEARING OPEN

GREG HYDOCK

MR. HYDOCK-Greg Hydock. I live over in Bedford. The question I have is, so if everything, you know, this went along just as smooth as possible, everything was a yes, yes, yes, yes, yes, realistically, what's a real start time for this?

MR. TRAVER-Well, that's not a process question.

MR. HYDOCK-You must have an idea, though. Is it a year, five years?

MR. TRAVER-It's not going to be something that's going to happen short-term. I think that they've talked about the, and it's to be done in phases, and I'll let them talk about that in a bit, but my recollection is that the total time to the final part of the project would be like 10 years from now.

MR. HYDOCK-Right. Okay, but let's talk about Phase I, then. So Phase I, if, you know, everything happens, the State gets involved and the engineers do their magic and all that.

MR. TRAVER-That's a process question. So let me tell you how I imagine that going forward. As I mentioned before, we're reviewing the preliminary information that the applicant gave us, which is really intended for the Town Board to review, whether they consider whether it's appropriate to change the zoning or not, to allow them to even apply, formally apply for a Planned Resort Development. So the Town Board, then, would, once we tell the Town Board, which we could conceivably do next month, that we have, and Staff has provided the Planning Board with some specific questions to address to resolve the completeness of the application at this stage, and bear in mind at this stage this application is very general, because they don't know what's ultimately going to be approved. As their Attorney Lapper explained, before a shovel gets in the ground, all of the technical details, which are not specifically in high detailed pointed out in their proposal, general proposal, will have to be worked out and approved by the Town. So the Planning Board continues its general review tonight. We take no action tonight, other than setting up another third meeting for next month so that possibly we can get through everything and make a referral to the Town Board. Then the Town Board has some time to review the material and the minutes and so on from our discussions with the applicant, possibly some additional information from the applicant. Then they begin their public hearings, which have to do with whether or not they want to grant a change in the zoning to accommodate the Planned Resort Development. Part of that, a significant part of that for a project of this scope, is the State Environmental Quality Review, because it is a large project, and so a lot of concerns, and we've heard a lot of concerns already, even though the Planning Board isn't specifically tasked with doing stormwater. That's an example of something we've heard a great deal about that really rightly will need to go to the Town Board when they do the environmental impact review. Then the applicant has to respond to questions, comments, whatever the Town Board has to resolve all of the issues around the State Environmental Quality Review, and there's a lot of information available on line if you wish to look it up under the New York State, the Environmental Quality Review Act is available and the procedures and the forms that the applicant has to fill out are all available on line. So if you want

specific information on that, that's all available. The issues that are identified by the Town Board as they do the SEQRA review, and that will include issues that are raised by the public at public hearings then have to be addressed by the applicant so that the environmental impacts are all satisfied, can be managed by whatever proposal they end up with. Assuming all of that happens, and the Environmental Impact Statement, the environmental impacts are addressed, they get permission, because of the change in zoning, to do a Planned Resort Development, then they would come back to the Planning Board for the Phase I, which is the expansion of the base facility. So we would address that. Very often you would expect that there would be additional details that would come out during that review that we would want to see. There might be more, I don't know, test pits, for example, or questions about lighting or the colors of the lodge. That's when we might work out details such as noise, hours of operation, that kind of, like we typically do with Site Plan Review. There would also be public hearings at that phase as well, for the Planning Board, and that would be when questions appropriate for action that the Planning Board would take would be appropriate to be asked by the public, and we would do our best to address them. If all of that happens, then they would go ahead with their Phase I part of the proposal. That would be constructed. Presumably at some point down the road when marketing or their research or their whatever plans call for it, they would return to the Planning Board with an application for the Phase II part of the project, and so on and so on, and so on over a period of many years until there was a complete build out of the project, and at each stage there are checks and balances built in to the system. We have a very robust system in the State of New York and in the Town of Queensbury so that projects of any size, particularly this size, has a very robust review process at a number of levels. For example, we have a Town Designated Engineer whose sole responsibility is to review the technical aspects of the project that we're not expected to be familiar with one way or another, and we have a planning staff that meets with the applicant that tries to address some of the questions in advance so that by the time it gets to a forum like this, many of the background information that's needed has been provided. So I don't know if that answers your, I mean that's kind of a long-winded answer.

MR. HYDOCK-Yes, and I appreciate. I'm not trying to corner you, but I just wonder, is this like twelve months, twenty-four months, thirty-six, or what's real? I mean you guys do this, what you're doing. I understand there's a Planning Board and there's a Town Board.

MR. TRAVER-The issue here is that the Planning Board is not the sole agent, entity involved in the approval, hypothetical approval process. That is the Town Board. Now how long that Town Board process takes is variable. It depends upon how the Town Board feels the information provided by the applicant meets the environmental review standards. It should be expected that there will be maybe some specific, more specific information, particularly about perhaps Phase I that the applicant will need to provide in more detail. There will be public comment like the stormwater issue that's actually been raised to this body even though it's really a Town Board issue. That's the time when that will need to be addressed. That's going to take time. We've had, what, three meetings I think so far just to do the preliminary review of the concept plan. So I can't give you a specific date, but it's not something that's going to happen next week. I mean, it's, you know, public hearings require, you know, notifications. There are other interested parties that may be involved. They're talking about things like stormwater, septic systems. So there may be Department of Health involvement as well. It's really hard to say. The only thing I can say in general is that it's a large project. It's a unique project. It's certainly intended to be of benefit to the Town, not a harm to the Town, but documenting that and doing it in such a way that everybody agrees with that is going to take some time.

MR. HYDOCK-Okay. Thank you.

MR. TRAVER-Next on process questions. Yes, ma'am.

SUE ZUHLKE

MRS. ZUHLKE-Hi. I'm Sue Zuhlke. I live in Bedford as well. On the process, so as you're reviewing everything right now, your goal is just to determine if you're passing it forward to have the zoning approvals. Is that correct?

MR. TRAVER-Not for the zoning approval, but the zoning application considered by the Town Board. So what we're basically doing is we're looking at this material. I don't know if you have seen this. It's available on line to download. It is quite a large download, but that's their concept plan. So what we're doing is we're looking at that, and trying to determine if we feel, at the request of the Town Board, we're looking at it in the sense that is there enough information there that it's reasonable that the Town Board could consider their application to change the zoning? Because they can't do what they're proposing without the zoning being changed. So that's the first step.

MRS. ZUHLKE-Exactly. So, and I'm just trying to, again, I'm new to all this. Are you, would you be making suggestions or requests to change certain things in the zoning request, or do you just look at, this is what they, because it's sort of like there's a variance and a variance, and the way I read the original, is like once they had approval, and that approval was sort of carte blanche.

MR. TRAVER-To answer your question, certainly it's a valid question, and to answer your question, the Planning Board is not involved in making a zoning determination. So that is entirely the responsibility of the Town Board because they are the elected officials that are responsible for the Town Code, basically the laws that control the Town, and the applicant is saying, in order for us to go through with this concept proposal, we need the Town to change the zoning so we have the permission to apply to do the Planned Resort Development. Right now they can't even apply to do it because it's not something that can be done in that, on that piece of property as it stands. So Step One is can we ask to do it, and to ask to do that, they need to change the zoning, which the Town Board needs to do. Then if that's changed, if that change is approved, then the application can be processed one step at a time with regard to all of the environmental impacts and all of the points that we talked about.

MRS. ZUHLKE-Right, and again, bear with me, just to clarify, but your position right now is to put it forward for the zoning approval by the Town, if you look at the components, and do you, just again curious, do you make suggestions that we could put it forward, but maybe we need to look closely at this or that component of it, or do you just say as is, we put this forward for review?

MR. TRAVER-Again, we're not going to be making suggestions with regard to zoning, because that's not within the purview of the Planning Board.

MRS. ZUHLKE-Right.

MR. TRAVER-With regard to making suggestions for changes, we certainly can, and we have had discussions with the applicant with regard to what we think are going to be concerns that are going to be raised by the Town Board and additional information that they need to be prepared to provide, both for the Town Board and the public in general, because again, this is a concept plan, not a site plan application.

MRS. ZUHLKE-It'll change as it goes.

MR. TRAVER-Yes, that's right.

MRS. ZUHLKE-And, based on that, as we go through the process, with each step of it, are there always opportunities for the residents to come in?

MR. TRAVER-Public hearings?

MRS. ZUHLKE-Public hearings?

MR. TRAVER-There will be many public hearings, both in terms of, I would anticipate, well, there has been to, it's a requirement that for the State Environmental Quality that the Town Board is conducting, they're required to hold at least one public hearing for that purpose. I suspect that they may decide to have more than one as we did, even for this preliminary stage. Then, should the Phase I part of the project come back to the Planning Board for more conventional Site Plan Review, there will be a public hearing then as well. So, yes, all through the process, input from the public is required, and is a valid component of the project.

MRS. ZUHLKE-And my last question, as we go through this, do you continue to put out the information so that we can have access to it as the plans continue to develop?

MR. TRAVER-Well, certainly the information provided by the applicant as the process goes forward will be available on the Town website, the queensbury.net. So for example at some point in the future if they come back and they are on the Planning Board agenda for let's say the Phase I part of the project, that will be, there'll be notification for that. We actually ask, because of the relatively rural character of the neighborhood of this project, the Planning Board actually requested that the Town increase the required notification from the normal 500 feet to 1,000 feet, so that as many people as possible could be notified for public hearings and so on. So that came from us, and the information will be on line, and, you know, the public hearing will be an opportunity for questions if there's information that's confusing or not available or something, you can certainly get information on, but it should be pretty comprehensive, and the applicant may well decide to take advantage of, I know in the past they've held kind of an open house type of thing with the neighborhood where they've invited people to come to the Mountain, take a tour of what this might look like. They may want to do that again at some point down the road, that would be up to them. That's not the purview of the Planning Board or the Town Board. That would be something that perhaps could be considered as all part of the process.

MRS. ZUHLKE-Okay. Thank you.

