

Minutes of a Regular Meeting held by the Planning Board of the Town of Shawangunk, County of Ulster, State of New York, at the Shawangunk Town Hall, 14 Central Avenue, Wallkill, New York, on Tuesday, 4th day of February, 2025.

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

Those absent were: John Szarowski

Also Present: Rich Hoyt, Esq., Town Attorney; Bonnie Franson, AICP CEP, Town Planning Board Consultant, Please see the 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 January 7, 2025

A motion was made by Todd Widmark and second by Rich Barnhart to approve the Meeting Minutes of December 3, 2024. Vote: All Ayes: 6, Abstain: 0, Absent: 1

CONTINUATION OF PUBLIC HEARING:

**One Stop Shop Supplies, Inc. (Applicant No.: 2022-07):
 SBL: (106.4-1-7.112) Proposed Change of Use Special Use Permit with Site Plan Review for light industrial use/E-Commerce business with repurpose existing 22,000+/- SF building located at 3050 NYS Route 208 in the SB District, Wallkill Fire, and Wallkill Central School District.**

Lara Pruschki with Engineering and Surveying Properties represented the applicant for a change of use for an existing 22,000 square foot building located on New York State Route 208. Since the last meeting, they responded to the county's comments and added some additional screenings & some evergreen trees in front of the building at the request of the consulting engineer. They will be happy to comply with Town Consultants' comments.

LANDSCAPING DISCUSSION

Sal Patella asked if the evergreen trees would be in front of the building to which Ms. Pruschki answered yes.

Todd Widmark asked if the applicant considered adding some kind of screen behind the building (between the rail trail and the building) to which Ms. Pruschki replied they had not. Mark Watkins stated that screening was not something that was mentioned prior. Mr. Widmark thought he had mentioned it at the last meeting. Mr. Widmark added many sight line spots could be improved upon looking from the rail trail to the river.

Mr. Watkins then asked Ms. Pruschki if there would be traffic alongside & to the back of the building? Ms. Pruschki replied there is no proposed traffic behind the building along the rail trail- that is only for emergency access.

Mr. Watkins asked to clarify if things would be brought from the front of the building to the back of the building via the driveway. Ms. Pruschki responded that they are only planning on utilizing the front north loading dock and that the applicant has bins that fit through the "man door" in the firewall to move things to and from the back side of the building if they need to.

Mr. Watkins asked if the firewall is going to have any other penetration in it. Ms. Pruschki replied there will only be one "man door" in the firewall that the Building Inspector has approved. She added that they are only going to use the front door for loading and unloading.

Mr. Patella questioned the landscaping on the north side of the building in the parking area up by the road and mentioned that a lot of the area is overgrown brush. He asked Ms. Pruschki if there is any intention of clearing that out because if it's not maintained there is a concern about the sight coming in and out from the north side. Mr. Watkins said that as far as landscaping is concerned, softening up the front of the building was our only concern from day one. Mr. Patella said he appreciates the use of pine trees and a couple of maples up by the road but questioned whether perhaps the planting can be spaced out or if a few trees / shrubs could be added.

Mr. Watkins asked Mr. Patella if he would like a maple tree, or something added to the proposal. Mr. Patella recommended stretching out the plantings and may be adding three red maples.

Ms. Franson recommended adding three red maples to the area on the north side. She added that spruce get big therefore 16 feet on center doesn't seem like adequate space. She said it would be best to space them out and add something else of a different color or variety. Ms. Franson also recommended not putting all the plantings in a row for a more natural effect.

Mr. Watkins then asked Mr. Patella if he agreed that spacing out the plantings and adding some additional maples would address his concerns to which Mr. Patella replied those suggestions addressed his concerns.

Ryan Reid asked if the D.O.T reviewed the landscaping and if the plan was acceptable. Ms. Pruschki said the D.O.T. reviewed and was agreeable with the plan.

