

# **TOWN OF GARDINER**

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Town Hall Offices - 2340 Route 44/55 Gardiner NY 12525

**Marybeth Majestic**  
Supervisor

**Michelle L. Mosher**  
Town Clerk

**RESOLUTION NO. 74 - 2018**  
**RESOLUTION SUPPORTING**  
**THE MINNEWASKA STATE PARK PRESERVE FINAL MASTER PLAN**  
**AND RETAINING CURRENT LAKE LEVELS AT**  
**TILLSON LAKE, TOWN OF GARDINER, NEW YORK.**

Offered by Supervisor Majestic

**Whereas**, on March 28, 2018, the Town of Gardiner was informed of a letter sent to homeowners and residents in the Tillson Lake community explaining the intent of the Palisades Interstate Park Commission (PIPC) to remove the dam and dewater Tillson Lake; to revise the 2010 Minnewaska State Park Preserve Master Plan (Park Master Plan); and to proceed with the permit process for the dam removal; and

**Whereas**, the Town of Gardiner received a letter and Lead Agency Form from the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) dated April 13, 2018, advising the Town that it is proposing to remove the Tillson Lake Dam and amend the 2010 Park Master Plan, further stating the OPRHP intends to serve as Lead Agency for this project and, further, that letter did not include the required "copy of the application, including a site map"; and

**Whereas**, Tillson Lake was created by damming the Palmaghatt Kill below the southeastern side of the Ridge and the Palmaghatt Kill flows southward down the ridge and then eastward into Tillson Lake and the Shawangunk Kill; and

**Whereas**, the Park Master Plan and Final Environmental Impact Statement, adopted on September 17, 2001, establish the protection of the water resources in the Park Preserve as a major goal of this Plan; and

**Whereas**, the FEIS findings considered relevant environmental impacts, facts and conclusions; weighed and balanced relevant environmental impacts with social, economic and other considerations; provide a rationale for the agency's decision; certify that the requirements of 6 NYCRR Part 617 have been met; and certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that included within the plan are those mitigation measures that will avoid or minimize adverse environmental impacts to the maximum extent practicable; and

**Whereas**, the Town of Gardiner Master Plan establishes the goal of protecting and preserving special natural resources and key water bodies and to improve opportunities for public access to recreation-related open space and waterways; and

**Whereas**, the Town of Gardiner Master Plan identifies Resource Protection/Open Space Recommendations and in fulfillment of those recommendations the Town of Gardiner continues cooperative efforts with the Mohonk Preserve, Shawangunk Mountains Regional Partnership,

and other organizations to improve protection of the Shawangunk Ridge, the Shawangunk Kill, the Wallkill River and other waterways in the town;

**Whereas,** The Town of Gardiner Master Plan identifies the need to both broaden and stabilize the Town's tax base, any devaluation of property values in the Town of Gardiner is unacceptable; and

**Whereas,** it is a Resource Protection Goal of the Town of Gardiner Master Plan to "Protect and preserve special natural resources and areas, unique geological and open space areas, and key water bodies and water sheds; and

**Whereas,** the Town of Gardiner is currently addressing town-wide concerns about water quantity and quality; and

**Whereas,** the Park Master Plan identifies Tillson Lake as the only one of the Park's four lakes appropriate for fishing and if eliminated would dispossess fisher persons from a food source and a time-honored recreation, and the MP describes an improved parking area and a gravel boat launch be built to provide better for fishing and boating; and

**Whereas,** the community of fishers who regularly fish Tillson Lake report an abundance and diversity of fish in Tillson Lake which has also attracted the Bald Eagle and other birds of prey as well as a wide variety of wildlife surrounding the lake; and

**Whereas,** Tillson Lake provides a source of water for local Shawangunk Valley Fire Department and is used as a primary draft sight – most recently for a house fire on Beecher Hill Road - it is also the primary source for forest and brush fires.

**Whereas,** Tillson Lake is an historic gem of the "Resort Era" and many Gardiner local residents grew up spending summers swimming and picnicking and roller-skating and building community at Tillson Lake; and

**Whereas,** the Town of Gardiner values Tillson Lake and its role in our community, then and now, and further values Tillson Lake for its role in fulfilling the Minnewaska State Park Preserve Master Plan; and

**Whereas,** the Town of Gardiner has myriad questions about the "2012 Engineering Assessment Report for Tillson Lake Dam" prepared for OPHRP and PIPC related to transparency, failure to implement recommendations, and lack of prior coordination with the Town;


**NOW, THEREFORE, BE IT RESOLVED,** that the Town of Gardiner respectfully requests that the PIPC and the OPRHP withdraw the application to the NYS DEC for decommissioning of the dam and revision of the Park Master Plan and rescind the notice regarding SEQR Lead Agency Designation.

Seconded by Councilwoman Walls and carried.

Town Board voted as follows:

|                     |        |                    |     |
|---------------------|--------|--------------------|-----|
| Supervisor Majestic | aye    | Councilwoman Walls | aye |
| Councilman Dukler   | aye    | Councilman Wiegand | aye |
| Councilman Reynolds | absent |                    |     |

Witness my hand and the seal of the Town of Gardiner, this 8<sup>th</sup> day of May, 2018.

  
MICHELLE MOSHER, TOWN CLERK