

**MINUTES**

**TOWN OF WILMINGTON  
PLANNING AND ZONING BOARD**

**April 3, 2024**

**PRESENT:**

**PLANNING BOARD**

**ANTHONY NICKINELLO, Acting Chair  
WILLIAM EATON, Board Member  
JAMES KELLY, Board Member  
PAT WINCH, Alternate Board Member  
DOUG NEMIC, Code Enforcement Office  
FAVOR SMITH, Substitute Minute Taker**

**APPLICANT (KOA):**

**Kevin Frank, LA Group; Joe Garso, Northwoods Engineering; Steve Sullivan and Bryan Cirelli, KOA**

**PUBLIC: Barbara Funk, Paula Lyon, Jane Sibalski, Richard Sibalski, Bob Peters, Karen Peters, Gail Mitchell, Sue Hockert, Celia Stephenson, Jeanette Sibalski, Tom Sibalski, Sarah Adams, Forrest Winch, Tim Rowland, Dan Hansen, Lori Hanson, Eric Diehl, Blanche Peck, Nancy Gonyea, Tim Follos**

**Called to Order, 7:00 pm**

**1. Pledge of Allegiance**

**PUBLIC HEARING—KOA RIVERSIDE CAMPGROUND PROJECT**

**Motion to move forward with public hearing, Jim Kelly, Bill Eaton second.**

**Carried.**

**Kevin Frank LA Group—Introduction to the proposal. Project originally approved in 2023. KOA made significant changes to the design, including the location and number of sites and wastewater plans.**

**Reviewed the details of the changes. The number of camp sites available increased; the earlier design had swimming pools and other amenities. 56 RV sites, 4 Cabins. Even mix of pull in and back in.**

**Outlined the septic plans, location and other features.**

**Jane Sibalski—owners of the adjacent property to the north. Accustomed to 75 feet and a buffer zone. Concerned about the location of the leech field and ground water—and its proximity to the river.**

**Tom Sibalski—perc tests done?**

**Joe Garso—outlined the 3 deep holes drilled to test and the testing on it. Found that a shallow absorption field that meets code will work on that property.**

**Dick Sibalski—what about pumping it back towards the motel?**

**Joe Garso—One could do that.**

**Mrs. Sibalski—what about the cutting?**

**Joe Garso—based on these designs, the cutting is necessary**

**Jane Sibalski—driveway that runs along that line is also unnecessarily close to their garage.**

**Daniel Hansen—concerns about the water table. His experience with the new water line is that there is a lot of water only a couple of feet down.**

**Bob Peters—Leech field proximity to river?**

**Joe Garso--220 feet**

**Bob Peters—what about the rest of the soil nearer the river? Any perc tests done on that area?**

**Joe Garso—soil tests done per NYS DOH requirements, that is, within the area.**

**Bob Peters—could more perc tests be done here?**

**Joe Garso—Current wastewater design use biological processes on the waste so the vast majority of water treatment occurs within a couple of feet of the treatment area.**

**Bob Peters—still concerned about the soils between the leach field and the river.**

**Joe Garso—many spots on the site were tested and they tended toward being the same throughout the property**

**Dick Sibalski—what are the perc results?**

**Joe Garso—1 to 5**

**Tom Sibalski--How many tanks?**

**Joe Garso--Three—2000 gallon tank, 3500 gallon tank, and 2500 gallon tank.**

**Tony Nickinello—3 pumps. What if one fails? Does that result in any kind of overload?**

**Joe Garso—Spare pumps could be available onsite or nearby and the local maintenance crew would get that fixed**

**Tony Nickinello--When you're at full capacity, what is volume of material that could flow**

**Joe Garso—5130 gallons per day is the max capacity**

**Tony Nickinello—Replacement areas. Considering the replacement area on the south side and the replacement area is on the north side, how does that work?**

**Joe Garso—Replacement areas are required by code to be identified on a set of plans. Septics designed within 20 years are well-engineered compared to the older septics still found in the area. In fact, he has not seen campgrounds, when closed for ½ year, fail based on these designs.**

**Tony Nickinello—asked about the motel system. He hasn't seen plans that did not have the replacement system proximate. Been in the business a long time and seen a lot of tricks. Wants equal rights for north and south side of the property. The only way Tony can see it working is to move certain sites and then extend the replacement field to be on the south side. Reiterated concern about having to dig up property to get the replacement ready.**