MR. TRAVER-Sure. Thank you. Who's next on process? I see a hand there. Yes, ma'am.

CAROLE GERUSO

MRS. GERUSO-Hi, Carole Geruso, 168 West Mountain Road. We're right across from the proposed area. First question is could someone explain or clarify what a PRD actually is, what makes it different from say the Planned Unit Development like Hidden Hills and Hudson Pointe and those areas?

MR. TRAVER-Yes, I could probably take a stab at that, but I think we'd probably all be better off if the professionals answered that. So I'll ask Stu to address that. Thank you, Stu.

MR. BAKER-Thank you, Mr. Chairman. I'm Stu Baker. I'm the Senior Planner for the Town. Planned Resort Developments are prescribed by Article 12B in Chapter 179 of Town Code. Chapter 179 is the entire Zoning Code, and in Article 12B there's a Statement of Intent which explains the intent and purpose of a PRD and it reads as follows, this is Section 179-12B-010 Intent and Objectives, and it reads, "It is the intent of this planned resort development (PRD) article to provide flexible land use and design regulations for the rezoning of land so that mid- to large-scale resorts may be developed in the Town. Planned resort developments permit establishment of appropriate areas within the Town in which recreational uses may be brought together with residential and commercial uses in a compatible and unified plan of development, which shall be in the interest of the general welfare of the public. This article specifically encourages innovation in resort development so that market demands for recreational activities and resort housing at all economic levels may be met by innovative design and by the conservation and more efficient use of land in such developments."

MRS. GERUSO-So does this allow for the developers to have any variances in the setbacks or any rules like that?

MR. BAKER-PRD's, very similar to PUD's, Planned Unit Developments, basically prescribe their own area requirements, which is lot size, setbacks and such. So they would be proposing their own area requirements, and all development that would follow an approved PRD concept would need to adhere to these.

MRS. GERUSO-Okay. So anything that they would propose would have to go through and be approved by a Planning Board, the Town Board, before that happens?

MR. TRAVER-The next phase after our review of their preliminary proposal would be the Town Board would consider whether or not it's appropriate to consider changing the zoning so that they could apply to do the PRD. Now this is not going to be, they're not proposing to do this all in one shot. It's going to be done in a series of phases. So Phase I is an expansion, almost a re-invention really of some of the base lodge facilities, but I think to answer your question perhaps in more layman's terms, the change that you would see, should this be approved, from someone living across the road, it's going to be, there'll be some activities probably year round, if it's done as proposed, as opposed to just in the winter. There'll be an expansion of the basic facilities, which will be done, because it has to be in the spirit of the Adirondack design, so it's not going to have a huge visual impact, but there will be bigger facilities there. So there will be an increase in the number of people taking advantage of it. They're talking about restaurants and stores and a gymnasium and various other kinds of facilities that you may have heard about. If not you can read this document. So it will have a real impact on you as a neighbor because it's going to be a bigger, it would be a bigger facility. That's essentially.

MRS. GERUSO-Right, and it will have a visual impact, being a three story building right on the road, multiple buildings.

MR. TRAVER-Perhaps, if it's approved, yes.

MRS. GERUSO-Okay. All right. Thank you.

MR. TRAVER-Are there any questions about the process, in terms of step by step how the applicant, or do you feel you understand how this is going to go forward?

MRS. ZUHLKE-I think I understand. We were under the impression I think, that if this was moved forward, the Town would vote on it fairly soon, and from what you've said before, that's not the case. There's going to be more consideration by the Town Board. Is that correct?

MR. TRAVER-Yes, specifically, most specifically as far as the public is concerned, because that's what I mainly heard in terms of concern, is the environmental impact. The Town Board is Lead Agency for what's called SEQRA, and so they're going to be doing public hearings about what are the public's concerns about stormwater. What are the concerns about lighting, visual impacts for a three story building. Those are all environmental impacts that the Town Board has to consider and feel that the applicant, by the time they have finished their discussions with the applicant on the environmental impacts, that the applicant has a plan and a process that those impacts can be addressed through the plan. Once they get through that, then they would come back to us for the nitty gritty of the Site Plan review for the specific phase, like the building that you mentioned. That would come to us for the very specifics of color and lighting and,

you know the time it takes and hours of operation and all the things that typically the Planning Board would be involved in, that we're not at this stage.

MRS. ZUHLKE-Okay. Thank you.

MR. TRAVER-Sure. Someone else on process? Yes, I see a hand there.

TRAVIS WHITEHEAD

MR. WHITEHEAD-Hello. Travis Whitehead, Bedford Close. So on the SEQRA, in the State Environmental Quality Review, it's several pages full of questions. Are you allowed to leave any of those questions blank?

MR. TRAVER-Well, again, the Town Board is going to be processing SEQRA, but generally no. The expectation is that the SEQRA application form is to be completed. If there is incomplete responses, then the Town Board will address them with the applicant when they get to that point, when they're addressing SEQRA.

MR. WHITEHEAD-Okay. So Question Number Two, we've been assured that no shovels will hit the ground until you have an approved stormwater plan. It doesn't make sense to start digging things up before you have things designed. However, my question is, must you have a plan prior to asking for a Neg Dec on the SEQRA?

MR. TRAVER-Well, in order for the Town Board, since they're Lead Agency, to consider the requirements under the Environmental Quality Review Act, they have to first decide do we have enough information to act on SEQRA? And that's, I suppose in some respects, a yes or no question. If it's a no, then they need to ask the applicant for the specifics of what the applicant needs to provide in order to answer the SEQRA question so that the Town Board can rule on it.

MR. WHITEHEAD-So, for instance, if one question is, where will the stormwater runoff be directed, and the answer is, well, we haven't decided that yet, could you, you know, get a Pos Dec or a Neg Dec on the SEQRA, or would it be no?

MR. TRAVER-Well, again, the Planning Board is not doing SEQRA, the Town Board is.

MR. WHITEHEAD-I do understand that.

MR. TRAVER-But it's a common practice, when you're doing the environmental impacts, that there needs to be a response that addresses the question.

MR. WHITEHEAD-Right.

MR. TRAVER-And I have not seen that specific form because we're not doing SEQRA. So I haven't really looked at that, but if they're saying we're not sure how we're going to deal with it, they have to have a proposal for how they're going to deal with it in order to address environmental impacts, as with all the other questions.

MR. WHITEHEAD-Thank you. I'll be back with comments later.

MR. TRAVER-Thank you. Someone else on the process? Yes, Stu?

MR. BAKER-Mr. Chairman, for the Planning Board's information, and for the public's information, I refer you all to Resolution 94 of 2024, by which the Town Board referred this project to the Planning Board for review and recommendation, and part of that resolution states that the Planning Board is to provide a report and recommendations with such report to also include recommendations regarding the SEQRA review.

MR. TRAVER-Yes, okay, but we're not conducting SEQRA review.

MR. BAKER-That's correct, but the Town Board has specifically asked for recommendations regarding the SEQRA review.

MR. TRAVER-Okay, and I think that we will have a general one moving forward. All right. So if there are no other process questions, then we'll move to the second part of public hearing. Yes, ma'am?

KRISTEN JURCSAK

MS. JURCSAK-My name is Kristen Jurcsak. I live on Tina Lane, right on the corner of Tina Lane and West Mountain Road. First question is about the zoning. So I know you spoke about having to figure out if

there could be a change in zoning. Is the zoning change, if it is approved as requested, is that just for that particular tract of land, or is it for the entire area and surrounding homes? So is it just for this project?

MR. TRAVER-It is for that zone, and it would be for any other like zone in the Town. Correct, Laura? All though I'm not sure there is.

MS. JURCSAK-I just wanted to understand for the people who have homes, if that changes the zoning where the homes are?

MR. BAKER-Well, it's a two part response to that question. First the proposed Planned Resort Development is for this project area as outlined by the dotted line. However, their project application materials also requests a change to the Subdivision Code that would allow for increased density on all Recreation Commercial properties in Town. Their application also includes a request a change to the Subdivision Regulations that would allow for increased density in all Recreation Commercial properties in Town. That's Recreation Commercial the zoning district. Specifically they are asking for slopes over 20% to not be deducted from the base density calculation.

MRS. MOORE-That's specific to the PRD, though.

MR. BAKER-No, that zoning change would be specific to a Recreation Commercial district.

MR. TRAVER-And how many Recreation Commercial districts do we have in Town? Do you know, offhand?

MR. BAKER-I do not know offhand, but I know the entirety of West Mountain is in that district, the entirety of the ski area I should say.

MR. TRAVER-All right. Thank you. I don't know if that answers your question.

MS. JURCSAK-Yes, the question was what defines a Recreation Commercial, and I think you answered that. And then as far as the SEQRA process, I'm somewhat familiar with what that is. So that would have to be, once the application is completed, that would be completed by the developers. Correct? They would be providing information for the Planning Board to complete SEQRA application?

MR. TRAVER-For the SEQRA review, in this case, that's being conducted by the Town Board. They have elected to be Lead Agency because of the change in Code that will be required for the zoning change. So the Town Board is going to be having public hearings and interviewing the applicant specifically with regard to the environmental review process. That will happen at some point in the future. Okay. And so this Board will not be doing a SEQRA review. That will be done by the Town Board.

MS. JURCSAK-Correct. I understand that. So does that have to be submitted to the State of New York, or is that just reviewed by?

MR. TRAVER-No, it's submitted to the Town of Queensbury, in this case the Town Board, and they review the SEQRA application as submitted, make a determination as to its completeness, and then they may request additional information if they decide it's appropriate from the applicant, to the point where they can make a SEQRA determination as to whether or not there are significant environmental impacts, and whether or not they can be addressed by what the applicant is proposing.

MS. JURCSAK-Okay, and then any specific permits from the State, like wetland permitting, things like that, Stormwater Pollution Prevention Plans, all of that, that's down the road if it gets passed all of these?