Mr. Watkins then brought up Mr. Widmark's point about the views from the rail trail and said there's not a lot of room behind the building to add much of a buffer. He compared it to the area behind Beck's Hardware as well as the area behind the funeral home. Neither have much room for more than one row of trees. The same is the case with this building. Mr. Widmark agreed.

Ms. Franson added that the propane tanks on site are to be relocated, and the back aisle is to be widened for fire access, so those changes leave little to no room for planting trees in the rear of the building. She added that the only place it seems more planting could be added would be up by the parking area where there is more yard space.

BUILDING COLOR DISCUSSION

Mr. Patella then remarked on the color change of the building regarding the proposed Benjamin Moore colors recommended by the neighboring School of Practical Philosophy. He

felt that with use of those colors - looking at the building in any direction- it will appear darker and therefore more muted, which he felt was positive.

Mr. Watkins made sure all the Board members had an opportunity to review the possible color choices for the building. He told Ms. Pruschki that his secretary would send her a copy of the suggested colors. He asked how the Board felt about the colors to which everyone responded that they were agreeable.

EMPLOYEES AND SHIFTS

Mr. Rich Barnhart asked Ms. Pruschki to clarify how many people are going to be employed at One Stop Shop to which Ms. Pruschki replied they only anticipate having eight employees and one shift daily. Mr. Barnhart asked if some of those would be clerical, and Ms. Pruschki said she believed so.

NEGATIVE DECLARATION

Ms. Franson went over the Draft Negative Declaration for One-Stop Shop. There were some minor changes to be made to the draft Negative Declaration, as per the meeting discussion, which were.

- adding single tenancy & employee count
- landscaping plan will be amended to separate the Norway spruce & Red maples will be added in a more naturalistic arrangement.
- The proposed building will be repainted to a dark green color as shown on Benjamin Moore paint swatches.
- Truck access to the building will be from the northerly bay doors only.

A motion was made by Rich Barnhart and second by Todd Widmark to approve the negative declaration with changes. Vote: All Ayes: 6, Abstain: 0, Absent: 1

SITE PLAN APPROVAL/RESOLUTION

Ms. Franson went over her draft Site Plan Approval/ Resolution and Schedule A Conditions to be met. She stated that she would incorporate the meetings points of discussion into her final Site Plan Approval/ Resolution & Schedule A. Those changes were

- adding single tenancy & employee count
- Any existing septic system shall be decommissioned in accordance with NYS Department of Health requirements.
- landscaping plan will be amended to provide more separation between the proposed Norway spruce and to add at least three red maples with the spruce in a more naturalistic arrangement.
- the interior overhead doors and adding a “man” door.
- The proposed building will be repainted to a dark green color as shown on Benjamin Moore paint samples.
- The existing monument sign will be refaced in compliance with the zoning standards
- A note shall be added to the plans that the southerly overhead doors shall not be used for any vehicle access or loading.

A motion was made by Todd Widmark and second by Ryan Reid to approve the Site plan Approval with changes. Vote: All Ayes: 6, Abstain: 0, Absent: 1

Harrier Ridge Estates – Mako Homes – 7-Lot Subdivision (Applicant No. 2023-09)(SBL: 106.1-3-29.421) Address: Dubois & Malloy Road, 26.5 Acres, Property Class: Abandoned Ag-2, Wallkill Central School District, Shawangunk Valley Fire District (FD 171). Seven lot subdivision project.

Revisions for this project were received past the submission deadline date and therefore the Harrier Ridge Project could not be heard/presented and was continued. No one from the audience asked to be heard.

A motion was made by Todd Widmark and second by Rich Barnhart to extend the Public Hearing to March 4, 2024 at 7pm. Vote: All Ayes: 6, Abstain: 0, Absent: 1

APPEARANCES:

**Rucinski- Scott- Lot Line Change (applicant No.: 2024-06)
(SBL: 99.1-6-13.110 & 13.120) Proposed Lot Line Change, 116 & 39 Papuga Road, Pine Bush N.Y. 12566, 29.5 Acres, Property Class: R-Ag2, Shawangunk Valley Fire District, Pine Bish School District.**

Larry Marshall of M.N.T.M. presented on behalf of the applicant proposing a simple lot line change, transferring a portion of one parcel to tax lot 13.120 parcel between the lands of Rucinski and Scott. This lot line change would add to Rucinski's lot to create a more buildable lot.

