

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, the 2nd day of September 2025.

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



Also Present: Rich Hoyt, Esq., Planning Board Attorney, and Bonnie Franson, AICP CEP, Planning 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 for July 1st, 2025:

Mr. Rich Barnhart stated the July minutes will be approved at the October 7th meeting to give the Planning Board Members and Consultants, who just received the minutes, a chance to review. There were no concerns or questions from anyone regarding this matter.

Mr. Barnhart stated the following in memory of Mr. George Sawyer:

I would like to take a moment to Honor the Memory of Mr. George Sawyer who passed away on August 21st. Many of you may not know Mr. Sawyer, but he was a member of the Planning Board for 25 years and he was also our Building Inspector for another 15 years. We are appreciative of his years of service and honor his memory.

PUBLIC HEARING

CONTINUATION OF PUBLIC HEARING:

Bardin Subdivision - (Applicant No. 2025-04):

**Proposed Two-Lot Subdivision, SBL; 99.3-4-39.311, 115 +/- acres, R-Ag 2,
Address: Andrew Bardin, 332 Old Hardenburgh Road, Pine Bush,
New York 12566, Pine Bush Fire District, Pine Bush School District.**

Entered Into Record:

A copy from the Surrogate's Court of the State of New York – Ulster County List of Assets/Inventory dated December 7, 2008, File #: 2008-522

Bardin Property Review:

Mrs. Margaret Hillriegel introduced Mr. Andrew Bardin and stated this is a continuation of a Public Hearing for a Two-Lot Subdivision. Mr. Bardin's attorney has worked on a

Utility and Driveway Easement. The DEC has reviewed the plans and stated the wetlands are DEC wetlands even though this was never mapped, and my wetland specialist is Mr. Michael Nowicki. I have prepared plans, and he has put in an application for wetlands crossing. The DEC is backed up since they have taken over the wetlands and will be a while before there is an approval.

No one from the Public had any comments. Public Hearing is to be continued on Wednesday, November 5th, 2025 at 7:00 pm. This will provide time to gather required documentation.

A motion was made by Todd Widmark seconded by John Szarowski for a Public Hearing Continuation regarding Bardin Two-Lot Subdivision at the Wednesday, November 5th Planning Board Meeting. Vote: All Ayes: 7, Abstain: 0, Absent: 0

Property Ownership/Partnership:

Mr. Bardin questioned the ownership. Mr. Rich Hoyt, stated you have the partnership as the owner and we asked to provide proof. It does not have to be your full Partnership Agreement and confidential information can be redacted. What was sent in was the inventory of assets for the estate of Mrs. Florence Bardin, which has little to do with the partnership.

Partnership Agreement:

Mr. Hoyt stated in New York, there is generally a Partnership Agreement. Some are filed with the County Clerk's Office, but most agreements are not. There is no filing receipt from New York State like you would have for a corporation or an LLC because you do not have to file a partnership with New York State Department of State. The Board needs to know that the entity's name on the plan does exist. A tax return with all the numbers redacted is an option too. Mr. Barnhart stated speak with Mr. John Bardin, your uncle, and he should have something or an affidavit that shows the partnership.

Mr. Bardin stated yes, he will do that. There were no further comments from the Clients, Public, or Planning Board.

APPEARANCES

Borderline Deli – (Applicant No. 2025-06):

Proposed Business Change of Use, SBL: 104.4-3-4, 1.8 +/- acres, R-Ag 2 Zoning District, Address: 1218 Burlingham Road, Pine Bush, NY 12566, Walker Valley Fire District, Pine Bush Ambulance District, Pine Bush School District Fire

Change of Use Project Review:

Mrs. Nanette Jenkins stated she would like to do something different on the property such as a tool rental or storage units and questioned if it is permitted on a 1.8-acre lot? The idea of the tool rental was to keep it as a retail business with less traffic. Mrs. Jenkins questioned if she can keep the deli and do something else on the she property? Or, she would close the deli if she had to and open a tool rental business.

Business Retail Discussion:

Mr. Barnhart questioned Mrs. Jenkins if she thought there is a marketing base for that type of business, and do you think it is viable? Mrs. Jenkins stated yes, she believes there is. Mr. Reid questioned with the rental; would you be able to make it an accessory for

rentals? Mrs. Jenkins stated there is already a U-Haul that came with the deli when purchased last year. Mr. Reid stated it will be up to the Building Inspector depending on how big you plan on making the rental company or, it can be scaled down in size. Mrs. Jenkins stated the deli is a small convenience grocery store.

