

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 Tuesday, 4th day of June 2024.

Those present were: Rich Barnhart
John Szarowski
Ryan Reid
John Leonette
Mark Watkins, Chair

Those absent were: Sal Patella
Todd Widmark



Also Present: Alex Danon, Town Board Member, Kathy Ebbrell, Court Clerk, Rich Hoyt, Esq., Town Attorney; Bonnie Franson, AICP CEP, Town Planning Board Consultant. Please see sign-in sheet for rest of attendees.

Meeting location: Town Hall, 14 Central Avenue, Wallkill, NY 12589

Open Regular Meeting: 7:00 pm

Emergency Exits Announcement

Pledge of Allegiance

Approval of Minutes of May 7, 2024

Mr. Watkins stated Mr. Reid sent an email stating I addressed the Board at last month's Planning Board meeting regarding procedures and requested to make a reference pertaining to his email in the May 7th minutes.

A first motion was made by Rich Barnhart and seconded by John Szarowski to approve the Meeting Minutes of May 7, 2024 with Mr. Reid's comments. Vote: All Ayes: 5, Abstain: 0, Absent: 2

NO NEW PUBLIC HEARINGS:

CONTINUATION OF PUBLIC HEARING:

E&L FARMS – Two Lot Subdivision (Applicant No. 2024-04)

SBL: 105.1-1-26.122, 152.64 acres, Address: 3014 State Route 52, Pine Bush, NY 12566. Lot Line Adjustment to create two parcels, approximately 102.5 acres and 50 acres. Property Class: Rural Residential, Pine Bush School and Pine Bush Fire District.

Entered into Record:

- Short Environmental Assessment Form (EAF) dated March 6, 2024, last revised May 20, 2024, Survey Plat dated March 4, 2024, last revised May 20, 2024 from Margaret Hillriegel, Land Surveyor
- Memo Dated June 4, 2024 regarding feedback to E&L Farms Two Lot Subdivision from Nelson Pope Voorhis, Ms. Bonnie Franson, AICP CEP
- Memo Dated June 4, 2024 regarding feedback to E&L Farms Two Lot subdivision from MHE Engineering, Mr. Shawn Arnott, P.E.

Mr. Watkins stated E&L FARMS is a Continuation Public Hearing from last month's Planning Board meeting on May 7th, 2023.

Mrs. Peggy Hillriegel stated Ed and Lynn Garvey own approximately 152 acres. They are proposing a two-lot subdivision to create one parcel of 102 acres and a second parcel over 50 acres. I changed the property line to keep the proposed line at least 50 feet and purposely made it 53 feet from the solar structures. The solar structures have been located and shown on the plan, along with the landscaping. The open mine areas, we walked along the edge of the grass, located those, and showed them on the plan too.

Net Acres:

On Lot 2, I put a chart in the middle of the map showing the different uses and net area acres:

- Farming – 2 (crops)
- Wetlands – 10.6 +/-
- Solar Array – 12.9
- Mining – 1.0
- Minimum for Dwelling – 6

The 50 acres is more than enough for all the uses. The 96 net acre parcel, I did not do as much; lot is well over the requirement on that 102-acres.

Driveway:

A driveway can go any place. Mr. Garvey has plenty of acreage to move the driveway and property equipment if he chooses to do so.

Ms. Franson's Memo Review

Net Lot Acres - Zoning District:

As per the prior meeting minutes, Ms. Franson stated the mining activity on Lot 1 was going to be left open and unsure if it was subtracted out of Lot 1 as opposed to Lot 2. When we assign a minimum lot area to a use, we use that minimum that is required in that zoning district (2 acres is a minimum). Ms. Hillriegel stated Lot 1 is where the mining will be going away (open mining show on Lot 1 of maps). The house is on Lot 2 and the mining will continue there.

Flag Lot:

Mr. Watkins stated he had an issue with the Flag Lot (Lot 1) not being named a Flag Lot. Mr. Watkins stated we are not calling the big lot a flag lot because in the future you want to subdivide it. Ms. Franson stated they are calling it a Flag Lot but not adding a note stating it cannot be further subdivided. Mr. Watkins would like to add a note regarding about further building. Mr. Garvey stated you cannot because there is no road frontage. Mr. Watkins stated he is trying to mitigate the reason that we are allowing future subdivisions to prevent future problems because it is still "a flag lot" in case someone brings up the flag lot regulations. If we can add a note "a road can be built for a future subdivision."

Mr. Reid recommended you could state the intention of the Planning Board was to waive the language of no further subdivision. Ms. Franson stated or note that this is a flag lot and the flag lot regulations shall apply. Mr. Watkins stated he is trying to protect the people that own the property and the first thing when someone sees a flag lot, no further subdivision and one house only. Mr. Garvey stated he does not want it in writing stating that it can be done. Mr. Watkins stated we can do this in the resolution and will figure it out and asked Mr. Hoyt if he can provide the language? Mr. Hoyt stated yes.

Mrs. Hillriegel stated she could put a note on the map to state "if Lot 1 is to be further developed, a road is to be constructed". It was decided to not add a note to the plan, and to add appropriate language in the resolution.

A first motion was made by John Szarowski and seconded by Rich Barnhart to close the Public Hearing. Vote: All Ayes: 5, Abstain: 0, Absent: 2