MR. TRAVER-Yes. That would be most likely during the Site Plan Review process, which would be back with us. So for example when they do the Phase I project at the base of the Mountain, this is in four, I think five phases going up the Mountain over a period of years. So they would start with the very first part which would be the updates to the base facilities. So that part would come back to the Planning Board, and then there would be the detailed plans. Again, that would be available on the Town website, much as this preliminary design is, and we would go through all the details like we would for someone building a house or anything where there's much more detail with regard to the colors and the windows and the parking and all of that kind of thing.

MS. JURCSAK-Yes, and I think that's probably when people would get more information about like what the stormwater concerns, because I think what everybody's thinking about with that is that whole field is kind of a stream in the spring and it flows underneath the road and that stream goes right behind my property. So all those types of things have to be looked at individually as part of it.

MR. TRAVER-Yes. That's right, and in the SEQRA review process, which would be early on in the application process, they need to do, we raise the example of the stormwater. They need to do that for the entire project not just the basin project, but then when they came back to the Planning Board we would

look at the very specific details of the stormwater that they would be installing just for that first phase, and then for Phase II we would be doing likewise, but the plan for how stormwater would be managed for the whole project would be submitted and reviewed by the Town Board under the SEQRA.

MS. JURCSAK-And then just one more question about process and timing. I know some people had expressed interest about how long is this going to take. For the first step to determine if there is enough information to determine if there's enough, I don't know, enough discussion about whether there could be a zoning change, when would that be decided, just about the zoning change at all. That's like a very, very first step.

MR. TRAVER-Right. That would happen at the Town Board level. The plan right now is we're continuing to complete our review of the preliminary project proposal, to pass this along to the Town Board so they can begin SEQRA and the rest of the process. We might be able to get to that point where we can make a referral to the Town Board next month. That would be March. So then the Town Board then would have to set a public hearing and set a meeting date for them to begin their part of the work, which would be, probably in the beginning would focus on the SEQRA review, and there would be public notification. There would be public hearings and all associated with that.

MS. JURCSAK-The SEQRA review and the proposed zoning change. It would kind of be both?

MR. TRAVER-They're doing both, but in order to consider whether we want to change the zoning, the environmental impacts of such a change is a significant consideration.

MS. JURCSAK-I see.

MR. TRAVER-Yes, it's kind of tied together in many respects.

MS. JURCSAK-That does make sense. Okay. Thank you.

MR. TRAVER-Yes, you're welcome.

MR. BAKER-Mr. Chairman, I'd like to correct my prior statement, if I may. The change, requested change in density allowance would only apply as per the application submitted to ski mountain planned, well the application says Planned Recreation Districts, but I believe what is meant is Planned Resort Districts. So again, this is literally what the application says. "The application requests that Section A-183-26A(4) of the Town Code", and that's within the Subdivision Regs, "be changed to slopes in excess of 20% shall not be subtracted for the density calculation in ski mountain Planned Recreation Districts."

MR. TRAVER-Thank you, Stu. I saw a hand over here. Yes, sir.

WAYNE ZUHLKE

MR. ZUHLKE-Hi, Wayne Zuhlke. I live on Tina Lane as well. The question I have is last meeting we had, this is relative to process. Last meeting we had, I think you were talking about the task of this Board at this point was to go through the objectives, the twenty objectives to go through and see, pass on those and be able to say, okay we're ready to send it along. I guess my question is, what are you using to base those on, because if you're not, if you're just using what was submitted, one of the things that I've noticed in going through the Planning Board Staff Notes of November 13th, 2024 is that there were a lot of either inconsistencies or discrepancies in terms of what you're looking at. So does that factor into your decision to move it on to the Town Board? You're not looking at these now. So you're saying we don't look at these, they're looking at those, but do they factor into your decision? I guess I'm curious. For example either Number Two or Number Three objective relates to, does it have an environmental impact on the area and so on. Well if you're not even going to look at the environmental impact, or the Town Board's going to do that, how can you make a recommendation to the Town Board if you're not looking at those specifics?

MR. TRAVER-The recommendation that we're making to the Town Board is whether or not they should consider the application to change the zoning. We're not making a recommendation to approve or disapprove the project. That's not a decision that we can make. So we're just making a referral. In other words, we have this preliminary information from the applicant. The Town Board is going to act as Lead Agency for the project. So they're the ones that are responsible for doing the environmental impact studies and all the rest of it. What we've been asked to do is take a look at the preliminary information as provided by the applicant and judge whether or not we feel there's enough information there for the Town Board to begin to consider their application to change the zoning so that they can do a Planned Resort Development, and Staff has provided us with a series of questions that we need to answer to help us make that determination. We're going to be doing those tonight after the public hearing. We've done some of them already, but we need to do some more of them, so that's what we're doing, and it basically revolves around the information that's been provided, is it appropriate, not to approve, but to consider a Planned Resort Development or consider a zoning change.

MR. ZUHLKE-So in your process do you consider, I don't know how else to put this. Do you consider the information that the provider? And I'm not trying to disrespect anybody.

MR. TRAVER-No, I understand. So the information that we're looking at right now is not terribly specific. It's a concept design, and the applicant, the Planning Board and the Town Board and everybody is well aware that to go, to put a shove in the ground, as I heard somebody say, there's a lot more specifics that need to be provided and reviewed, but in terms of a concept as to whether or not it's appropriate to even consider this requested zoning change, that's a more general question I think, and it's up to the Town Board, as Lead Agency, to start to get the specifics.

MR. WHITEHEAD-Okay. Thank you.

MR. TRAVER-Did that answer your question?

MR. WHITEHEAD-Yes.

MR. TRAVER-All right. Yes, sir.

MIKE DIXON

MR. DIXON-Mike Dixon. I am the Deputy Town Supervisor as well as Ward Three Councilperson, and I know there's been many comments regarding the Board tonight. Well first of all I want to thank you all. I've been in your shoes. You do a phenomenal job.

MR. TRAVER-You certainly have been in our shoes.

MR. DIXON-So if I go through a few items, and a little bit is about the process, but then I'll digress a little bit if you'll allow me.

MR. TRAVER-Sure.

MR. DIXON-So regarding the process, as far as the SEQRA, what I'm hearing from the public and what I'm well versed in the SEQRA, is we will be looking for Planning Board recommendations. We may have recommendations on the density. We may have recommendations on how high up we go on the Mountain. We may have other, and we'll certainly listen to that as well, their recommendations. Then it's going to come to us, the Town Board, at some point, and it's not going to be in weeks, days. This is probably going to be months, and you mentioned the applicant will come back up, and they may have a better idea as far as the timeline. So we'll let them comment, but from my perspective, and I'm not going to speak on behalf of the entire Town Board, just myself as Ward Three and my opinion. So in my opinion, what I'm going to be looking for is, not just from you all, but from the applicant, I'll be looking at the plans. I'm going to be looking at the density. The residents have been reaching out to me. There's been comments on the height restriction. I know that there may be some concerns that I'm going to take in as far as, do we even have the capacity to pump water above a certain level? We'll be looking at that, stormwater runoff, yes we will be looking at it and it has to be contained on the site. New York State requires that and we will follow through on that. The one component that I'll ask of the applicant, so it's fortunate that they're here and they're listening to what I'm saying, and I hope that they want what's best for Queensbury. The stormwater piece will also have to take into account some level of hydrology. I'm not an expert on this, although I know if you've got water stored somewhere high, it's going to perc down, but it's going to present itself somewhere else. So is it going to present in the community, is it going to be in the stream bed? That's what the applicant's going to help us determine.

MR. TRAVER-Right.

MR. DIXON-We're going to verify this, validate this. So part of why I'm here, and I really wasn't expecting to speak tonight, is we are listening to the residents, and I can also, on this part I will speak on behalf of the Town Board, I know the Town Board as a whole is listening and if people were to look around tonight, the majority of the Town Board is present, because we take this serious and we are listening and we want this to be a good project. At the end of the day, the project may fail, but right now we're just in the investigative standpoint of it. We'd like to hear what the applicant has to say. One thing that I am hearing loud and clear, and I also believe the applicant, they've got about three months for a ski season. That doesn't mean we just approve a project. However, it is going to be very difficult for them financially to remain in business. So I get it. They're wanting to diversify, and that's what we're listening to right now, their plan to diversify their plans, so they can be around for another 50 years, 100 years. I do believe that they are a tremendous asset to the community, and this community is not just Queensbury. It's Glens Falls. It's all of Warren County. As the applicant digs in, I think the applicant can certainly engage the Town of Queensbury, us as a Board, as well as Warren County Board because I think that there's something we have to look at as a whole. Part of this project starting, what I heard loud and clear already at the last meeting, there's already concerns about traffic on the road. That's on the County. That's on the Town. So we need to address that going forward. Maybe the applicant has some suggestions on that. I know

I've got some thoughts on it, but those could be further discussed in more detailed meetings. The runoff, how do we, can we re-direct it? Would the Federal guidelines allow us to re-direct? Could the applicant do that in conjunction with the Town and the County, maybe we can get that somewhere else. The Town has some property. Maybe there's a way we can create a park. So I think there's opportunities, if we all work together, have some considerations, and definitely take what the residents are speaking of, and I know the applicant will. They're going to listen. They're going to respond. They're going to revise their plans, and I think by saying this they're going to have a good sense of where my mind is going and my thought process. So on that note, I appreciate you taking the time, and thank you again.

MR. TRAVER-Thank you. Who's next? Yes.

GRETCHEN STEFFAN

MRS. STEFFAN-Hi. I'm Gretchen Steffan from Queensbury, former Planning Board member, but I just think, as a point of clarity for everybody in the audience, I don't think that everybody really understands the difference between the Planning Board and the Zoning Board. They likely know what the Town Board is doing, but also how the Comprehensive Plan works. I didn't before I was on the Planning Board, but we just went through, the Town just went through a Comprehensive Land Use process, which was an important, it's an important document and it's an important process because that's when all the citizens in the Town get to speak on what their dreams, what their hopes, dreams and desires for the future of the Town are, and I think all of us who live here love it here. So that Comp Plan process is very important, but that's a driver that the Town Board uses to make some decisions about what the laws of the Town will be, and so the Zoning Code is the laws of the Town and so when the Planning Board is reviewing an application, they are getting information in their Staff Notes, how does this plan measure up against the laws of the Town which is the Zoning Code, and so as the process goes on tonight I think folks even understand very specifically that the zoning is the law of this Town, and so the Planning Board follows the law of the Town, and so you're making your recommendation to the Town Board, it's really important to provide them with good information because your decisions are obviously, this is the information they're based on. What I think is important is that you understand zoning is the law of the Town. That's what carries all of the decisions.