Size of Business Retail:

Mr. Leonette questioned if there would be more hand tools than equipment? Mrs. Jenkins stated we would start out with small hand tools. Eventually into bigger items that would sit outside. Mr. Leonette questioned if it would be similar to Pine Bush Equipment? Mrs. Jenkins stated no. Mr. Leonette stated with a larger inventory you would need a wash bay to collect oils and clean the equipment. Mrs. Jenkins stated she would come back to Planning Board to address.

Discussion on Property:

Mr. Tom Tango questioned if there would be shrubbery or fencing to conceal equipment? According to the master plan, it talks about what you are trying to do with the joining property. Mrs. Jenkins stated there is nothing between the next-door property and mine. There is a baseball field the Little League uses.

Building Usage/Driveway:

Mr. Rich Barnhart questioned if the building is two (2) stories and if there is anything on the second floor? Mrs. Jenkins stated it is a rental apartment with one bedroom and it is legal helpful financially. Mr. Barnhart stated immediately adjacent to your property, there is a contractor or somebody with trucks and equipment. Do you have a common driveway with him? Mrs. Jenkins stated there is no common driveway and can be closed off. I own right across from there but I let him use it because of the opening and one of the reasons why I have to do pavement repair. Mr. Reid questioned would you own the rental company yourself and one entity? Mrs. Jenkins stated yes, that is correct. Right now, the deli and the apartment. The business itself is owned by my corporation. Mr. Reid questioned if there would be another company running the rental business? Mrs. Jenkins stated no.

Further Discussion on Size and Equipment:

Mr. Reid questioned how many pieces of rental equipment and how large would this be? Mrs. Jenkins stated nothing big. Skid steer would probably be the biggest piece of equipment. Mr. Reid questioned Mrs. Jenkins if she spoke with the Building Department. Mrs. Jenkins stated that the Building Department keeps telling her to speak with the Planning Board. Mr. Reid requested Mrs. Jenkins provide a proposed inventory. Mrs. Jenkins stated yes.

Mr. Patella questioned if you are looking to get out of the food service industry and if you good with equipment rental only? Mrs. Jenkins stated yes, we are good with equipment rental only. Mr. Patella questioned you are not interested in maintaining it as a food service business? Mrs. Jenkins stated no because it would be too much for me.

Septic and Equipment Storage:

Location of the septic system and the well is out back in the field. Mr. Szarowski questioned if it is directly behind the building near where the equipment would be stored? Mrs. Jenkins stated it would probably be stored in the parking area to the right of the building when looking from the front. There is parking in the front.

Driveway Clarification:

Mr. Barnhart clarified location of driveway based on the map. The map shows a driveway that goes left into the neighbor's property. Mrs. Jenkins stated that is the neighbor's property and I can block it so no one can enter from my property. Mr. Barnhart questioned if there is a formalized driveway agreement with the neighbor? Mrs. Jenkins stated there is no agreement at all. The neighbors were upset when Mrs. Jenkins removed the bushes on her side of the driveway entrance.

Sign and Lighting:

Mr. Tom Tango questioned if there will be a new sign and lighting? Mrs. Jenkins stated it would stay the same except the lettering would change.

Ms. Bonnie Franson's Review:

Proof of Ownership:

Ms. Franson requested Mrs. Jenkins to provide evidence of ownership for the Cuisine LLC Corporation.

Zoning District:

The property is in the R-AG 2 Zoning District, so you are in that zone. Your property is next to a property that is in a State Agricultural District and there is a form that is required when you propose something next to an AG District. The Building Department Field Report comes from the Building Inspector, and he will tell the Board where this use fits within the Zoning District.

Ms. Bonnie Franson recommended a review of the zoning that shows neighborhood stores and allows apartments. There is a definition in the back of the zoning which says what a neighborhood store is to discuss with the Building Inspector. There is a section called Retail Business or Services Not Otherwise Specified, and there is a whole set of uses that are allowed in these R-Ag Zoning Districts, but it is subject to Planning Board approval and must be appropriate for that particular Zoning District. See memo for list of uses that are allowed and see similar uses towards end of document. It is possible the Building Inspector could say your tool rental is similar to one from the list.

