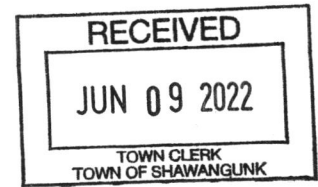


Minutes of a Regular Meeting held by the Planning Board of the Town of Shawangunk, County of Ulster, State of New York, at the Town Office Building, 14 Central Avenue, Wallkill, New York, on the 3rd day of May, 2022.

Those present were: Mark Watkins, Chair
Patricia Turner
Todd Widmark
Richard Barnhart, Vice Chair
Sal Patella
John Szarowski
Vacancy



Absent: None. Also, present were Richard Hoyt, Esq., Bonnie Franson, AICP CEP, PP., Supervisor John Valk, Jr., Councilman Alex Danon 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 April 5, 2022

A motion was made by Todd Widmark, seconded by John Szarowski to approve the April 5, 2022. Vote: All Ayes. Absent: None. One Vacancy: Abstain: None.

PUBLIC HEARING:

Albert and Kim Dodd (99.2-1-38) Proposed Two Lot Subdivision of 7.266+/-acres located at 2680 New Prospect Road in the R-AG2 District in the Pine Bush Central School District. Please see Public Hearing Minutes.

CONTINUATION PUBLIC HEARINGS:

Magruder Solar, LLC:(107.3-1-1.100 (access) & 107.3-1-3.110 (site) Proposed Large Scale Solar Energy System at 643 Plains Road on 54+/-acres (20 acres of panels) located in the RAG-2 District, Aquifer Overlay District and Wallkill Central School District. Please see Public Hearing Minutes.

Mako Homes:(106.1-3-31) Proposed 8 Lot Cluster Subdivision of 32.4+/-acre parcel located on Malloy Road and Albany Post Road in R-AG4 District in Wallkill Central School District. Please see Public Hearing Minutes.

FORMAL SITE PLAN REVIEW:

Bona Ventura, LLC:(106.49-1-20) Proposed Hardware Store to be located at 4 Bona Ventura Ave., in the Small Business District and Wallkill Central School District. Michael Beck and Joseph Russek were present before the Board.

The following items were entered into record: Letter dated April 14, 2022 from 4 Bona Ventura Avenue (Michael Beck / Joseph Russek) and Survey for 4 Bona Ventura Wallkill LLC dated 1/31/2022 and revised Site Plan for 4 Bona Ventura Wallkill LLC dated 4/19/2022.

Mr. Russek said letter dated 4/14/22 to the Board we addressed 11-points and read it into record and added they provided a survey to the Board; and there are 3-4 trees between their property and Millspaugh and spoke with Millspaugh about taking the 3-4 trees down to improve site distance and Millspaugh was in agreement.

Bona Ventura, LLC cont.

Mr. Watkins said he drove to Kingston and hand delivered the Ulster County Planning Board (UCPB) GML submission on Friday, April 29, 2022; for UCPB to review this as a reuse of a building.

Mr. Watkins asked where will the outside area be for display?

Mr. Russek said in front of the garage doors.

Mr. Watkins said that is not noted on the site plan just submitted.

Ms. Turner said to add that the parking widths are also not on the site plan and asked where the employee parking will be?

Mr. Russek said the gravel section noted on the plan is where employee will park and they would walk up the road.

Ms. Turner asked if there will be a pedestrian walkway the employees will walk up and requested the grade be checked?

Mr. Watkins asked if there were any sidewalks?

Mr. Russek said yes located on NYS Route 208 and Bona Ventura Avenue and we will have plenty of signage.

Mr. Barnhart asked if there was any paving proposed?

Mr. Russek said yes, all of it will be paved except the gravel areas.

Ms. Turner asked if there will be shopping carts and the outdoor storage needs to be shown.

Mr. Beck said the store staff will carry out to the cars; no carts.

Mr. Patella asked will patrons be able to pull upfront for loading?

Mr. Beck said yes, and the staff will bring the items out.

Ms. Franson said the scale on the Site Plan is not accurate; we need to get a Site Plan with the correct scale to check dimensions.