MR. TRAVER-Yes, thank you for that, and it was that concern of folks being unfamiliar with the process is the reason why I wanted to try to give people an opportunity to ask those questions because that can be upsetting if you don't understand what it is that's happening. So I'll ask one last time, before we move on to Section Two of public hearing, is there anyone on process? Yes, sir.

MR. WHITEHEAD-Travis Whitehead again. I just wanted to clarify something, because I heard two different things here. I want to know which one I should pay attention to, but, Mr. Traver, I heard you say twice now, in the opening statements, and then again in your response to Mr. Zuhlke, that you see that the Planning Board is going to pass this on to the Town, and the Town is going to do the zoning decisions, but then Mr. Baker went ahead and said Resolution 94 of 2024 said that the Town Board has also asked you for SEQRA recommendations, probably because they're doing the SEQRA and they don't do it near as often as this group does, and yet I heard you say that's not, you haven't considered that in the past, and I'm hoping that, you know, listen again to Resolution 94 and do what the Town's asking, because I believe this body probably is in a better position, that's probably why they asked for your recommendations. That's all I had to say.

MR. TRAVER-Sure. Well let me try to answer that. Although we're not doing the SEQRA review, that's in the purview of the Town Board in this case, we can certainly, when we make our recommendation to the Town Board that they can proceed with their part of it, we can certainly outline some of the concerns that we have, and that we have been made aware of, that the Town should consider when they do the SEQRA, obviously stormwater, traffic, all those kinds of things, and that would be part of our recommendation. So we're not actually doing the SEQRA review, but we can highlight some specific areas that, by the nature of this project, require specific attention under SEQRA.

MR. WHITEHEAD-Thank you.

MR. TRAVER-Thank you. All right. Any last hands on process? Yes, ma'am. We're getting a lot of good questions on process. That's good.

JODY COTTONE

MRS. COTTONE-Jody Cottone, 181 West Mountain Road. I've got one question for you, and I think it might have been brought up earlier. So I apologize if this is a duplicate. Any way through the process, in any of these tests that you guys have to take, the Town, the Planning Board, everybody, is there ever a time that New York State comes in to review the approval or the denial of the plan that's being approved by the Town? Or is it always just the Town?

MR. TRAVER-Well, I'll defer to the professional staff to answer that. Stu, do you want to take that one?

MR. BAKER-New York State is likely to be an involved party in the SEQRA review, due to at least two factors, one is the proposed water supply line coming from the Hudson for snowmaking purposes. The second would be the proposed sewage treatment package plant and its effluent going into the Hudson. There may be other areas of the project that State agencies have jurisdiction over as well. So they would be involved, at the very least, as an involved party in the SEQRA review.

MR. TRAVER-And, Stu, could you take a minute and talk about, that's an excellent point that I haven't heard raised tonight. In the Lead Agency responsibility on the Town Board, they would be reaching out to agencies that might want to have an impact under SEQRA, correct?

MR. BAKER-That's correct. In the SEQRA Long Environmental Assessment Form included with the application package, the applicant does mention State agencies that they would be needing permits from. Those agencies would be notified by the Town Board, as the SEQRA Lead Agency.

MR. TRAVER-So they would then have an opportunity to contribute additional information that they feel the Town Board should be aware of as the Town Board considers SEQRA.

MR. BAKER-That's correct.

MR. TRAVER-Does that answer your question?

MRS. COTTONE-Yes, thank you.

MR. TRAVER-All right. One last time, I keep saying that, but I keep getting another hand every time. I don't see any new ones. All right. So let's go to the second part which is general public hearing questions on the concept plan. Do we have anyone that wants to address the Planning Board on that part of it tonight? Yes, sir.

MIKE BRANDI

MR. BRANDI-Mike Brandi, b-r-a-n-d-i. We're fortunate to have West Mountain as part of our community. It's a ski area that consistently exceeds expectations, punching well above its weight in vertical drop, snowmaking, lifts and grooming. As someone that works in the ski industry and visits dozens of ski resorts across the country every year I can confidently say that the experience at West Mountain is first class, but we can't take it for granted. Across New York State alone we have more than 350 lot ski areas. Once thriving community hubs, that now stand abandoned, rusting away as reminders of what once was. The vast majority are never revived. That's the stark reality of this industry, stagnation leads to decline, and decline leads to closure. I don't say this to be dramatic, but to highlight a simple truth, that West Mountain must continue to evolve and invest in its future to remain a viable and highly competitive seasonal business. If we want West Mountain to remain an asset for our community, we must support its ability to grow. I personally have a deep connection to West Mountain. I grew up just a stone's throw from there, and from the time I was 12 until I left for college if it was a winter weeknight you could bet my friends and I were at West Mountain skiing, racing, or just hanging out in the lodge. Many of our had our first jobs at West Mountain, and West Mountain provided a safe, healthy environment where we'd be active, gain independence and build a lifelong love of skiing. What is nostalgia for me is reality for hundreds of local kids involved in school programs, race teams and lessons at West Mountain. Beyond its role in shaping young athletes and outdoor enthusiasts, West Mountain is a critical economic drive for the Town of Queensbury, providing hundreds of jobs, generating millions in local economic impact and contributing significant tax revenue that would not be easy to replace. I understand that change brings concerns, but the challenges raised here are the same ones that face any business trying to grow and survive. There are mechanisms in place to address those concerns and I think West Mountain has already started to put in the work to address those. This project isn't just about expanding the business, it's about securing the future of an essential part of our community. My wife and I recently welcomed our first child in December, and I fully expect that in just a few short years he'll be learning to ski right here at West Mountain. So I urge you and the Town and the Town Board to support this project. I think our community needs West Mountain and West Mountain needs the ability to grow. Thank you.

MR. TRAVER-Thank you. Written comments, Laura?

MRS. MOORE-There's still someone in the audience.

MR. TRAVER-Yes, sir. I'm sorry, I didn't see your hand.

MR. ZUHLKE-Thank you again for the opportunity to speak. My name's Wayne Zuhlke. I'm a resident in Queensbury. We've been here for over 30 years and we live in Bedford Close. So in reviewing all the documents, I still have some questions and concerns about the development. In the last meeting I raised several of the concerns, but again, and I want to stress, we're not opposed to anyone developing the property. However at the same time I believe we have an obligation to provide for responsible

development, respecting the rights of the neighbors and the Town. Previously I raised questions in the three areas, and I'm not going to go through them all again, noise level, with the amphitheater, where there are no details.

MR. TRAVER-Those are points that could be raised with the Town Board when they do SEQRA review.

MR. ZUHLKE-Yes.

MR. TRAVER-Noise is part of SEQRA.mm

MR. ZUHLKE-The traffic issue which everybody's talked about. The fact that it was done at a specific time. I don't think they really looked at the traffic impact through Bedford Close. I mean I think if you probably were coming off Exit 18 and you plugged your GPS to get to where the new shops were going to be, probably the shortest route would take you right through the neighborhood. So I think that also needs to be looked at. I think a new study should be done, because talking about putting in 500 plus new residents between 300 apartments and 65 houses between townhouses and condos, I don't think the figure of 300 cars makes sense to me, so I think that would, plus you would have servicing of the different new office buildings, or the new apartments or the shops that were planned to be there.

MR. TRAVER-Well, those issues you raise are part of SEQRA. You understand that.

MR. ZUHLKE-Yes, I understand that, and I'm not going re-hash all those, but looking at the materials for today's meeting, again, I came across the Staff Notes from November 13th, 2024. Someone on the Board, or hopefully I'm sure members did a very comprehensive review of the submitted Master Plan. For those of you, including some of the Town Board members that maybe haven't had an opportunity to read these notes, I would recommend that you do it. They're very enlightening. I think they point towards several areas that really need to be looked at in order to really make this thing a success. I think the other thing that's in there that I've noticed, including looking at the Staff Notes, is there's some inconsistencies within the Master Plan versus further questions or comments. One for example is pointed out right there where the question was, we're not going to build along the ridgeline, but the response was we're not going build Phase Three and Four along the ridgeline. Well Five and Six looks to me like exactly it's right down the ridgeline, and the comment in the Master Plan, the ones that will face the backside so you won't see those. It looks to me like there's also another set on the front line. So I think this is one of those pieces that I think need to be looked at.

MR. TRAVER-That's visual impact, and that's also part of SEQRA review.

MR. ZUHLKE-Correct. Not showing the Federally designated stream on the Master Plan and then not referring to it in the engineering plan that they submitted I think is a big miss and I think those things need to be looked at as well. The comment about others, you know, we have five or six percent of the area is bedrock, and then one of the further questions, you don't show them on the map so where are they, and I'm probably missing that whole piece.

MR. TRAVER-They're providing maps that shows more details. When we get to Site Plan there'll be some very specific concerns in regards to that.

MR. ZUHLKE-My point is, and it kind of goes to my question, is the Master Plan that's been submitted. My recommendations made in the new Master Plan needs to be submitted, that's more comprehensive, and it gives a better idea, based on a lot of the questions and issues that have been raised. The biggest issue that I have, that I found here, is the request for, there's going to be a request for a variance on future review of the future subdivision review. In the words of the staff, it would effectively allow all elements of the project design to vary from any and all of the requirements of the Subdivision Regulations. In plain language they can do whatever they want and they won't have any hoops once that's given, and I think that's very concerning to certainly the people that I talked about, is that if that request is granted then that's the impression that I got even from the Planning Board notes that that could be a potential problem. So I'd like to raise that now, because I think it's serious enough that it's something that should be looked at and addressed prior to where it goes, if it goes anywhere.