**Kevin Frank, LA Group/Joe Garso—The digging up concern—the failure rate mentioned above. Campgrounds and RVs are different than residences and typically tax a system less because they are closed and not used 6 months of the year.**

**Back and forth about what works.**

**Tony Nickinello—Question about the leach field with a pump apply force in the main line, what the dose would be and the pressure?**

**Joe Garso—the pump and pressure operate to reach the d box, the movement from the d box is not pressurized but moves by gravity**

**Jane Sibalski—why was that spot picked? Different from the original plans.**

**Kevin Frank/Joe Garso--RV sites were sited and the septic designs and locations followed from those sites.**

**More discussion with the public.**

**Jim Kelly—still a question of the variance being asked for.**

**Bob Peters—still have to use pumps so why not site it where it was last year?**

**Joe Garso—As a costing rule of thumb, every foot of forced main is \$75.00 per foot.**

**Bob Peters—3500 gallon tank in the middle of the site. How deep is that in the ground? What is the depth of a tank that size? Five-Six feet deep, seven feet below surface. What about unexpected leaks?**

**Joe Garso—septics boxes are sealed to avoid wastewater that hadn't gone through the cleaning process.**

**Tony Nickinello—concerned that that house nearer the river is on a residential lot.**

**Kevin Frank—Not an issue--the entire lot falls within the same zoning, but the use proposed is different.**

**Pat Winch—read a statement from town council member Laura Hooker. LH stated that these plans fall short of the promises made by KOA and seem to fall short of KOA standards (per KOA marketing materials). Read through the various amenities from online materials. Laura objected to KOA making earlier promises and then pulling those away.**

**Jim Kelly—objected to the reading of such a statement. (obtain copy for record)**

**Nate Bette—Doesn't KOA have other properties in Wilmington that could address this criticism?**

**Sully—yes, trying to get it open.**

**Tony Nickinello—reading through other marketing materials. Asked what amenities will be offered and—Mountainside is a Holiday.**

**Sully—outlined the differences between the KOA categories**

**Dick Sibalski—Why not put a leech up above? Nearer the motel?**

**Joe Garso—there is already something there-- a replacement area for the motel. And the cost.**

**Blanche Peck—why not put the leech field in the middle of the site?**

**Joe Garso/Kevin Frank—relocating that to the center will have knock on effects for the overall location of sites—no sites over the leech field.**

**Dick Sibalski— Question that I didn't catch.**

**Dan Hansen—states he wants the campground open. Sounds like the problem with moving the leech field may be money. But KOA is a big corp. should be able to think that over.**

**Jim Kelley—if the wastewater objections are addressed, KOA is still asking for a variance to get closer to that line than 75 feet. Would neighbors still object?**

**Tony Nickinello—asked about the north property line and the NYSEG easement**

**General break-**

**Kevin Frank, Jim Kelly and Tony Nickinello reviewed survey map and discussed whether NYSEG easements would be identified on it because those are on record. General murmuring among the public.**

**Return to public hearing-**

**Tony Nickinello---Reviewed the storm Water Management Plan—the catch basins. Recommend that the line be diverted to the retention pond before the retention pipes. Concerned with the environmental impact. Accidental spill by guest of some pollutant, for example. That needs to be corrected.**

**Discussion between Kevin Frank and Tony Nickinello about the type of remedies—**

**Kevin Frank—will a subsurface hydrodynamic thingy work?**

**Tony Nickinello—Further questions for KOA about the motel. Rental of the motel—with employees, how many motel rooms will be used for the public? More questions. Fishing questions—wash stations? Invasive species and the APA. Read something, he came upon—KOA camp green program?**

**General Break**

**Steve Sullivan addressed the Board**

**KOA requested permission to move 4 temporary working Rs onto sites 1-4 located on Riverside due to loss of spaces on Mountainside with installation of new septic system. Board discussed and approved. KOA then showed the Board for approval proposed temporary signage, which the board discussed and approved.**

**Any other public comments?**

**None.**

**Motion to close the public hearing, Bill Eaton and Pat Winch seconded. 8:15 PM**

**Motion to open regular board meeting.**

**Motion to approve minutes from previous meeting, made by ?, Seconded?**

**New Business—None.**

**Old Business—None.**

**Public Comment—Tim Follos, town council member—planning board has jurisdiction to consider the effect on neighbors per the site plan review process.**

**Motion to adjourn, made by ?, Seconded? Carried.**

**Meeting adjourned at 8:20 pm**