Note GML Review with County:

I am not sure if we filed the changed GML. The county does a review depending on the type of application and this may have to go to the county and needs to be noted.

Deed:

Mrs. Jenkins stated she provided the Deed. Need to make sure Ms. Franson has a copy.

Survey:

The survey of the property submitted was done back in February.

Required Site Plan Details:

The Planning Board will determine how much you need to submit regarding the following.

- Landscaping
- Outdoor Storage
- Septic and Well Locations

Environmental Review Process:

In terms of the environmental review process, if you are really reoccupying just the building, you may not have to fill out a particular form and may be exempt. If you are doing a lot more on the site, it may be that you do have to fill it out.

Age of Building and Pre-Existing Zoning:

The building has been there since at least the 1950's. Mr. Hoyt stated chances are it pre-dated zoning. Zoning started in the late 60's, early 70's. The side yard setback of 21 feet does not meet current code, which is 30 feet. If it pre-exists, the Town will let it go, but not if it was done in contravention of zoning when it was built.

Deli Permit:

Mr. Hoyt questioned if there is a deli permit? There is a chance our archives from the 90's may show something. We should look at that internally.

Deli Name:

Mr. Rich Hoyt questioned if it was called Borderline Deli 30 years ago? Mrs. Jenkins stated she did not change the name, and the deli changed hands a couple of times. It was leased out, but it always went back to the Borderline Deli. Before the Borderline, it was Dew Drop Inn and Tommy's Tavern. Pictures of them being bars are posted in the deli. Mr. Hoyt questioned if those names are on record and do you think it became Borderline Deli roughly 30 years ago? Mrs. Jenkins stated yes.

Fence:

The neighbor's chain-link fence cuts a corner of the applicant's property and Mrs. Jenkin's bushes cut a corner of the neighbor's property, and both owners agreed to keep it that way. There are remains of a shed on the other side, and it is over by a couple of feet. Mr. Hoyt stated I think we should look back and see if we have archival material on this property with the names that were provided. We are looking for the 21-foot setback if the building pre-dated zoning. Ms. Franson pointed out the zone for this area, which is residential, does allow some flexibility.

Small Businesses:

Mr. Hoyt stated the town is looking to promote small business and believes it is in our Town's Comprehensive Plan. We try to work with small businesses as they transition. Mr. Calaca of the Building Department would have to tell us, tool rental and delis are close enough to be considered not a change of use, or it will rule otherwise. Tool rental implies outdoor storage, so a new submittal will show an area for that. Mrs. Jenkins would like to have retail.

Previous Owners:

Deb Saft and John Saft from Saft Electric were the previous owners. Ms. Franson stated the information on the web is showing that this was built in 1986 and maybe improvements were done. Mrs. Jenkins stated yes and believes that is when Deb Saft started the deli. Since Mr. Calaca requested Mrs. Jenkins to attend the Planning Board we will ask him to rule on the issue.

Eagles Roost – Multi-Family Development – (Applicant No.: 2025-07):
Property Owner: Lewis Donnelly, SBL: 106.004-1-6.200, 25.797+/- acres,
Zoning: (H-1) District, Borden Home Farm Historic Overlay (BH-O), portion
of the Aquifer Overlay District (AQ-O), Wallkill Fire District, Wallkill School
District

Entered Into Record:

- **Final Scope for Draft Environmental Impact Statement (DEIS) from Ms. Bonnie Franson, AICP, PP, dated October 4, 2022**
- **Eagle Roost Site Plan and Previously Approved Titus Subdivision – Prior Plan from Ms. Bonnie Franson, AICP, PP**
- **Memo dated September 2nd, 2025 from Ms. Bonnie Franson, AICP CEP, PP – Eagles Roost Site Plan and Special Use Permit – Preliminary Comments**
- **Memo dated September 2nd, 2025 from Mr. Patrick J. Hines, MHE Engineering, D.P.C. and Mr. Michael Weeks, P.E. Principal regarding Preliminary Comments**

Eagles Roost Project Review:

For the record, Mr. Ross Winglovitz, Engineering and Surveying Properties is here with Mr. Lou Donnelly, Property Owner and Applicant, and Mr. John Capello, Counsel at J&G Law.