MR. TRAVER-All of these and many other issues will have to be looked at and addressed as the project goes forward and I think that if you monitor the information that's provided as the project moves along and gets more detailed, and as the Town Board conducts its review and then comes back to us for Site Plan Review. You will get more information and I believe be more comfortable on the planning and approval process, in terms of impacts.

MR. ZUHLKE-I guess the earlier question about the PRD is that well it would just refer to, it would just pertain to this particular development, but in some ways, I don't know, we certainly don't want to change the zoning that allows everybody all the way along West Mountain, whatever that's called, all the way up to Lake George to build houses all along, certainly all along that Mountain, but at the same time if you say, well, it just applies to them, well how's that fair?

MR. TRAVER-First of all, you should know, if a change in zoning to allow PRD is approved, it doesn't mean that the PRD is approved. It just means that they can apply to do it, and that would apply to some other hypothetical PRD as well. They would still have to go through the planning process. It just means that you can ask to do it, but it doesn't mean you get approval.

MR. ZUHLKE-But if you, and it's been raised here, it was raised at the last meeting. If you allow cutting above 450 feet and if you look in their Master Plan they're talking about taking out 70 acres of trees, if you allow them to do it, how about the individual that was here last time that said well you've already told me I can't do that on my land. So how is that fair because they will do it, but somebody else won't do it?

MR. TRAVER-Again, you're talking about, these are largely SEQRA issues that you're raising, and those are all issues that should be brought up to the Town Board and will be addressed by the Town Board as they go through that process step by step, and they'll have to be addressed.

MR. ZUHLKE-And again, I'm not opposed at all to them being able to develop that. I know he's got a great piece of property there and he certainly, you know, my kids learned to ski at West Mountain as well.

MR. TRAVER-It sounds as though you and others have very legitimate impact concerns, and it's our job, along with the Town Board and everybody else involved, the applicant as well, to address those, going forward, and it's going to be a lengthy process. Keep informed, keep up with the information that's provided and, you know, we'll allay your concerns as we go forward. If not, keep raising the questions.

MR. ZUHLKE-But the snow removal, I ended up with five inches of water out in front of my driveway. I don't need another 10 from the water.

MR. TRAVER-Yes, I understand.

MR. ZUHLKE-Thank you very much. I appreciate it.

MR. TRAVER-Okay. All right. I apologize, Laura. Written comments?

MRS. MOORE-Is there anybody else that wanted to speak?

MR. TRAVER-I don't think so. I just missed that gentleman when I asked.

MRS. MOORE-All right. This is, "Good afternoon. I would like to voice a concern to go on record for the project listed in the subject line of this e-mail." Under the Apex Capital LLC. "We border the property of the proposed "resort", we are a small business that runs out of our house so I understand that it is important for a business to grow and expand, however, the proposal that is set forth to change the zoning to a resort has way too many loop holes and "what if's" in the proposal. Being a property that is adjacent to this proposed change is concerning because there are major environmental setbacks that are not being addressed in the proposal. One of the main concerns is the stream that runs through the field of this property where they are proposing phase 1. There have already been apparent changes to this stream's flow. Whether these changes were permitted by the Town or not, I do not know, but what I do know is that these changes became apparent after there were excavators and changes to the land in the middle of that field. That stream has not dried up in 30 years and in the last 12-18 months, the amount of water is much less and at times dries up entirely in the summer. It is apparent that this is affecting the wildlife already, the family of ducks that we have seen for years didn't come back last year. The stream is not flowing under the street as it has in the past and these changes are going to have effects on multiple properties if these are not addressed properly. I am concerned about where the water is actually being diverted to and how that will affect our property as well as our neighbors property. If phase 1 can't be completed due to setbacks that include the stream, property lines as well as elevation, that would limit the amount of property that can be utilized to develop. If not all of the property in the proposal can be utilized, can it even be considered a resort? It is important to have clear plans including any environmental issues resolved prior to changing the zoning to a resort. I appreciate the Planning Board and the Town Board taking this into consideration prior to approving or recommending any zone changes. Thank you, Tom and Jodi Cottone 181 West Mountain Rd. Queensbury, NY 12804" "Good morning. I am a Queensbury resident who lives near West Mountain on Owen Avenue. I am also an avid skier who frequently visits West Mountain. West Mountain is an invaluable asset to our community. Having an approachable, well run ski resort so close to home is one of the reasons I live where I do. My kids will learn how to ski at West Mountain and will carry those skills and appreciation for the sport into adulthood and old age, like I am, and like my parents did. Skiing isn't everything, at least that's what my wife says. I have to admit she's right sometimes. We also need housing, dining, and other recreational opportunities for our Town to remain an attractive place to live. Sure, we're close to Lake George and the Adirondack Park, but our little corner of Queensbury needs more. Housing is extremely scarce in our Town. As someone who moved from Glens Falls about 3 years ago, I know our options are limited. There is little room for new housing elsewhere in the Town, and the proposal at West Mountain will create hundreds of housing opportunities for new residents who want to enjoy our beautiful area but were previously unable to. Not

to mention the increased tax base that will come from the project that will help fund maintenance and improvement of our Town. The new hotel will be utilized by my family and many others who would rather stay at a locally-owned facility than one of the corporate-owned hotels in the area (and will also provide more options for when the Queensbury Hotel is full). Dining is also very limited in our part of Town. We have the Tavern, and West Mountain's bar and grill during the winter. Unless you want to go over to the busy Route 9 area, that's it. This project will give us more and better options as the Alpine Village area is fully realized. Finally, improved space for outdoor recreational activities will be a welcome addition. As I mentioned above, I already enjoy skiing at West Mountain. I also appreciate the summer and winter events they organize for our residents. My kids love running around outside during these events, and the new outdoor spaces being proposed will only increase those opportunities. The skiing will continue to improve, as will mountain biking and other activities. Living only minutes away, I look forward to having more options for our growing family to enjoy. I urge the Board to recommend approval of the necessary PRD and Zone Change to the Town Board, so this important project can come to fruition. We need to support our Town's only ski resort so it can continue to thrive, remain competitive, and improve the quality of life in our part of Town. This project will benefit the Town and its residents greatly. Thank you for taking the time to read my comments. Ben Botelho 7 Owen Avenue Queensbury, NY 12804" "To Whom It May Concern: I am writing to communicate my concerns about the stream that runs down the northern end of the proposed Woods at West Mountain development and crosses West Mountain Road into Bedford Close. I have read the letter from the DEC dated October 13, 2023 provided in the proposed plan for the Woods that stated this stream is a class C with a standard C(T) and is therefore protected by the DEC. Maps show that this protected stream runs through where a main entry roadway, apartment buildings, and main lot from phase I appear to be placed. I read that it is the intention of the Woods at West Mountain to adjust, modify or pipe the course of the stream on the project site. However, it is my understanding that zoning code prevents relocation of the stream bed and does not allow stream crossings or stream bed disturbances for buildings, hardscaping, or parking areas. If this project moves forward I am concerned about how this stream will be impacted and want to make sure that it is effectively protected. It is important that there aren't changes to the stream or surrounding area that would result in overflowing and the flooding of surrounding properties and houses. I have read through many documents containing exchanges between the Planning Board and the applicant and I have yet to see a clear resolution for how to continue the project given the location of this protected stream that satisfies the DEC and Town Code. I know there are many Queensbury residents on West Mountain Road, Bedford Close, and the surrounding area that would be greatly negatively impacted with flooding of their homes and properties if matters such as soil erosion, stormwater runoff, and this stream are not adequately addressed and effectively managed. Your community is counting on this Planning Board to look out for us to ensure our homes and properties will safe, and this stream can not be overlooked. Thank you, Kim Gray Gray Family 279 West Mountain Road, Queensbury, NY 12804" This is addressed to the Planning Board. "My name is Erin Ely and I reside at 314 West Mountain Road. I have read through the many documents posted on the Town of Queensbury webpage about the Woods at West Mountain. I am writing to express my concern about one of the many that I have with this proposed plan. When I first saw the master plan of the Woods at West Mountain, I was immediately alarmed by the dense cluster of buildings at the bottom of the mountain that would be housing such a large population of people. This dense clustering is not appropriate for the rural area that surrounds it. I feel like that needs to be repeated. This dense clustering is not appropriate for the rural area that surrounds it. When looking into why it was potentially being allowed I learned about how the requirements were in jeopardy of being altered strictly for the purpose of forcing the numbers to work in the applicants favor. I saw on the December 10, 2024 Community Development Staff Notes that it is the Board's consensus on a language change to include slope of 20% in the density calculation formula. Amending the formula for the sole purpose of this one project will then extend to future applicants and projects as well. There is a reason grades over 20% are subtracted from the density calculation and that should not be dismissed., The New York State Stormwater Management Design Manual says, "Development on slopes with a grade of 15% or greater should be avoided, if possible to limit soil loss, erosion, excessive stormwater runoff and the degradation of surface water." I read that +/- 71% of the land for this project has a slope 20% or greater. It is the design of the density calculation formula that this acreage should purposely not be included given that land at that steep slope should avoid development. The density of the Woods development, using the formula in its current form, results in a density that is over 3 times higher than what is allowed. Changing the numbers and formula while NOT changing the conditions is simply a numbers game providing misleading results simply because that is what the applicant needs. It does not change the problem with the high density at the bottom of the mountain. In addition to this It is my understanding each phase of development is allowed a maximum of 35 dwelling units. Phase I, II and III exceed this limit, contributing to the overly dense clustering at the bottom of the mountain. I ask that you please do not allow this change to the Density Calculation Formula to go forward for this project and for future developments. Respectfully, Erin Ely" This is the last one and I will do my best. "It is premature to consider a SEQR determination until the applicant answers the stormwater questions put to them by the Planning Board on November 13, 2024 and documented in the staff notes for that meeting. In particular see pages 6 and 7 of that document. Furthermore it was not mentioned that a permit would be required for any work involving "infiltrators" or any other discharges into the area of the Federally protected stream that was identified in the Phase I proposals. We do not know if such a permit was sought, but it would be a required initial step before any stormwater plan could be finalized. The SEQR answers suggested by the applicant are provided below." There's an excerpt of the, or a clip of the SEQR section, it was for Letter E in reference to stormwater.