Mr. Marshall stated that the U.C.D.O.H approved of the proposed septic. He said he had not heard back from U.C.D.P.W. regarding the driveway.

Mr. Marshall stated that the driveway location was used by the County at one point to remove debris from the site and that you can pull into and out of the site with no issue.

Mr. Marshall went on to explain that the lot line change would add width to the receiving parcel, and he is asking for approval for the lot line change upon condition that the U.C.D.P.W. responds regarding the driveway.

Mr. Watkins stated that he would try to reach out to the U.C.D.P.W. the following day to see if he could help move them along.

Ms. Franson said she would write up an approval under the conditions of receiving a reply from U.C.D.P.W. as well as submission of deeds between owners. She said this was a SEQR type II action and no review is required and stated once more that the final approval must be subject to the conditions met with U.C.D.P.W. & deed submissions.

A motion was made by Ryan Reid and second by Rich Barnhart to approve the lot line change subject final approval by the UCDPW and submission of new deeds for attorney review. Vote: All Ayes: 6, Abstain: 0, Absent: 1

Wayne Sheeley – Two Lot Subdivision (Applicant No.: 2024-10) SBL: 106.4-2-21.1, Acres: 15.1, Address: 425 Plains Road, Zoning District: R-Ag 2, School District: Wallkill, Fire District: Wallkill Fire. Project: Two Lot Subdivision and Existing Old Home Renovation into a Duplex

Larry Marshall presented for the applicant a two-part application, which was before the board previously and since, the applicant has employed M.N.T.M. to come before the board.

The first part of the application is a proposed subdivision to subdivide the lot with the existing dwelling closest to Plains Road.

Both lots are in the RAG-2 zoning district and complies with all zoning regulations. The front yard setback exists prior to zoning setback laws and will not change location with the application.

The second part of the application is for a Special Use Permit being requested to convert the existing dwelling on proposed Lot 2- to become a two-family dwelling. The proposal is to add a small porch on the side of the building and do some interior renovations. There would be no other proposed change to the existing dwelling or grounds.

The existing well/ septic would be utilized, and the applicant would address adequate well / septic in the next submission.

Mr. Watkins asked if the renovations were already complete. Mr. Marshall did not believe so. Mr. Watkins stated that he had noticed some renovations on Mr. Sheeley's property. Mr. Marshall clarified that Mr. Sheeley's home is also one of the dwellings on lot 1. He said Mr. Sheeley has updated his home located on the rear of the lot but had done nothing with the home in the front of lot which was the dwelling in discussion.

Mr. Watkins then noted that some wetlands are present on these properties to which Mr. Marshall said that they would all be kept on lot 2 in the subdivision plan and is categorized as an overgrown field.

Mr. Patella asked where the septic was located for lot 2 and Mr. Marshall answered that it was between the dwelling and the shed.

Mr. Ried asked if the shed is used for anything and if for the proposal of renovating a single home to a 2 family- is the building department requiring a variance? Mr. Marshall stated that he had not inquired with the Building Department, but he can.

Mr. Reid questioned Mr. Marshall regarding an easement due to what looks like will be an encroachment on the neighbor's driveway. Mr. Marshall replied that there is an easement on the lot line plan and there were discussions early on about relocating the driveway & electric to keep the driveway & grant easement.

Ms. Franson began to discuss her comments on the project since its last submission. She stated this is a minor subdivision and asked Mr. Watkins if he would like to have the board waive submission of a cluster subdivision. Mr. Watkins called for a motion and a second to waive submission of a cluster subdivision.