Mr. Watkins said his concerns are about safety of the patrons; asked if the trees at the lower end of the property will be removed and suggested they design a spot for loading/unloading. He said typically the Town planning office should receive the UCPB comments near the middle of the month and we will circulate them as soon as they are received.

Mr. Patella asked if the truck route could be utilized for loading / unloading for patrons as well? He suggested the parking spaces be angled.

Mr. Russek said cars come out farther with angled parking spaces.

Ms. Franson said the width of road narrows if the parking spaces are angled.

Mr. Szarowski asked if there is an encroachment by the adjacent property?

Bona Ventura, LLC cont.

Mr. Russek said yes, our property line is 1” inch off the building at the retaining wall at the bottom; we are trying to be neighborly.

Mr. Szarowski said the encroachment should be addressed; angle parking would help and grading issues are not addressed.

Ms. Franson said to recap the comments of discussion tonight, the scale on the plans needs to be corrected; cars backing out is an issue, will there be landscaping, the gravel drive will need to be maintained due to the grade of the property and could get washed out. She asked if the dumpster will face out to NYS Route 208; if so, she suggested wooden doors.

Mr. Russek said we could move the dumpster to the back of the building; a wooden enclosure can be added with a black barn door and we will lay it out with the truck route.

Mr. Hoyt recommended adding the word “existing” on the map at the zoning legend where code deficiencies are noted.

Mr. Watkins asked the Board if there were any other questions or comments? There were none.

Mr. Watkins said we will be waiting on the GML comments from UCPB and circulate them when received.

Deadline for the June 7, 2022 meeting is Thursday, May 19th at noon.

APPEARANCES:

James Boniface / Edward & Barbara Boniface:(104.57-1-24 / 104.4-2-24.100) Extension request for Conditional Final Approval conditions for Approved Lot line Change Subdivision on Burlingham Road / 31 Howe Ln pvt, located in the RAG-2 District / PBCSD. Margaret Hillriegel, LS was present before the Board.

The following items were entered into record: Extension letter dated April 12, 2022 from Margaret Hillriegel, LS.

Mr. Watkins said he conducted a site visit; and found the private lane was moved but not in the center of the right-of-way. The applicant has nearly completed the conditions of approval and has asked for this second extension for Conditional Final Approval in order to finalize the Schedule A Conditions of approval, legal documents and the signing of the final maps and legal documents for filing in Kingston.

Mr. Watkins said the Board can only grant a 90-day extension for Conditional Final Approval; Tuesday, July 5, 2022 is 63-days; August 2, 2022 is 91-days to Planning Board meeting. An extension of 63-days can be granted to Tuesday, July 5, 2022 with the additional legal language for extension.

The Board discussed the extension and agreed to extend to Tuesday, July 5, 2022 Planning Board meeting and to include the required standard language and legal language added with the addition that it is not the responsibility of the Town to notify owners and/or applicants of extension deadlines for projects.

The deadline for submission for the Tuesday, July 5, 2022 meeting; if needed, is Thursday, June 16, 2022 at noon.

Boniface cont.

A motion was made by Richard Barnhart, seconded by Todd Widmark to grant a 63-day extension to Tuesday, July 5, 2022 for Conditional Final Approval for Lands of Barbara and James Boniface Lot Line Adjustment subject to all conditions noted in the Filed Subdivision Plat Approval Resolution for Lot Line Adjustment granted by the Planning Board on September 7, 2021 with Schedule A – Conditions for Final Subdivision Plat Approval 1 through 11. Vote: Sal Patella, aye, Richard Barnhart, aye, Todd Widmark, aye, Patricia Turner, aye, John Szarowski, aye, Mark Watkins, aye. Vote: All Ayes. Absent: None. One Vacancy: Abstain: None.

DISCUSSIONS:

Lewis Donnelly:(106.004-1-6.200) Lead Agency confirmation and Board discussion of a potential Positive Declaration for proposed Special Use with Site Plan for multi-family development plan on 25.797+/-acres with municipal water - sewer, located in the Hamlet (H-1) District, Borden Home Farm Historic Overlay (BH-O), portion of Aquifer Overlay District (AQ-O) and Wallkill Central School District. Lewis Donnelly and Zachary Peters, PE., were present before the Board.