Mr. Barnhart stated that Mr. Donnelly has been here before us with a version of Eagles Roost. Currently, there are new members on the Planning Board since the last time Mr. Donnelly appeared. Mr. Barnhart suggested an overview for the new members to bring them up to speed. Mr. Winglovitz stated the project back in 2022 was six (6) long buildings with parking areas with access from 3rd Street, Buena Vista, 2nd Street, the Boulevard, and the Senior Center.

Mr. Winglovitz stated at that time, there was a connection to the 2nd Street extension, a dead-end road in the back, and a Boulevard entrance to Buena Vista Drive. The Planning Board had reviewed and a SEQRA determination of a Positive Declaration. Also, there was a Scope that was adopted. Mr. Donnelly decided not to proceed, and several years later, he has brought it back to the Planning Board. Mr. Capello and Mr. Winglovitz took a look at the property to get an idea on how to help improve the layout that was proposed.

Layout:

We have eight (8) buildings, slightly smaller, and there are three (3) stories. Twelve (12) units per building, and a mix of one and two bedrooms. Ms. Franson correctly pointed out the density calculation. We will do a mix of maybe one (1) or two (2) bedrooms so that we can meet the net area once we verify the net area calculations. Mr. Donnelly and I did an update on the mix but we are looking for to have 96 units because it works well with these building layouts, twelve (12) units per building, central hall, 4-4-4.

Garages:

Mr. Donnelly would also like to add garages that are marketable and are desirable for many of the tenants. We have added four (4) garage buildings, one next to each pod of apartments.

Fire Access:

The long dead-end road that was problematic and reduced because of fire codes. It was a big fire access road that had to be constructed through the buffer disturbance area. With

the shortened access, we no longer have that issue and the primary access on 3rd Street, which will be the only full-service access, a through road, and emergency access to Buena Vista. The dead-end would come right up to the houses, and it would be best to use the entrance that was developed as part of the senior project to have direct access from 3rd Street directly out as opposed to coming out to Buena Vista where there is a lot more traffic movement, stops, and noise. Overall, this will be better for the neighborhood.

Landscape and Drainage:

Mr. Winglovitz stated they have maintained a large landscape buffer that was always present behind the residences. Proper drainage will be shown in the development and will also show proper drainage regarding neighbors due to everything from Buena Vista slopes downward into the site. The gray areas are the DEC state wetlands.

Wetlands Regulations:

See Ms. Franson's memo regarding new Wetland Regulations. Mr. Winglovitz stated the size and regulations of the wetlands have been entirely regulated and will not change. I spoke with Mr. Mike Fraatz from DEC, and he requested the map be sent back and to be re-signed under the new regulations.

Layout Review:

Mr. Widmark questioned how many units were in the original layout? Mr. Winglovitz stated ninety-three (93) plus one caretaker. It is a formula based on one and two bedrooms. Two-bedroom apartment is 1,000 square feet and garages are about 14 square feet; the size of a one car garage.

Owners:

Mr. Ryan Reid questioned if the new owners are the Lauren Investment? Mr. Winglovitz stated yes. Mr. Reid questioned Mr. Donnelly if he is associated with Lauren Investment? Mr. Donnelly stated yes, and I will provide you with something that I have represented to the group.

Public Water and Sewer:

The Water and Sewer District would be provided by Water and Sewer from the Town. There are concerns if anyone has reached out to the Town to see if 94 units would be quite substantial for the water. Mr. Winglovitz stated we will have to look into it as this went through part of the process three years ago. A water and sewer report, that documents the water and sewer capacity, to the Town can adequately service the property needs to be reviewed. It did have preliminary approval for thirty-two (32) four (4) bedroom homes. The sewer is no longer connected under the railroad. It will pump to 3rd Street pumping station, unsure of capacity. Review Final Scope for capacity.