A motion was made by Rich Barnhart and second by Ryan Reid to waive submission of a cluster subdivision. Vote: All Ayes: 6, Abstain: 0, Absent: 1

Ms. Franson continued that a public hearing is required for both minor subdivision as well as special use. She went on to review the comments in her memo dated February 3, 2025. She mentioned that the Applicant's representative review the lot area requirements for a two-family dwelling which are bedroom based. She read the relevant section of the zoning chapter.

After Ms. Franson read and reviewed her memo, Mr. Watkins questioned if a variance would be needed for the front yard where the dwelling would be encroaching the lot line. Ms. Franson stated that it was pre-existing non-complying. Mr. Reid then stated they would be only expanding the use of the building and Ms. Franson then clarified that Special Use

permits standards do not address the front yard requirements. Mr. Hoyt then stated that we should ask the Building Inspector for a ruling. Mr. Watkins then asked the board if they felt the project should go to the Building Inspector or ZBA. Mr. Hoyt suggested the Building Inspector weigh in and the rest of the board agreed. Mr. Watkins then said he would speak to the Building Inspector. Mr. Marshall asked if he could get a letter from the Building Inspector to go to the ZBA if variance was needed and added that he would rather go straight to the ZBA for the variance. He inquired what the submission deadline was for the March ZBA meeting and was told the deadline is 2/21/2025.

Mr. Marshall said he will provide updated plans for the duplex with his next submission to the Planning Board and added that it was being kept a 5 bedroom to avoid septic expansion.

Nicholas DiBlanca –Nicky D’s Towing & Recovery- Special Use (Applicant 2025-17)
SBL: 100.1-1-2, 1.6Acres, Zoning District: R-Ag-2, Address: 2151 Bruynswick Road, Wallkill N.Y., Schools District: Wallkill, Fire District: Wallkill Fire.
Project: Proposed 24-hour towing and Automotive Repair Shop

Mr. Nicholas DiBlanca appeared before the board to present a Special Use application for 2151 Bruynswick Road. He proposes a 24-hour towing operation with minimal vehicle repairs. He stated that it is mostly going to be towing for the municipality.

Mr. Watkins said we need clarification on a lot of different things. First, there needs to be consistency of what the address number for the lot is, there seems to be that there are two numbers, one for the house and one for the garage.

Mr. DiBlanca stated that the house is on the left, so if you're at the firehouse and you're looking at the garage, the house is one number and the shop is another. And there's a mailbox separate for the shop, which is 2151 Bruynswick. The house is address number 2147, so two numbers are dedicated to one lot. Mr. Watkins said that cleared up confusion regarding the establishment address.

Mr. Watkins then called into question the building permit which approved a 30x50 garage to be built showing 2 bays. He said there are now three bays on the garage to which Mr. DiBlanca confirmed that is the case. Mr. Watkins stated that the building permits approved residential use with storage only and any other use needed to come before the Planning Board for approval. Mr. DiBlanca agreed.

Mr. Watkins then said that using the county mapper information- the address comes back under the category of residential and commercial use.

Mr. Watkins asked if the towed vehicles would have a designated storage spot and Mr. DiBlanca replied yes and that a fence would be in place by the coming weekend. He stated that everything that is off police rotation, accidents, impounds, are to be put behind a fence that goes along side and behind the building. He said he would add pieces of plastic in the fence to cover the sight from public view and plans on putting the damaged vehicles from accidents, particularly fatal ones, behind the garage.

Mr. Watkins recommended using a material that is a little more permanent for the fence besides plastic flaps. He stated that there are a number of site plan matters that need to be addressed.

Mr. Widmark spoke on the history of the former building and the area and said it had always been a garage since probably the late 60's. He then asked if Mr. DiBlanca would be using only one bay since there are three and what the use of the other bays was currently.

Mr. DiBlanca stated that another person uses the other two bays as storage and for doing his own personal repair work and that the person is not doing business. He said his bay is on the right side along the fence. Mr. Widmark asked if Mr. DiBlanca owned the building to which he responded he did not and was renting it from John. J. Lease. He said he has nothing to do with the house he is simply renting the one garage bay.

