

Minutes of a Regular Meeting held by the Planning Board of the Town of Shawangunk, County of Ulster, State of New York, at the Town Office Building, 14 Central Avenue, Wallkill, New York, on the 2nd day of July, 2019.

Those present were: Mark Watkins, Chair
Kris Pedersen
Cathy Terrizzi
Todd Widmark

Absent: Alex Danon, Rich Barnhart and Patricia Turner. Also present Richard Hoyt, Esq., Bonnie Franson, AICP CEP and please see sign-in sheet.

Meeting location: Town Hall, 14 Central Avenue, Wallkill
Open Regular Meeting: 7:00 pm

Emergency Exits Announcement
Moment of Silence – Pledge of Allegiance:



Approval of Minutes of June 4, 2019 was tabled.

PUBLIC HEARING: There were no new hearings.

CONTINUATION PUBLIC HEARINGS:

BENJI Holdings, LLC / Prospect Heights Phase 2:(99.3-6-11 / 99.3-6-12 / 99.3-6-13)Proposed Phase 2 Re-Subdivision of Three (3) Lots to create Six (6) Lots for SF dwellings on Bert McCord Drive in the R-AG2 District and PBCSD. See Preliminary Public Hearing Minutes.

APPEARANCES:

Pasquale Iovieno(106.49-3-26)Proposed Site Plan Review for Principal permitted use apartment above existing ground-floor business at 26 Wallkill Avenue in the SB District and WCSD. Pasquale Iovieno was present before the Board.

The following items were entered into record: Applicant's submission stamped received June 13, 2019 and memorandum dated July 1, 2019 from Bonnie Franson, AICP CEP; Town of Shawangunk Building Department Property Report dated April 17, 2019.

Mr. Iovieno said he purchased 26 Wallkill Avenue / Rob's Pizza Restaurant in good faith; was told everything was in compliance and after closing found that the upstairs apartment was illegal.

Mr. Hoyt said the Town's record reflects the fire and the permits to rebuild and the recent municipal search reflects "Restaurant with storage above."

Mr. Hoyt said he has reviewed the file for the request for an apartment above a ground-floor business. It is a permitted use.

Mr. Hoyt said the Town Planner asked for some clarifications; the front lot line is Wallkill Avenue; no special use permit is required. The item of concern is the zoning requirement for one (1) parking space within 250' feet; if one can't be obtained the application will need to be referred to the ZBA.

Mr. Iovieno said he has spoken with the Wallkill Federal Savings and Loan and they are willing to provide a space; he asked what about all of the other dwellings around me; they park on the street; why can't I?

Mr. Hoyt said they are preexisting and this is a new request that will need to adhere to the current requirements. The applicant is to submit a letter demonstrating he has been provided a dedicated parking space for the apartment.

Mr. Widmark asked if there was ever an apartment up there?

Mr. Iovieno said yes.