

**Village of Tivoli
Planning Board
Draft Minutes
July 12, 2021**

Present

Lisa Schwarzbaum
Pamela Morin
Donna Matthews

Also Present

Michele Greig
Sonja Kostich

Absent

Mike Billeci; Chairman

The meeting was held in the Historic Watts de Peyster Village Hall. It began at 7:00 PM.

New Business

Kaatsbaan – Revised Site Plan

Pamela Morin asked Sonja Kostich to explain the application. Sonja Kostich gave some history of Kaatsbaan. Kaatsbaan has been offering mostly indoor programming for the past 20 years on 153 acres. During Covid in 2020, they began considering alternatives to provide programming and offered a 9 week festival of performances on week-ends, outdoor solos, to audiences of 50 guests. It gave performers an opportunity to work during the pandemic. The mayor and the county were consulted, and all safety protocols were followed. It went well operationally and received a lot of press including being written up by the New York Times for the first time. Because the performances went well in 2020, a second festival in the spring of 2021 was offered with music concerts. A mass gathering permit was received from the Village. A stage was built in the far field. Again there was a lot of positive press, so Kaatsbaan would like to proceed with a summer festival at the end of August and in early September. In planning for the future, Kaatsbaan would like to continue to offer outdoor programs, so they are seeking to amend their site plan to do so.

Pamela Morin asked if the name, Kaatsbaan Cultural Park is a new name. Yes, there has been a rebranding to be more inclusive of all of the arts. Sonja Kostich spoke of outdoor sculptures displayed.

Lisa Schwarzbaum asked where everyone parks and pees. Sonja Kostich answered that there is a reinforced parking area that holds 175 spaces for ticket holders. There is parking (maybe 25 spaces) at the Dancer's Inn for staff, and there is parking behind the studio complex (maybe 10-15 spaces). For the Spring Festival, 350 tickets were sold with two shows daily, and there were more than enough parking spaces. Because the pandemic is still a factor, porta potties were rented for the Spring Festival and spread around the property.

Michele Greig asked if cars were backed up on Broadway during the Spring Festival. Sonja said that there might have been a problem with that.

Pamela Morin asked that a map be submitted. Sonja Kostich stated that one had been submitted. Michele Greig said it was an aerial shot and consulted it for the discussion.

Pamela Morin asked the applicant to discuss noise. Sonja Kostich responded that there were no complaints about the Spring Festival. The back stage had been sited to move the noise away from Broadway. Daylight was the only illumination so all shows finished early by 7:30 pm.

Pamela Morin asked what the timeline was for building the stages. Sonja Kostich stated that they have already been built, but they are temporary and the previous one was disassembled for storage in winter.

Pamela Morin asked if they were to be considered permanent or seasonal. Sonja Kostich answered seasonal.

Michele Greig asked if they are seeking approval in time for the Summer Festival or for future festivals. Both was the answer. Sonja Kostich said that they are planning for two festivals a year. Michele Greig commented that the sites should be considered permanent even if the stages are stored. More details are needed for the application such as how many week-ends, size of stages, type of amplification, number of tickets per performance, number of off-street parking spaces available, etc. The village has a noise ordinance so perhaps a statement that it will not be exceeded should be included. Kaatsbaan did receive approval for a portable stage on their original site plan. Perhaps that should be withdrawn and the two new seasonal stage locations should be added.

Michele Greig discussed traffic. Previously 3 large outdoor events with 1000-1500 ticket holders per event and 600 parking spaces with arrivals and departures spread over the course of the day had been proposed and evaluated for traffic impact. If the new proposal is for less, it should not impact the previous traffic impact study. She worries more about departures because they are more concentrated, and she is most concerned about the Broadway/9G intersection. Sonja Kostich responded that the Spring Festival did have staggered arrival times and the same could be considered for departures.

Michele Greig commented that the original Special Permit provided for annual reviews. An annual review could be good especially in the beginning to make adjustments.

Michele Greig went over revisions to the EAF included in the memo she provided to the Planning Board. Kaatsbaan also needs to complete an Agricultural Data Statement as part of the application. A county planning review will need to be completed. A public hearing is required for the special permit, so it might as well include the site plan as well.

The proposal really requires an amended Site Plan and an amended Special Permit. The application for the Special Permit needs to be completed. The next step is to provide more details in

writing. A better map needs to be included. Pamela Morin asked if Kaatsbaan possesses the original site plan. Sonja Kostich answered no. Michele Greig took out a 1988 survey of the lands and suggested making a copy to create a better map. The buildings and paths will need to be added.

Michele Greig suggested that the applicant pursue an extension of the mass gathering permit from the Village Board for the Summer Festival because the approval process for the site plan and the special permit might not be completed in time for it.

The trail along Kaatsbaan's land that connects Village Hall to Tivoli Bays was discussed as it had been a condition of the original special permit.

Michele Greig commented that the details in the proposal are specific; they cannot be increased without returning to the Planning Board, so the applicant should make sure to ask for all that might be envisioned but balance that against asking for more than the original impact studies covered. If the scope is increased too much, new studies might be required.

Pamela Morin asked if there were more questions; no.

Minutes

Minutes from April 26, 2021 were reviewed.

Donna Matthews made a motion to approve the minutes from April 26, 2021. Pamela Morin seconded. All in favor. The minutes were approved.

After reviewing the minutes, Pamela Morin discussed concerns about the scope of the subdivision review during the previous meeting. She questioned whether the Planning Board went too far in questioning the location of the new dwelling and architectural review. Michele Greig answered that the Planning Board can consider the location in the abstract as it relates to a parcel in issues such as different zoning districts or wetlands. She said that it can be a catch 22 because if issues are not raised early, the applicant can be surprised when they are raised at a later point. Donna Matthews read from the minutes. Michele Greig stated that she thought clarification about the HO district was being sought at the previous meeting.

A summary of the status of 80 Montgomery for its ZBA process was reviewed.

Lisa Schwarzbaum made a motion to close the meeting. Donna Matthews seconded. All in favor. The meeting ended at 8:07.

Respectfully submitted,

Laura Gail Tyler

Deputy Village Clerk