

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, 3rd day of September 2024.

Those present were: Sal Patella
Rich Barnhart
Todd Widmark
John Szarowski
Ryan Reid
John Leonette
Mark Watkins, Chairman

Also Present: Rich Hoyt, Esq., Town Attorney; Bonnie Franson, AICP CEP, Town Planning Board Consultant, Rich Blazeski, Highway Superintendent, Kathy Ebbrell, Court Clerk, Ken Ronk, Jr., Town Supervisor. 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 August 6th, 2024

A motion was made by Todd Widmark and second by Ryan Reid to approve the Meeting Minutes of August 6th, 2024. Vote: All Ayes: 7, Abstain: 0, Absent: 0

CONTINUATION OF A PUBLIC HEARING:

Mr. Joseph Russek - Third Generation Homes (Applicant No. 2023-14):

SBL: 104.1-3-27, 2.3 acres, Address: Corner of Weed Road and NYS Route 52 in Walker Valley, Commercial Site Plan 4,800 sq. ft. for a restaurant business with three entities and one apartment above with parking. Property Class: Vacant, SB (Small Business), Pine Bush School District, Walker Valley Fire Company

Entered into record:

- Site Plan Map (10 Pages) from Arden Consulting Engineers, Mr. Morgante, P.E. dated August 3, 2024.
- Memo received September 3, 2024 from MHE Engineering, Mr. Shawn Arnott, P.E.
- Property Photos from Ms. Bonnie Franson, AICP CEP, Town Planner Consultant
- Property Photos from Mr. John Calaca, Building Inspector

Mr. Joe Russek stated the following: Proposing a 4,800-square-foot commercial project with one apartment above on the corner of Weed Road and Route 52 in Walker Valley. Mr. Russek stated he received the Engineers comments from Mr. Shawn Arnott, P.E. Mr. Steven Green, client's Land Surveyor, had a family emergency and was not able to attend. Mr. Michael Morgante, client's Engineer, had a family matter to take care of at the last minute.

Lead Agency:

Mr. Watkins informed Mr. Russek that he will be on the Ulster County Planning Board Meeting for Wednesday, September 4, 2024. Last month, we sent out the letters for the Town of Shawangunk to claim Lead Agency. Mr. Russek understood.

Project Status / Land Disturbance / SWPP:

Mr. Barnhart questioned if we foresee this project moving forward to bring to a conclusion. Mr. Watkins stated he would also like to conclude and see business in Walker Valley.

Mr. Ryan Reid questioned the disturbance area; outside of the activity of the millings that Mr. Arnott wrote and addressed to you regarding landscaping plans; is there any other way in the area already there, going to exceed over? Mr. Russek stated the majority of what is in the parking lot, is what the property is made of. Nothing else on the site needs to be touched.

Mr. Szarowski stated the disturbances goes to the edge of the parking lot and the site plan shows abandonment on the entrances that are there and needs to be accounted for in the disturbance area. You need to figure out how to do that under an acre, otherwise, you are going to end up having to do a SWPP.

Mr. Reid questioned Mr. Russek if his Engineer would be able to come up with any type of response to Mr. Arnott's comments? Mr. Russek stated Mr. Morgante and Mr. Arnott were on the phone for a couple hours today going back and forth. They had an agreement to the work being done and there were no further details. I was expecting both of them to be here this evening. Mr. Watkins questioned if the building can move closer to the road? Mr. Russek stated that was also discussed and would not make a difference to me where it goes in that space.

Mr. Russek pointed out the 100' wetland buffer was incorrect and not where the DEC marked it. Mr. Watkins stated if you move the building closer to the road and make the area the parking lot, this will resolve a lot of problems and I think you will be at 28 spaces.

Mr. Szarowski questioned if the DOT made him give up the Route 52 entrance? Mr. Russek stated yes, it is a traffic problem. Mr. Szarowski suggested keeping it a right turn out only and the one to the east undisturbed, as another possibility. With a general SPEDES permit for construction activity, you cannot have phases or segments on the property. If you move the building forward, you will be more into the existing area and have two entrances that can go out towards Route 52. The abandoned portion would have to be seeded so people do not come in from that side. This is not shown on the plans.

Ms. Franson questioned in regard to the SWPP, if you do include that area in the front, you are not at five acres where you have to put in stormwater basins or other things? Mr. Szarowski stated the commercial sites are one acre. If they cross an acre, they have to do peak mitigation, water quality, and the runoff reduction clearance. Mr. Szarowski stated this could be done with a basin or other ways. Anything residential is over five acres and anything commercial, industrial is one acre.

Mr. Reid questioned Mr. Russek in regard to the entrances shown on the Google photo from July 2024 that were printed for the meeting. Mr. Russek stated it is overgrown vegetation that is currently not being cut. It is the end of where the parking lot goes. Mr. Watkins questioned if the berm across on the Route 52 side was to keep the public out? Mr. Russek stated yes. People were using it to dump things, leaving their cars, tractor-trailers, and school buses going in and out on the property. Mr. Russek pointed to the location of the parking lot in the photo and described it as being rectangle shape and further back.

A brief discussion on the landscaping was addressed regarding the weeds to be taken out and a recommendation to plant grass to at least make it look attractive for the Town and customers.