Mr. Watkins stated that it all adds up to three uses (Residential, Storage and Commercial) on one piece of property, which is only 1.65 acres. He asked Mr. DiBlanca how many doors were on the garage. Mr. DiBlanca replied there were three. Mr. Watkins stated that the picture on google shows a two-bay garage and so it seems there must have been an addition and we will need to see if that was part of the original building approval or part of a subsequent addition. Mr. DiBlanca stated that for the past three to four years it has been three bays because there was someone previously renting his side up until November when he took the lease over and that person was storing hot rods.

There was an ongoing discussion regarding the issue of the garage having 2 vs. 3 bays along with many questions about when the third bay was added versus what is shown online in a satellite photo from 2021. Mr. Widmark suggested that perhaps with Covid in 2019 - construction of the third bay could have been stopped and resumed at a later time. Mr. Watkins stated that ultimately, we need a site plan, we need something with a drawing with the building on it as it is now, and it needs to explain all the uses to us as well as a proposed special use narrative. He said an engineer, or a surveyor should draw the site plan so that it's accurate and up to date with the current uses because the last survey was done in 1995 before a fire destroyed the former garage.

Mr. Watkins said he drove past the site and saw Nick's truck parked there and he saw the third bay because I saw how squeezed in the truck was on the end. So, ultimately it seems the building is bigger than what the building permit indicates. Another reason for a site plan being needed.

Mr. Hoyt then questioned if there are two uses on a 1.6-acre lot, before Mr. DiBlanca gets too far into this, do we have jurisdiction to approve of this?

Ms. Franson stated that she thinks this may require a variance because if someone is renting those two other bays, that's a third use, there's a home, storage and now a garage and mechanic shop. At minimum, each use requires 2 acres in that zone. Storage and the dwelling which are not related would be two uses.

Mr. Watkins said with a narrative of what's going on at the property and a site plan submitted, we can know more about how to move this along. This may be something the building inspector has to weigh in on and then he's going to have to make some determinations. He said he would reach out to John Calaca.

Mr. Ried stated that if you look at the overhead view of the property from parcel viewer, it shows the addition.

Mr. Watkins replied that once we get the size of the building and a survey we will know. We must find out if the third bay was an addition or part of the permit that didn't get built right away. He told Mr. DiBlanca that he would have Mr. Calaca reach out to him and Mr. DiBlanca agreed.

Lands Of Shoppman -Pelella – Lot Line Change (Applicant No.: 2024-16); (SBL: 100.3-1-14.11 & 14.12) Proposed Lot Line Change, Address: 25 Old Hoagerburg Road, Wallkill N.Y. 12589, & 23 Twin Ponds Lane, Wallkill N.Y. 12589, 20.6 Acres, Property Class: R-Ag4, Shawangunk Valley Fire District, Wallkill Central School District.

Surveyor Darren Stridiron appeared for the Applicant. He stated that they had submitted the plans with the revisions based on the comments from the last meeting as well as easement descriptions for both lots.

Ms. Franson went over her memo. She indicated most of her comments were addressed.

Ms. Franson brought up the cell tower on the property, she mentioned that although it was a separate matter, there was supposed to be a special use permit reappearance in at a very certain number of years and she wasn't sure if that happened yet. Mr. Watkins indicated he did not believe it had.


Mr. Hoyt stated that the conditions of approval would be his review of the actual deed conveying the land and making sure that the deeds goes with the map to the county all at once, as well as making sure the application material is submitted completely.

Mr. Watkins called for a motion to approve of the lot line change under the conditions that all documents and deeds are submitted completely prior to signing.

A motion was made by John Leonette and second by Ryan Reid to approve the lot line change with conditions. Vote: All Ayes: 6, Abstain: 0, Absent: 1

A Motion to adjourn the Planning Board Meeting was made by Rich Barnhart and seconded by Sal Patella

Respectfully Submitted,


Julie C. Pawson, Planning Board Secretary