The following items were entered into record: NYSDEC Wetland Validation Map for Lands of Lewis J. Donnelly signed by DEC Staff Brian Drumm on 4/4/2022 valid until 4/4/2027.

Mr. Donnelly said that the plan is being revised. The plan is eliminating the senior housing building and replacing it with up to two smaller multifamily buildings behind the Buena Vista Avenue existing residences; the rest of the buildings will be three (3) story on site and the number of multifamily dwelling units is also being reduced.

Ms. Franson asked if the plan is being changed because of the balloon study?

Mr. Donnelly said he realized how close the senior building is and the height of the building relative to the property owners to the north.

Mr. Donnelly asked the Board not to require a Draft Environmental Impact Statement (DEIS), he believes that traffic is the only impact and there were other studies done that can be provided.

Ms. Franson asked for a table of comparisons for the impact; as the amount of traffic is not the same for the current multifamily proposals compared with the Titus conditional final approval of the 31-lot cluster subdivision.

Ms. Turner asked for bedroom count be part of the table of comparisons as well.

Mr. Peters said they can update the studies without the Board requiring a DEIS; parking will also be reduced with the revised plan and he will provide the comparison table.

A lengthy discussion was held on the as-of-right unit count, number of units per building, elevators / no elevators and while the revisions were discussed, a revised concept plan has not been submitted to the Planning Board.

Mr. Patella said elevators need to be incorporated into these buildings.

Mr. Barnhart said the Town is in need of senior housing; it's a community need, he is less enthusiastic of the plan without it.

Mr. Donnelly said I am trying to build something that will service the community; and asked the Board to tell him what they want.

Ms. Turner said it is not the Planning Board's responsibility to tell you what to build.

Donnelly cont.

Mr. Hoyt suggested the Board wait until the applicant submits a revised concept plan and the unit count calculations can be checked.

Ms. Franson asked what progress has been made with the NYSDEC for the Donnelly project submission? The Board has received an updated NYSDEC Wetlands revalidation. A new NYSDEC Permit(s) will be needed as the multifamily development application is new, and different from the Lee Titus 31-lot Cluster Subdivision for single family homes.

Mr. Donnelly indicated that the NYSDEC has expressed that it is willing to allow the proposed encroachments into the wetland buffer. It was noted that it would be useful to receive something in writing like an email.

A motion was made by Todd Widmark, seconded by Richard Barnhart to confirm Lead Agency status for all aspects of this project for Lands of Lewis Donnelly SBL: 106.004 – 1 – 6.200. Vote: All Ayes. Absent: None. One Vacancy: Abstain: None.

The applicant was advised the June 7, 2022 Planning Board meeting dead line for submission is Thursday May 19, 2022 at noon.

David DiBlanca, 20 Buena Vista Avenue, asked if he could speak to the Board and understood this isn't a public hearing.

Mr. Watkins said yes, the Board will listen.

Mr. DiBlanca said he saw the balloons and the prior three (3) story senior building would be his back yard view. He is extremely concerned of what will be the accessways to/from this project and the amount of increased traffic it will generate. Will they be using the Third Street access or Buena Vista Avenue access? If it is Buena Vista Avenue, he and many of his neighbors will be greatly impacted by the traffic. He said yes, traffic study is a must; noise, light pollution, low-income housing. He said single family housing and senior housing would have been fine as seniors generally don't travel too much.

Mr. Barnhart asked do you experience a lot of traffic from Elsie's Meadow senior housing?

Mr. DiBlanca said no he doesn't have traffic issues from Elsie's Meadow; and thank the Board for allowing an opportunity to speak to them.

The application remains incomplete.

Introductory Local Law # 4 of 2022 entitled: Route 52 Business Corridor ("52BC") and Small Business (SB) Extension.

The Board discussed Introductory Local Law No. 4 of 2022.

Mr. Hoyt recommended the following changes:

- Located on page 6 - #2 (7) second sentence; add the word "dwellings" it needs to be added after "detached";
- Located on page 6 - #4 second sentence; change the word "replace" to "modify";
- Located on page 7 - #5 second line to change the word definition to definitions.