Sprinkler System:

Mr. Barnhart stated a three (3) story building, under the New York State Code, is going to require Standpipe Sprinkler System. Do you think there is going to be sufficient water capacity to pump to a three-story building? Mr. Winglovitz stated we are probably at one of the lowest points in the water system at an elevation of 470. An analysis will need to be done and if there are any issues, we would have to provide fire pumps. Mr. Barnhart stated when we get to the Public Hearing, it will be important to have the Fire Chief come in and speak to us as there are a number of concerns to address and discuss. We will also have to reach out to the community emergency services and document those conversations. See MHE memo dated September 2, 2025 from Mr. Pat Hines regarding Comment Number One (1) about the fire code Appendix D, aerial apparatus access. Mr. Winglovitz stated at three (3) stories, we would be at 30'. They

have not been fully developed yet and each one has been designed with an aerial apparatus access road compliant in front of them and we have met all the fire codes. One of the benefits of shortening this up is we reduce that length, and that helps us comply with the fire code.

Garages, Parking and EV Spaces, Storage:

Garages are completely separate rentals and are strictly for the occupants. Mr. Patella questioned without the garages; your parking spaces meet the necessary requirements. Mr. Winglovitz stated yes and we meet the codes. We have 180 spaces, and we need 96. Guest Parking will be labeled and spread-out. Rail Trail and the Dog Park (for residents use only) parking will be for residents only. We will have an additional 40 without the garage.

Mr. Tango questioned if there are any provisions or plans for EV charging? Will there be storage for EV charging? Mr. Winglovitz stated he does not know if Mr. Donnelly thought about it, but they are applied to a lot of projects. Mr. Tango stated when this is presented to the Ulster County Planning Board, they are going to ask about EV storage and electric transportation, like scooter storage and or fire provision. They will ask in detail about source separation and if there are adequate provisions for storing recyclables until pickup. The county will not want to see any missed pick-ups due to parking and not enough room. Mr. Winglovitz showed new dumpster location, and it is easy front load access for these two buildings. Mr. Tango stated to give some thought for storage for items like scooters that are very popular now. Mr. Donnelly stated that it could be put on as a provision in the lease.

Elevators:

There are no elevators proposed for any of the buildings. The codes limit the square footage of the footprint of the building because we are in the Borden Overlay, Historic Overlay District. It would also be more of motel environment with elevators and would have a design showing a main corridor, not a hallway.

Scope:

From the Rail Trail you would see the back of the buildings. There will be cross-sections and visual renderings to see what it will look like from the Rail Trail. Mr. Szarowski questioned if we need to reopen the Scoping Document? This board adopted a 29-Page Scope in October of 2022, after a fairly long review. Mr. Hoyt questioned if we had a Scoping Session with the neighbors for early engagement? There was a Scoping Public Hearing. To keep cost down, use previous scope to make updates. Mr. Winglovitz stated impacts are less because of less impervious areas and disturbance, and more units.

Traffic:

Traffic onto Buena Vista and Third Street is potentially significant in the early morning and expressed by the Public three (3) years ago. With the middle school there and when school is in session, that is your main entrance and exit. Scope will be updated and submitted back to the Planning Board for further review and determination on substantiality. The Public is still going to have the opportunity to review the Draft Environmental Impact Statement (DEIS) when it is complete. The prior scope had a full traffic report that was required. This scope will require a full traffic report. The intersections will probably be the same. The counts on Third Street will be a bit different, but there will still be a full traffic report. There is no current traffic report. Look at Final Scope regarding Traffic Report Data Collection (Page 16).

Lead Agency was declared on February 1, 2022, Positive Declaration on June 7, 2022, and Scoping Session between June and the adoption of the scope in October 2022. The 29-Page Scoping outline will cover virtually all of the issues that we would cover if we went through it again.

Neighbors' Concerns:

Ms. Bonnie Franson stated neighbors are concerned about the traffic, berms and the wetlands because their backyards get wet, and they were concerned about the berm damming up water and affecting drainage. There will be a large stormwater basin and leaving empty space green. The Maintenance Facility will be on the property. One of the plan iterations did have a Maintenance Building.

Building Sizes and Architecture:

The building size in Eagle Roost is 4,828 square feet. The Applicant represents that the buildings in the Hamlet are larger in length size and are two stories. Eagles Roost original plan was to have both two (2) and three (3) story buildings with seniors on the first floor. There might an error on the original map having a mix of two (2) and three (3) story buildings. The apartment sizes are 805 square feet to 1,100 square feet. There is no awareness on rent control and there is no financing on tax credits - market rates. There will be laundry facilities in each apartment or common. Any work being done on the property will be brought up at the Public Hearing.

