

**Special Meeting & Public Hearing of the Town Board
April 15, 2025 7:00 P.M.
Town of Windsor Town Hall
124 Main Streets, Windsor, NY 13865**

MEETING CALLED TO ORDER: by Supervisor Tim Harting, at 7:00 P.M.

PLEDGE OF ALLEGIANCE: was recited.

ROLL CALL by Supervisor Harting:

Supervisor Tim Harting: Present

Deputy Supervisor Eric A. Beavers Absent

Council Member Gary M. Hupman: Present

Council Member Mark Odell: Present

Council Member Daniel Colwell: Present

Code Enforcement Officer Richard Osborne: Present

Highway Superintendent Michael Kithcart: Absent

Attorney Mark Spinner: Present

Also, present were: Jim Brown, Route 79; Janelle Smith, Columbia Grove Rd; Norman Colwell, Route 79

PUBLIC HEARING:

Supervisor Harting began meeting with the continuance of Public Hearing for the Expansion of Pine Crest Campground and opened the floor for comments, there were none. Supervisor Harting read aloud letter from Town of Windsor Planning Board Chair, Shelly Johnson – Bennett stating at the February 26, 2025 Planning Board meeting was to recommend the approval of the project for Pine Crest Campground. The letter mentioned items the Planning Board reviewed which included access for campers and emergency vehicles, environmental concerns as well as reviewing previous expansion projects and Broome County's comments on the 239-m. Broome County's comments were in relation to the location being in the floodplain and being sure applicant is aware they are located in floodplain.

Supervisor Harting asked if there were any other public comments, there were none. Supervisor Harting shared that he visited both the Pine Crest site and the neighbors on Columbia Grove Road to understand the site, everyone is on the same page that Columbia Grove was not the best facet to choose in the first place. Supervisor Harting reiterated that the second access was not required but he would highly recommend a second access be created at some point. Supervisor Harting also strongly recommended that Jim Brown maintain a buffer area of trees between the campground and the neighbors on Columbia Grove for noise, light, etc. Council Member Hupman agreed and felt the Planning Board should have taken more consideration of the proximity to the neighboring residents. Supervisor Harting closed the Public Hearing at 7:10 P.M.

Motion By: Council Member Odell

Sec. By: Council Member Colwell

Motion to Declare the Pinecrest Campground Expansion as an Unlisted Action for SEQR Review

Vote of the Board:

Supervisor Harting - Aye

Deputy Supervisor Beavers - Absent

Council Member Hupman - Aye

Council Member Odell - Aye

Council Member Colwell - Aye

Motion Passed

Motion By: Council Member Odell

Sec. By: Council Member Hupman

Motion to Declare the Town of Windsor as Lead Agency for the Pine Crest Campground Expansion

Vote of the Board:

Supervisor Harting - Aye

Deputy Supervisor Beavers - Absent

Council Member Hupman - Aye
Council Member Odell - Aye
Council Member Colwell - Aye

Motion Passed

Attorney Spinner reviewed the SEQE EAF Short Form with the Board, the Board majority agreed that all actions had a small to medium impact.

Motion By: Council Member Colwell Sec. By: Council Member Odell
Motion to Declare a Negative Declaration for the Pine Crest Campground Expansion for Significant Environmental Impacts

Vote of the Board:

Supervisor Harting - Aye
Deputy Supervisor Beavers - Absent
Council Member Hupman - Aye
Council Member Odell - Aye
Council Member Colwell - Aye

Motion Passed

Discussion: Supervisor Harting respectfully asked Council Member Colwell to abstain from the vote giving the reason that there is concern that there is a conflict of interest and his abstention protects the Town from any liability down the road should there be any secondary action taken. Council Member Odell & Council Member Colwell asked for an explanation of the conflict of interest.

Supervisor Harting pointed out that Colwell sold the land used for the expansion to Jim Brown, the campground owner and that Colwell's personal business was hired to perform work on the project as potential conflict of interest concerns.

Council Member Colwell confirmed that his business had done work on the project site but that work had no bearing on this Board action, stating there is no conflict of interest and he would not abstain from the vote. Council Member Colwell stated that the Town Board has prolonged the approval of this project by being involved in a landowner dispute.

Council Member Odell asked for Attorney Spinner to give the Board legal guidance. Attorney Spinner asked Council Member Colwell what his current involvement is with the project and the campground asking if he had any contracts with Pine Crest for work, to which Colwell stated, no. Jim Brown, owner of Pine Crest Campground confirmed that they have no contract currently.

Attorney Spinner reviewed the site plan questions with the Board

Motion By: Supervisor Harting Sec. By: Council Member Odell
Motion to Approve the Site Plan for the Pine Crest Campground Expansion Located at 280 NY-79, Windsor, NY, Tax Parcel 232.01-1-28 Subject to the Conditions Discussed Tonight, and Further Subject to the Town Attorney Preparing a Final Written Resolution for Adoption at Our Next Regular Meeting. The Effective Date of Approval Shall be April 15, 2025

Vote of the Board:

Supervisor Harting - Aye
Deputy Supervisor Beavers - Absent
Council Member Hupman - Aye
Council Member Odell - Aye
Council Member Colwell - Abstain

Motion Passed

Discussion: Council Member Hupman stated voting with regrets due to the approval process of the Planning Board and their consideration of the neighbors to the project. Supervisor Harting addressed both parties and stated it's an unfortunate situation that the Board is in from a neighborly perspective but their position is to look at the effects for the entire Town. Council Member Colwell abstained from the vote to keep the peace stating he felt the neighbors created the problems and concerns that were brought up by the Planning Board caused the campground owner to take unnecessary steps in the process due to past actions of the Town Board, and that work he does with his personal business has nothing to do with his position on the Board.

Attorney Spinner went over the revised language for the proposed Local Law No 2 of 2025 he confirmed that the section previously discussed about the percentage of vehicles for winter

storage was removed and directed the Board to look at section 64-3 that was added in regards to permanent residence. Supervisor Harting asked for rewording in section 64-3 C 3

ADJOURNMENT:

Motion By: Council Member Hupman
Motion to Adjourn Meeting at 7:41 P.M.

Sec. By: Council Member Odell

Vote of the Board:

Supervisor Harting - Aye
Deputy Supervisor Beavers - Absent
Council Member Hupman - Aye
Council Member Odell - Aye
Council Member Colwell - Aye

Motion Passed

These minutes were prepared from a voice recording of the April 15, 2025 Special Meeting & Public Hearing by the Town Clerk and are Respectfully Submitted,

Elizabeth Pfister, Town Clerk