Regular Minutes
Page Six
May 3, 2022

Intro LL # 4 of 2022 cont.

The Planning Board recommends and supports Local Law No. 4 of 2022 with the Town Attorney's changes.

A motion was made by Richard Barnhart, seconded by Todd Widmark to the Town Board for acceptance of Introductory Local Law No. 4 of 2022: Route 52 Business Corridor (52BC) and Small Business (SB) Extension. Vote: All Ayes. Absent: None. One Vacancy. Abstain: None.

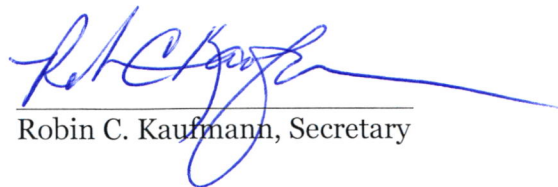
CORRESPONDENCE: There were no new correspondence.

Next Regular Meeting to be held on **"Tuesday", June 7, 2022**

Dead line for submission is **"Thursday" May 19, 2022** at noon.

ADJOURNMENT: A motion was made to adjourn the meeting by Richard Barnhart, seconded by Todd Widmark. Vote: All Ayes. Absent: None. One Vacancy: Abstain: None. The meeting was adjourned at 9:52 pm.

Respectfully submitted,



Robin C. Kaufmann, Secretary

Minutes of a Public Hearing 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 3rd day of May, 2022 for Two Lot Subdivision for application of "Albert and Kim Dodd".

Those present were: Mark Watkins, Chair
John Szarowski
Patricia Turner
Todd Widmark
Richard Barnhart, Vice Chair
Sal Patella
Vacancy

Absent: None. Also, present Richard Hoyt, Esq., Bonnie Franson, AICP CEP and please see sign-in sheet.

Albert and Kim Dodd (99.2-1-38) Proposed Two Lot Subdivision of 7.266+/-acres located at 2680 New Prospect Road in the R-AG2 District in the Pine Bush Central School District. Kim Dodd, Kelly (Dodd) & Charles (CJ) Watson and Margaret Hillriegel, LS were present before the Board.

The following items were entered into record: April 14, 2022 email from Margaret Hillriegel, LS with attached blank driveway agreement with metes and bounds description; 2 Lot Subdivision for Lands of Albert F. Dodd and Kim E. Dodd Sheet 1 last revised 4/11/22 / Sheet 2 dated August 15, 2021, Draft Town of Shawangunk Planning Board SEQRA Negative Declaration dated May 3, 2022, Draft Town of Shawangunk Planning Board Final Minor Subdivision Plat Approval Resolution page 1-4 dated May 3, 2022 and filed Zoning Board of Appeals December 15, 2021 Minutes.

Ms. Hillriegel discussed the project and said a non-response from the Army Corp of Engineer's (ACOE) was received.

Mr. Patella said the pipes shown on the plan don't reflect the Town Engineer's April 4, 2022 comments; and read "the recommendation that the culvert size (diameter) be included on the plan and that the culvert type be changed from CMP to HDPE (ADS N-12 or equivalent).

Ms. Hillriegel response I didn't get that and was not aware.

Mr. Hoyt asked how are the utilities getting to the new dwelling? He said the driveway maintenance agreement needs to add utilities if they are to follow the driveway.

Mr. Watkins said we will keep the Public Hearing open for one (1) hour for additional comments.

After one hour, Mr. Watkins asked if there were any additional comments from the audience or the Board. There were none.

Mr. Watkins asked Ms. Franson to read into record the Shawangunk Planning Board SEQRA Negative Declaration pages 1-4 dated May 3, 2022.

Ms. Franson read the SEQRA Negative Declaration into record.

Mr. Watkins said he was not comfortable with the applicant's driveway drawing as submitted; it is not stamped by an engineer and in his opinion is not designed, with just fabric, to uphold heavy trucks; and noted that the first concrete truck; he believes there will be a problem.

The Board discussed the SEQRA Negative Declaration. The Board requested the Town Engineer's April 4, 2022 comments for the culvert be added and it was confirmed that only Lot 2 only has Flood Plain; the Board was in agreement as per the corrections discussed.