“While it is stated that there will be runoff from the new impervious features, it is patently false that none of this will “flow to adjacent properties”. The next question assumes that there IS a proposed plan when the applicant has been careful to state “A complete Hydro-CAD stormwater report is required which can only be prepared once more detailed project plans are available. As such, applicant has identified that an option exists to either incorporate stormwater runoff into the “man-made water feature” or route such water around the water feature and into subsurface infiltrators in the Alpine Village.” However neither of those 2 options would be permitted without a Permit unless the “manmade water feature” is a retention pond hydraulically separated from the protected stream AND of sufficient capacity to store the Spring melt from the mountain plus the additional artificial snow pack. This seems to be impossible as a parking lot is proposed for that corner of the property. In any event, whether or not a discharge to Federal waters is permitted, the issue of constraining the rate or release, which is what has caused past flooding issues in the Bedford Close subdivision would also need to be addressed as well. From internet searches...What are stormwater discharges? Stormwater discharges are generated by runoff from land and impervious areas such as paved streets, parking lots, and building rooftops during rainfall and snow events that often contain pollutants in quantities that could adversely affect water quality. “Discharge to federal waters NPDES” refers to the act of releasing pollutants into “waters of the United States” (federal waters) through a point source, which requires a permit under the National Pollutant Discharge Elimination System (NPDES) program, established by the Clean Water Act; meaning any entity discharging pollutants into federal waters must obtain an NPDES permit to legally do so. If you discharge from a point source into the waters of the United States, you need an NPDES permit. If you discharge pollutants into a municipal sanitary sewer system, you do not need an NPDES permit, but you should ask the municipality about their permit requirements. Reference <https://www.epa.gov/npdes/npdes-permit-basics#> New York State is not authorized to implement the pretreatment of sludge National Pollutant Discharge Elimination System (NPDES) program components. EPA Region 2 implements these two programs and oversees the State NPDES permit program. In addition, EPA Region 2 is responsible for NPDES permitting on Indian lands. <https://www.epa.gov/npdes/npdes-permits/npdes-pretreatment-program-region-2> It is my belief that prior to any SEQR determination these issues must be addressed by the applicant by applying for and receiving the needed permits. Clarification of this issue might also impact whether or not the waiving of certain shoreline setbacks and buffers would be allowed as also discussed in the Planning Board staff notes of 11/13/2024. I do not understand the strategy here unless it is “easier to ask forgiveness rather than for permission” but particularly in the case of the EPA, forgiveness is unlikely to happen and in the mean time the investors could be out a great deal of money for something that could have been foreseen. It is incumbent on the Board to protect these investors as well as local residents. G. Travis Whitehead PE” In addition there is a map that outlines the area in Bedford Close that was included.

MR. TRAVER-Okay. Is that it for the written comment, Laura?

MRS. MOORE-Yes, it is.

MR. TRAVER-All right. So then for this evening we will close the public hearing for tonight. However, the Planning Board is going to be voting on having another special meeting next month for this project and there will be a public hearing during that meeting as well. There'll be another opportunity for people to ask about process and also make general comments and we will take written comments as well.

MRS. MOORE-So in general that leaves the public hearing open.

MR. TRAVER-I guess it does, doesn't it? Yes. All right. Thanks, Laura. So the public hearing will remain open until we hear this application again. All right. So the applicant wants to return to the table. And, Laura, do you want to proceed with continuation of our review?

MRS. MOORE-I can go through the objectives. I don't know if the applicant has any additional information they want to state, or I'll just continue with the objectives.

MR. TRAVER-I know a lot of it was about process. I wanted to try to make people as comfortable as they could be with understanding with kind of what was going on going forward. There were some questions about SEQR, but I don't know if you had any general comment? Do you want to talk about process or?

MR. LAPPER-No. I think you got it completely correct about the process.

MR. TRAVER-Okay. All right. Then with our Staff Notes there are a series of items that we're reviewing to address the completeness of your preliminary proposal, and it's unlikely that we will complete that tonight, but our hope is, and perhaps, Laura, we should do the resolution for the special meeting next.

MRS. MOORE-Okay.

MR. TRAVER-Our hope is that we're going to have another special meeting for you to present to us next month, and possibly at that meeting we will have completed our initial review and we'll be in a position to

forward a recommendation to the Town Board that they can begin their part of the process, and Laura, I think you were talking about March 4.

MRS. MOORE-I have March 4th this room is available.

MR. TRAVER-Okay. Board members be available to meet on March 4th?

MR. LAPPER-That won't work for us.

MR. TRAVER-Will not work for you? Okay.

MRS. MOORE-So at our next upcoming meetings, which are next week, we will evaluate some other dates.

MR. TRAVER-So maybe you can work with Staff to work out a date.

MR. LAPPER-I think that's the only week that's bad for us in March.

MR. TRAVER-Well then there's the complication of the room being available and so on, but if you would, maybe you could work with Laura to work that out and as she points out we can do a resolution for the third meeting at one of our regular upcoming meetings which will be on the 18th. Okay. Thank you for that. So all right. We'll hold on that then. All right.

MRS. MOORE-So for the purpose of the Board, there is criteria for evaluation, and there are items for under Intent. There's four items. Does anybody have any questions about any of those items under Intent?

MR. TRAVER-And that's Page One, right?

MRS. MOORE-Correct.

MR. TRAVER-Okay, and I know we discussed those, and I believe we went through those at our last meeting, but again, what Laura's basically saying, even though we discussed those, at the last meeting, and we didn't have anything further on that, we're offering an opportunity, again, if anybody has any additional comment or questions on Page One, Page Two, one through four, under Intent. If not, we can move on to the Objectives.

MRS. MOORE-Okay. So we had initially gone through Objectives One through Four. I don't know if Board members have questions on One through Four?

MR. TRAVER-I think that they have been addressed, at least to my satisfaction. How do other Board members feel? Again, this is a preliminary. This is not Site Plan Review or SEQR. This is a preliminary look at the overall proposal, and it appears to me that the questions have been addressed in a general sense. So, okay. So Question Five, Laura?

MRS. MOORE-So the only note I have in Objective Four is a comment in reference to the Board may consider requesting supporting public transit for guests, employees to be incorporated with the design such as bus stops.

MR. TRAVER-Right.

MRS. MOORE-Those are the sort of comments, and, Stu, if you have additional comments, please.

MR. TRAVER-Yes, thank you for that. I missed that one. So, presumably you'll be drawing enough applications that Glens Falls Transit would be interested in servicing your facilities. When we get to Site Plan, you might want to incorporate a bus stop or some kind of facility in your plans. That would be appropriate.

MRS. MOORE-So Objective Number Five, "Does the project provide a development pattern in harmony with the objectives of the Comprehensive Plan and consistent with the purposes and objectives of the underlying zoning district or districts? So in this case the project was evaluated under the 2007 Comprehensive Plan and I took a look at the most recently adopted Comprehensive Plan and provided comments. I don't know if anybody had questions in reference, if they've had an opportunity to review some of the documentation for the most recently adopted Comp Plan.

MR. TRAVER-Right. It appears, under, A. Recreation, that those things have been addressed at this stage. Again, I'm looking for any other Planning Board members that have questions, comments on these details.

MRS. MOORE-So I'll move on to Objective Number Six.. Does the project provide a more desirable environment than would be possible through the strict application of other articles of this chapter.

MR. TRAVER-And when I saw that I was, again, thinking, I know I've been speaking a lot about SEQR tonight, when they're talking about, does the project provide a more desirable environment. I think that there is the context of, you know, provided the environmental impacts can be addressed and mitigated and so on, and I think that that's obviously what's intended by the proposal, but, you know, that raised that question in my mind, that that's sort of an asterisk with SEQR in there, but again, they need to address that as part of the process in any case. So that's sort of covered I guess. So if you take it with that context, that SEQR has been addressed, then I would say the answer to that is yes. Does anyone have any comment? Okay.

MRS. MOORE-Objective Seven says, Does the project provide an adequate water supply and sewage disposal facilities, and drainage facilities shall be designed to maintain predevelopment off-site runoff.

MR. TRAVER-And this is interesting. Some of this is SEQR, but I know some of it has to do with the concept plan as well, because some of this I think remains a little bit unclear and needs to be worked out, the sewage disposal, the water source and so on. I mean there are, the applicant has certainly indicated in conference that there are several ways to address each of those, but the specifics of how they ultimately do it needs to be, obviously need to be outlined and reviewed, and again, much like SEQR, in the context of that point, then the project does provide adequate water supply and sewage disposal facilities because they have to. Right?

MR. MAGOWAN-Mr. Chairman, I read that, on the water supply and such, and I guess my concerns are over the years, many years ago it was owned by a family that struggled, and X amount of snow was put on the Mountain, and since Apex has taken it over, you've obviously normally increased the snow amount which has been beneficial for West Mountain, plus adding it over there on Northwest. So right now your water is metered, and I was just wondering how many gallons that are being put on that Mountain now going to your own water line that would not be metered, you know, how much.

MR. TRAVER-Is your concern that you want it to be metered?

MR. MAGOWAN-No, I'm, just trying to get amount of snow. I guess I want to look up and try to figure out how much water comes out of, how much snow does it take to make one gallon of water over how much man-made snow creates a gallon of water, because, you know, I know that man-made snow is a little larger icicle than a snowflake, not that, I guess it really doesn't matter. A gallon's a gallon.

MR. TRAVER-Well that's really an operational issue which isn't normally within the purview of the Planning Board. That's in the context of, are you concerned about spring runoff because of the change in snow?

MR. MAGOWAN-Yes. I'm worried about the well there, because I've seen what has happened over at Northwest over the years with the more amount of snow that has been put up and the runoffs.