Field Survey:

Field Survey was done by MNTM in 2021 or 2022. If there was any grading a topographic survey would be done. Wetlands were validated in 2022 and are good until 2027. The topography does not change. Everything was eliminated in the wetlands buffer disturbance. Mr. Brian Drumm of the NYSDEC signed the wetland delineation boundary plan in 2022.

Emergency Response:

Fire Department did not respond back to any emails or letters regarding turnaround for emergency vehicles. Applicant will try again and reiterate they have shortened the length on the dead end, and it is an approved fire apparatus turnaround. Emergency access route is gated. One-access is proposed for ingress and egress (not needed by fire code) and the other is proposed to be used for emergency only.

Sidewalks:

There are side-walks for the pedestrians that connect to Buena Vista Avenue.

Scope Discussions:

There are alternatives in the Scope documents to look at and can be updated if necessary. An alternative may be to look at two options: a full-service access or one full-service. The road looped all the way back to Third Street over the wetlands and was an alternative. Traffic studies are needed to get the answers and changes need to be made to the plan.

Building Location Change – Old Plan vs. New Plan:

The Plan from 2022 shows parking where the garages are now and where the seniors were going to be from an older layout. The current layout has a few parking spots, dumpsters, and the berm. The three (3) story building was against the property line on the old layout and was not liked so it was reduced to two (2) stories and moved. The same distance was kept away from that rear property line. The building moved farther down the hill 12 feet. The apartments were where the parking lot is now. There were also concerns about the houses on Buena Vista looking at three (3) story buildings from backyards. They would be

at the elevation of the roof top of the building. Between the berm and the actual elevation difference.

Site Visit:

The Planning Board Members were advised to take a ride to 3rd Street, and walk through that neighborhood. Unsure if hay was going to be clipped down and lots of ticks and brush and to be careful.

Authorization:

The original packet does not have an authorization sign-off. The applicant is Mr. Donnelly but the property owner has changed.

DISCUSSIONS:

Harrier Ridge Estates – Mako Homes – Lot Subdivisions (Applicant No. 2023-09) – 7-Lot Subdivision:

SBL: 106.1-3-29.421, Address: Dubois & Malloy Road, 26.5 Acres, Property Class: Abandoned Ag-2, Zoning District: R-Ag 4, Wallkill Central School District, Wallkill Fire District.

Entered into Record:

Letter dated September 2, 2025 from Superintendent of Highway, Mr. Rich Blazeski regarding Bond Estimate for Harrier Ridge Estates.

Harrier Ridge Estates Bond Estimate Review:

The Planning Board has to recommend a bond estimate to the Town Board on Thursday. The Highway Superintendent, Mr. Rich Blazeski, reviewed and revised the bond figure. On Page 1, under Number 1 - Street Section, Mr. Blazeski requested MNTM remove the Pavement-Binder – 3" line, in the amount of \$81,600 as that has now been installed. The new total is \$175,900. The Town Board does not need to collect another \$18,000 in Escrow unless they want to or need to.

A motion was made by Ryan Reid, seconded by John Szarowski to move forward with the Road Bond Estimate for Harrier Ridge Estates in the amount of \$175,900 Inspection Escrow up to \$17,900. Vote: All Ayes: 7, Abstain: 0, Absent: 0

Name Suggestions for New Road/Cul-de-sac:

Raptor Court, Harrier Circle. Harrier Court, Raptor Roost, Bull Eagles, Lasouska, Applejack, Raptor Ridge Lane, Harrier Circle, Locking Boulevard, Apple Ridge, Sawyer Lane, Sawyer Circle, Walker Valley, Harrier Circus, Hudsonian, Circus Lane, Harrier Ridge Court, Harrier Crest Road, Raptor Crest, Harrier Hill, Harrier Ridge, Harrier Ridge Estates, Harrier Ridge Lane, Harrier Ridge Circle, Harrier Ridge Lane, Road or Circle, and Harrier Hill Road.

Mr. Barnhart requested a note to be added to the maps regarding snow storage in the cul-de-sac, but we are waiting on dimensions. There are 18 plans already with Ulster County with the snow storage. The memo states the placement of snow on Lots 3 (25%) and Lot 4 (75%) for Mr. Larry Marshall to update the final maps with the Snow Easement and provide them to the Planning Board.