MR. TRAVER-Well, in that context, you're getting more specific, and we do know that if the plans and the project go as they hope, they will be putting more snow on the Mountain, and we also know that, as part of the SEQR review, that's going to contribute stormwater runoff, in effect, and they have to come up with a plan to address it.

MR. MONTGOMERY-Brad, we aren't intending on adding anymore snow to the Mountain. We aren't increasing the number of trails that are up there. Right now we use between 90 and 110 million gallons a year. In the old days there was the runoff was primarily from natural snow, when we used to get 250 inches and it was in the woods, and now snow primarily resides only on ski trails except for this year is a little better than that. The water main is a little confusing. I had had conversation with John Strough, Tim McNulty and Chris Harrington, and the conversation was not to increase the amount of water we use. The conversation was to increase how quickly we could get the water. So right now we can only run about 20% of our snow guns when we're wide open, and we limp our way across the Mountain to the other side, and the biggest complaint is, you don't have much terrain open, and there's not much we can do about that because we get 3,000 gallons a minute from the Town and that's the cap because that's all that can go through the filters. So the conversation I had with the three individuals I mentioned earlier was also not to get around the metering. We're not trying to not pay for water, and we would like to just intercept the water before it goes through the treatment filters. So we're using the same water. It's the Town 24 inch main that comes up out of the Hudson. We put a tee in that, it doesn't affect the Town at all. We run a separate pipe to the Mountain. So I'm not putting drinking water on the hill. The cost of the water is not my concern, to be honest with you. It's how quickly I can get it there so that I can get both base areas open by Christmas week, and in a year like last year, which was devastating, I still could have had both base areas open and 70% of my primaries by Christmas week. So I need to go up the hill with 6,000 gallons a minute instead of 3,000, but it's still the same net water. So this year's a perfect example. We're done with the snowmaking for the season. We normally make snow until the end of March. So the amount of

water is not being increased at all. It's just getting the delivery on the hill sooner. It also comes down the hill, obviously, but for me, it's just being able to run like a legitimate ski area and have enough water to open your primary trails by Christmas week, instead of having a ribbon of snow down one trail. So, you know, the water main is not to increase the amount of water we use. It's to, so then we talk about lining the pond. The pond is completely dry in the summer. It is classified as a pond. It would be lined because it would be a reserve. So say the Town of Queensbury says you can have 3,000 gallons a minute, Spencer, and at night I need 6,000 gallons when it's really cold. So in the day it warms up where you're not making snow. That lining would then charge that pond. Every ski area has a lining, except for us. Brandt's used to have one but it filled in with sediment over the years, and that would recharge that pond and when it gets cold at night I can light it up and go up the hill with 6,000 gallons a minute, and then the next day we recharge that lining, but we are not looking to increase the amount of snowmaking. Some day we add more trails to West, but there really is no area to do that. We don't have anymore area to add trails. So it would be hard to envision a day that we use more net water on a total seasonal basis, and there was always snowmaking on the northwest side. When I took it over most of those pipelines were burst. The guns were broken. The lifts were dilapidated. There were bullet holes in the Northwest Lodge windows, but Mike used to make snow over there and we just sort of revived most of that.

MR. TRAVER- Wouldn't the untreated water be better for snowmaking anyway wouldn't it? Because it would have more condensation nuclei?

MR. MONTGOMERY- Yes, exactly. It has more particulate in it. Our water's so clean, the new snow guns will work with it, but in the past Brandt used to have to add snow max to the water, which just puts a little bead in the water, because a snowflake has to form around a piece of particulate. So the guns inject the water coming out with nuclei, high injection water droplets, but for sure I'd like to dirty up a little bit in the pond before it goes up the hill. People have said, well, you know, you have the sewer treatment water. You can re-use it like Killington does, because the sewer water would be gray water, and, you know, it's a green thing to do, but why would you potentially do that? Maybe a minuscule amount would it really be worth the effort. It's not saving anything. So that's it with the water. That water main was not to use more net water. It was just get the delivery quicker and to get us off the Town filters because last year for the first time in history West Mountain got shut down. We had three days of snowmaking. It wasn't anybody's fault. I'm not blaming anybody. We had massive flooding up north, and it raised the particulate level in the Hudson River so high that Chris, rightly so, was concerned about the quality of the drinking water. So they had to shut off our snowmaking supply on the three or four cold days we had right at Christmas week. So this would avoid that as well. We wouldn't be taxing the Town filters anymore. That's about a two million dollar project. So I don't have any money to do it right now, but I can at least line the pond and use that as a reserve until I, you know, the development pays for all of these things. It pays for the new chairlifts. It pays for, I would bake all the things that benefit West Mountain into the development, and I talked to the financier of the development, my partner in Troy that's going to be the developer here, Peter. We would bake all those wonderful amenities, high ski lifts, detached lifts, things that other ski areas have into the development budget, because the Mountain itself has done what it can, but there's no more money that can be invested without the development.

MR. MAGOWAN- Thank you.

MR. TRAVER- All right, Laura. Number Eight?

MRS. MOORE- Number Eight. Does the project provide scenic vistas, historic sites, and prevent disruption of natural drainage patterns.

MR. TRAVER- And the applicant has indicated the land use projects proposed are designed to be in harmony with the natural environmental characteristics, including topography, scenic and other natural resources. The applicant has indicated there are no historic sites on the property nor will natural drainage patterns be disrupted, and again, to some degree, this is talking about drainage or i.e. stormwater. So that's going to have to be addressed. The scenic vistas, I know there's questions about houses on the ridgeline. I know we've had some discussions about that, but when we get to Site Plan, and also to some degree SEQR, that's going to have to be something that's addressed as well.

MR. LAPPER- They're not going to be on the ridgeline. They're going to be in the front and filtered views. That's all part of what you'll be looking at during Site Plan.

MR. TRAVER- Yes.

MR. MONTGOMERY- Can I just say one thing? I've heard this brought up, and I, like everyone in this room, I'm not looking to scar the Mountain. The Mountain already has ski trails obviously. We talk about height restrictions for people's houses. I understand that in a residentially zoned area. We're a commercially zoned resort that is established as a ski area. Obviously there are ski lights, ski trails and buildings that currently go to the top of the Mountain. So we're not a residential building lot that can't build any higher than a certain amount, and I'd also like to point out that there are currently houses all along the ridgeline on Cormus Road. One of my good friends lives there. They all have nice views. None

of them are visible from Town. We aren't looking to scar or notch the ridgeline. Someone talked about the roads. The roads that are up there have been there for 100 years. You can't see them from the Town. The only two houses on this side would be behind a tree façade and everything else, it's flat up there. So if you step back 100 yards those houses are completely not visible.

MR. LAPPER-Also I'd like to point out that what Laura put up was the original submission and there are iterations back and forth which Stu and Laura over the last year. The current one is different, off the ridgeline.

MR. TRAVER-Right, yes. And we've talked about that several times I think. Okay. Let's see. Number Nine, Laura.

MRS. MOORE-So, Does the project utilize landscaping and building design to present a sense of community, of integrated color schemes, architectural styles and layout.

MR. TRAVER-And the applicant has indicated the project will coordinate visual character between site landscape and building architecture. The Alpine Village Ski Resort community is, that's on Page Six of the proposal, and again, some of this to a large extent will be discussed during Site Plan when we talk about colors and lighting and the Adirondack style and so on, and I think that it's your intent, from discussions that we've had, that you want to maintain an Adirondack appearance and so on to blend in. So I think that we're all comfortable in discussing that when we get to that phase. Number Ten, Laura.

MRS. MOORE-So, Number Ten, Does the project provide recreational aspect and associated facilities of the proposed PRD shall be the dominant land use in the PRD, with an appropriate ratio of residential uses and other mixed commercial uses that is appropriate and sustainable for its location, Town needs and market considerations. The actual ratio of mixed uses shall be specified by the applicant as part of the PRD application and approved by the Town Board as part of the approval process.

MR. TRAVER-And the applicant has indicated the predominant recreational use is downhill skiing. In addition the project will promote a four season recreational destination resort. The applicant has explained existing amenities remain such as tubing course, ropes course, zip line and mountain biking. The addition of an outdoor amphitheater, we talked a little bit about that, would be subject to Site Plan Review and ratio information has been requested. Do you have anything you wanted to add to that?

MR. STEFANZIK-I have a question. It kind of goes to the comment here about sustainable for location, and perhaps, Mr. Montgomery, your insight would be great. There was an real interesting article in the Wall Street Journal on January 18th. You may have read about it. It talks about the ski industry as a whole, and predominantly it talks about Vail. Epic problems at Vail, but it's not Vail ski site in Colorado. For folks that may not know, Vail is the, like Vail resorts. Vail is an organization that has bought up over 40 different ski resorts throughout the United States, even in Canada, and part of that is they include Hunter Mountain and Stowe Mountain in Vermont, and the article goes on to show that they're having a lot of difficulty. Their revenue in the last 10 years continues to go up, not only because of tickets, but their property continues to decline and they're very much, they've invested billions of dollars in these resorts for the customer experience, much like you guys are proposing here, facilities and year round recreation, amphitheaters, concerts, dining, restaurants, all of that, and they continue to struggle. A lot of it has to do with snowmaking, climate, resources to continue to operate, you know, the facility, and these are all in snow belts where there's a lot of snow, Vermont and Hunter. So, you know, you look at this and you wonder, a place like this that's investing a lot of money, they're struggling, right? You look around where we are, you also have Whiteface. We have Belair and Gore Mountain that kind of team together. So there's a lot of competition around here. So it would just be interesting to get your point of view on, you know, when a company like this with all of these resources that they're investing billions of dollars, they're struggling, how do you continue to be sustainable? How do you keep this project sustainable?

MR. MONTGOMERY-Well, you know, Vail has re-defined the ski business. When I was in Colorado they started selling these passes for \$350. It used to be \$1200, and, you know, one of the guys I knew who was one of the leaders of York Industry, the guy that was running Vail said this is insane, you know, and what they found was they ended up picking up a billion more pass purchases out of Denver. So that was the first thing that they re-defined the industry. They went with the lowest, low, you know, cost pass that you couldn't not buy, and they put really high ticket pricing up, you know, for the guys coming in for spring break from Texas or wherever, and then they just started to grow. So I think it's more of a growth issue. I mean Vail's been extremely successful. They're a multi-billion dollar enterprise, and then recently you've seen that sort of turn back on them because they went into a really like aggressive acquisition stage, and I think just employment and that has sort of, you know, reputationally is starting to backfire on them. I mean they had a period of just euphoria there when they were buying resort, buying resort, buying resort. So specifically speaking to West Mountain, and I won't get too far into this, but if you want to ask me if I enjoy competing against Gore, Whiteface and Belair, I absolutely do not. It's, you know, there's intense ticket pricing pressure now that they never used to touch, and don't seem scared to do that anymore. They've gotten, you know, as of last year, Ordin General had gotten about \$753 million in five years. They got another hundred and some odd million in the State budget this year. What was cut out of the State

budget was the \$10 million that was supposed to be spilt amongst the other 50 ski areas, you know, for snowmaking improvements. So that's not fun. Is it difficult to compete as a day trip ski area? It is. Can we do it? We can, but this development differentiates me from Gore. I don't care that they're getting a \$30 million dollar new lodge and all this, you know, bed tax to build up sewers and everything else, which, do I enjoy watching that happen? No, it's very painful, but I won't be competing with them, because what I know about the ski market is there is a family sector to the market that is not looking to ski Stowe. They're not looking to ski 3500 vertical at Whiteface. I shouldn't quote this because I don't know, but I've been told that Holiday Valley was 700 vertical feet drop. That's the most profitable ski area in New York, and does, and again, I don't know, but north of \$20 million, and one of the least profitable is Whiteface, and it has the most vertical, and again, you can't quote me on this. I don't have their exact numbers, but this is a family designed resort in one aspect that we'll be year round, now. We won't be dependent just on the ski business, and that's helpful. Secondly, families coming up from Brooklyn, Long Island, people that are doing resort stays, are looking for a ski and stay experience for they and their families, and all I have to point to for that is there's more skier visits in New York State than any state in the United States. The catch is most of those skier visits are taken outside of New York State. Why? Because everyone goes to Vermont, New Hampshire and Maine because they have a place you can unpack your car, and ski. So that's the market I'm trying to capture. I'm not trying to capture the extreme skier. I'm trying to make the locals happy and I'm trying to capture the families that are coming up that want to learn how to ski and the kids are on the hill until nine or ten at night with the lights, parents are at the spa, working out and then also, you know, the locals can add the workout facility to their season pass, and that will allow me to compete and differentiate myself from them.

MR. STEFANZIK-A lot of things you've said are very consistent with what's in this article. The other thing that shows here is that even after all, and this is, once again, the Vail Resorts, after 10 years of their investment and their operations and working things out, their ticket prices are still 50% of their overall revenue. Now you mentioned before you're at about 80% right now.

MR. MONTGOMERY-About 70 to 80, yes.

MR. STEFANZIK-About 70 to 80. And you want to get down to 10 I think you said?

MR. MONTGOMERY-Well, if you included the resort you could get down there. I mean as an operational enterprise, if ticket prices were 30, 40%, that would be fine. For me, the key to this development is, and it was a stipulation of mine, was that the developer make West Mountain a 50% partner in the development. Because what you see is people sell off their lands. They lose control. That there would be a board of directors that oversaw what goes on on West Mountain. So that it stays family friendly. It stays a locals place. It doesn't become a private club., We've seen some of that going on on the east coast and people don't like it, and so the stipulation was that we remain a 50% partner. So let's say that we have a condominium, a fractional share, or we have a hotel room, the Mountain would participate in those profits at a rate of 50%. So that takes the burden of selling ski tickets off of me, and allows me to improve the ski area.

MR. STEFANZIK-You still think you'd get down to 10%? That's pretty aggressive.

MR. MONTGOMERY-Well I'm talking with the revenues from the resort. Because I think the revenues from the resort will be much larger than the revenues from the ski area, and that will be 50% of us.

MR. STEFANZIK-So once Phase I is operational, if you're saying they're like 70%.

MR. MONTGOMERY-It's all skiing. There's no lodging component. There's no resort component.

MR. STEFANZIK-So like after Phase I where you have your lodging and you're bringing in the revenue, what percent of the overall revenue are your ticket sales?

MR. MONTGOMERY-I don't know because, you know, I'm ignorant when it comes to land development. I don't have any background in that, and one of the reasons I want to partner with Peter is he's an expert. He's built wonderful developments, and he would be the expert there, but I'm imagining if things came on line the ticket revenue would become less and less, not important, but it would become less and less as an overall factor of, you know, West Mountain operating. So the resort piece being 50%, let's say that the resort's 190 to build. I've been told as built it may appraise for \$300 million. So there's the uptick just in the value. Right? The ski area owns half of, and then there's all the cash flow coming from the resort piece that is almost kind of supporting the ski area. The ski area is the attraction that brings people, and then the attraction supports the ski area. The ski area is not supporting the attraction.

MR. STEFANZIK-When you go from Phase I to Phase II, do you have targets on what you expect your percent of ticket sales to the overall revenue would be?

MR. MONTGOMERY-No. We haven't dug that far into it. I know that the, you know, there's phases to doing all of this that, you know, you're basically building one phase and then you're using the built equity

to use that to leverage to build the next phase. No one's going to come in and right a check for \$190 million., We're going to have to borrow, probably banks involved, and we can tour Peter's property. He's offered to have the Town Board come down and tour Starbuck Island, you know, it was an oil foundry and it was an oil depot in the middle of the Hudson River, and he extracted four football fields, 30 feet deep, of heavy metals and oils and built a New York State, totally approved and supported beautiful development in the middle of the Hudson. So when I talked to him about the issues up here, he's like, so you have 30 feet deep of sand, you have all this soil. It's like I don't understand, you know, all of it because he reclaims brownfields and then turns them green. So this is a dream project for him because we have the soils. We have the necessary components to handle stormwater, handle all those things so it doesn't impact the residents. And his firm and the McFarland Johnson Engineering working with our engineers will go through this with a fine tooth comb, and I'm not doing that.

MR. STEFANZIK-I appreciate your insight, and I knew that your insight would be very valuable, and it all comes back to sustainability, is this project going to be sustainable for the whole future, where, after all the development is done, you're not going to have condos that are idle that are being rented out.

MR. MONTGOMERY-I don't think so, because the development I think will be extremely popular. We've done economic studies. We've done rev par studies. We've done things like that. We expect it to be high demand if not pre-sold before build.

MR. STEFANZIK-And that's all great news, and that's kind of the feedback that I wanted to hear. When you read this article it's like, wow.

MR. MONTGOMERY-We get a lot of interest. The most interest I've gotten, the most, I mean obviously there's people coming here as a destination, is a place that's not a 55 and over retirement village, but it's a full village. It's got an organic grocery store. For people that want to downsize, which will free up single family homes in Glens Falls, help bring back the population base to the schools. They can live over there and have a really cool lifestyle and not have to leave the property if they don't want to. So that's at least as much of a component as it is a resort, and that's where, you know, at least us here locally, but that's what we get asked about all the time, when's this going to be built, you know, we're looking to downsize.

MR. STEFANZIK-Good. I appreciate your answer.

MR. TRAVER-All right. Anything else on Number Ten from members of the Board?

MRS. MOORE-So I'm just going to cover the next two objectives.

MR. TRAVER-Okay.

MRS. MOORE-And then I would suggest that we keep the SEQR review until the next meeting.

MR. TRAVER-Okay,

MRS. MOORE-So Number Eleven says, Does the project provide underground on-site utilities are required, including telephone, electric, cable, water distribution laterals and sewer collection laterals. And the applicant has already indicated all on site utilities will be underground.

MR. TRAVER-Okay.

MRS. MOORE-And then Number Twelve, Does the project provide that all lighting shall be arranged so as to prevent direct glare or hazardous interference from the lighting for the proposed development to adjoining streets or properties. And so the applicant has indicated that the fixtures that are being installed are dark sky compliant, but notes that the recreational trails will have lighting remain on them and at a period of time they may be either adjusted or moved or additional lights will be necessary for the trail conditions.

MR. TRAVER-Okay, and then the following sections you are suggesting we save for the March meeting?

MRS. MOORE-Yes.

MR. TRAVER-Okay. The only thing I would say is, under the SEQR, under the Part I review there are some elements that the applicant needs to provide.

MRS. MOORE-They're aware of those items, that they may have to provide some supporting information.

MR. TRAVER-Okay. All right, in that case, I guess we are done for this evening. We are going to be working with the applicant on a third meeting for March, I should say a special meeting in March to continue this process, and the expectation is at that meeting we will do the remaining issues that we need

to review for the completeness review and potentially do a referral to the Town Board. Is that the correct expectation?

MRS. MOORE-Potentially. What I would note for the public is that, once that meeting is scheduled that that information will be available on line.

MR. TRAVER-Okay. All right. Does the applicant have anything further to add for tonight?

MR. MONTGOMERY-Thank you very much.

MR. TRAVER-Then if there's nothing else before the Board, we'll entertain a motion to adjourn.

MR. MAGOWAN-So moved.

MOTION TO ADJOURN THE QUEENSBURY PLANNING BOARD MEETING OF FEBRUARY 13TH, 2025, Introduced by Brad Magowan who moved for its adoption, seconded by Brady Stark:

Duly adopted this 13th day of February, 2025, by the following vote:

AYES: Mrs. Bullard, Mr. Stark, Mr. Magowan, Mr. Uncher, Mr. Stefanick, Mr. Traver

NOES: NONE

ABSENT: Mr. Longacker, Mrs. McDevitt

MR. TRAVER-We stand adjourned. Thank you, everybody, very much.

On motion meeting was adjourned.

RESPECTFULLY SUBMITTED,

Stephen Traver, Chairman