**Hufcut / Boniface, Burlingham Road, Two Lot Proposed Subdivision
(Applicant No.: 2025-07):**

SBL: 104.4-3-18 (21.16 acres), Address: Jason Boniface, Burlingham Road, Pine Bush School District, Walker Valley Fire (FD176), 2-Lot proposed subdivision project.

The Boniface Two-Lot Subdivision was approved after they received variances to have two flag lots. One of the conditions was a common driveway agreement because there were two pre-existing houses on one of those two stems that used that stem. Mr. Larry Marshall was asked for a three-way agreement so everyone can agree on who is taking care of what. Two weeks ago, Mr. Hoyt was told those two neighbors refused to sign anything. This was a condition of approval and unless the condition is met, Mr. Barnhart cannot sign the map.

The lender, if there is a mortgage, is going to want a common driveway and will want Boniface to be 100 percent responsible and does not care if it is fair or not. The common driveway agreement is really for the benefit of Boniface because it can impose any of the maintenance charges and file a lien pursuant to their agreement. At this point, they are right of ways from a Town perspective.

The agreement states the cost of the maintenance shall be shared equally. The neighbors are upset with what he is doing on the property, but they are using his property to get ingress and egress to their property. Most likely it is Zach Hufcut's tree service business with a trailer, excavator with a big saw, a chipper/grinder, and a bucket truck.

Request the agreement be emailed to the Planning Board. Part of the agreement states the cost of all common improvement and maintenance upon said driveway shall be shared equally as here and set forth. The agreement can be changed to state (name of owner) would maintain 100% of the responsibility.

This is coming off of the right of way that shows up on Ulster County, and 10439 and 104311 both have houses on them owned by Mr. Antonio and Mrs. Yolanda Saloman, and Ms. Anne B. Gasek). They are landlocked and there is no easement for them that was seen on the map. Rarely do you see a landlocked piece of property without a note being on the map or especially with a house on it. It may be an informal right to go to the property.

Suggest you go back to Mr. Larry Marshall and have Mr. Boniface pay for the driveway maintenance 100% to see if they will change their mind and sign the agreement. This was a single lot that was subdivided for a second house but is running a tree service company. There were two (2) stems on one lot and now there is a stem for each lot.

Escrow Accounts:

We have old escrow accounts that have not been active for years with funds. We also have highway road opening bonds that will need to be addressed, but for now, we need to address closing out old escrow accounts. These are either projects that are closed, inactive, or pending applications that we may have been owed revised plans that we never received, but they are still technically pending.

Mary Ann Longano, Secretary to Highway and Planning will provide a list of the applications identifying funds and status of project. Find out how long has it been since we heard from the applicant. If a project has not been approved, or the applicant has disappeared for two years, the escrow should be returned with a letter stating the

application has been abandoned and your funds are being returned. If you wish to continue, you will need to renew your application.

Should the developer be given notice about the escrow balance? They may write back to let us know the project has not been abandoned so they do not lose whatever little ground they may have gained ten years ago. A letter can be written that states your application has been dormant for three years, unless you respond to us within so many days, your check will be returned and the application will be terminated, assumed to be abandoned. If they do not respond after a number of days, you are done.

The state statute gives you three opportunities, approve, approve with modifications, or deny. Unfortunately, abandonment is not a fourth reason to terminate review. Instead, we can state your application has been denied, not on the merits, but because we have not heard from you in so years.

The first step will be to get the list from Mary Ann, and the Planning Board can recommend who the letter goes to. Part of the process is also to find out who posted the money due to a change in the project or the property was sold. We need to make sure checks are being sent out to the right person or entity to avoid any issues and also a timeframe on the notice will be important.

CORRESPONDENCE:

Next Regular Meeting to be held on **October 7, 2025**
Deadline for submission is **Friday, September 12, 2025** at noon.

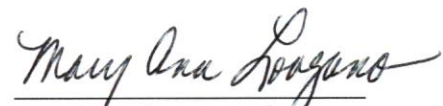
This Agenda is subject to change

The November meeting will take place on **Wednesday, November 5th, 2025** due to Election Day on Tuesday.

ADJOURN MEETING:

A motion was made by Tom Tango, seconded by John Leonette to adjourn meeting. Vote: All Ayes: 7, Abstain: 0, Absent: 0

Respectfully submitted,


Mary Ann Longano, Secretary