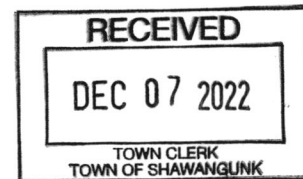


Minutes of a Regular Meeting held by the Planning Board of the Town of Shawangunk, County of Ulster, State of New York, at the Town Office Building, 14 Central Avenue, Wallkill, New York, on the 1<sup>ST</sup> day of November, 2022.

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



Absent: Richard Barnhart. Also, present were Councilman Alex Danon, Bonnie Franson, AICP CEP, PP., Robert Wallner, Building Inspector / CEO, Ryan Reid, ZBA and please see sign-in sheet.

Meeting location: Town Hall, 14 Central Avenue, Wallkill

Open Regular Meeting: 7:00 pm

Emergency Exits Announcement

Pledge of Allegiance:

Approval of Minutes of October 4, 2022

A motion was made by Sal Patella, seconded by Todd Widmark to approve the Minutes of October 4, 2022.

Vote: All Ayes. Absent: Richard Barnhart. One Vacancy: Abstain: None.

***PUBLIC HEARING:***

**David Aguasca & Jenna Kincaid:**(99.3-2-14.111) Proposed Special Use Permit for Two Family dwelling and new structure located at 3130 New Prospect Road in the R-AG2 District and Pine Bush Central School District. David Aguasca & Jenna Kincaid were present before the Board.

The following items were entered into record: FIRSTDAY COTTAGE – three (3) Floor Plan sheets stamped received October 14, 2022 identified as Nathan McKinney & Val Migoulia entitled “Plan” – David Aguasca & Jenna Kincaid “Main Floor Plan” – David Aguasca & Jenna Kincaid “Upper-Level Plan; memorandum dated October 28, 2022 from Bonnie Franson, AICP CEP, PP. and:

Revised Site Plan for David Aguasca

Sheet 1 of 3: Site Plan last revised 10/11/22;

Sheet 2 of 3: Soils Testing Results last revised 3/25/22;

Sheet 3 of 3: Well & Sewage Disposal System Details last revised 3/25/22.

Mr. Watkins asked the applicants to describe the project for the audience.

Mr. Aguasca said our proposal is to construct a two-family dwelling with a 60’ foot x 100’ foot barn structure for farming and vegetable farm stand. Currently, we are leasing the land for cattle and will continue leasing for that use.

Mr. Watkins asked Ms. Franson to discuss her October 28, 2022 comments.

Ms. Franson said the application has been transmitted to the County for GML review.

Ms. Franson said as per Section 177-29F, the minimum lot area required for each dwelling unit in a two-family dwelling is unclear if the zoning allows more than 3 bedrooms per dwelling; and deferred the question to the Town Attorney.

Ms. Franson said the applicant should discuss any revisions to the floor plans as per the prior memo; as well as, recommended the standard house relocation note be added to the site plan to ensure the two-family dwelling is constructed where it is shown or in the general area.

**Aguasca & Kincaid cont.**

Mr. Watkins asked the Board or audience if there were any comments or questions?

Ms. Turner asked if they were building from the plans in front of the Board?

Mr. Aguasca said no, this is just for obtaining the Planning Board approval.

Todd Stockhofer, 1508 Indian Springs Road, asked to view the site plan to see where the two-family dwelling is going to be built.

Mr. Watkins invited them up to review the site plan.

Mr. Stockhofer said they were fine where the location is shown.

Mr. Watkins said the Board needs to continue the Public Hearing until comments are received from the Ulster County Planning Board.

A motion was made by Todd Widmark, seconded by John Szarowski to continue the Aguasca / Kincaid Two-family Special Use Permit Public Hearing to the December 6, 2022 Planning Board meeting. Vote: All Ayes. Absent: Richard Barnhart. One Vacancy. Abstain: None.

**CONTINUATION PUBLIC HEARINGS:** There was no continued public hearings.

**APPEARANCES:**

**Hugh Crowell/Crinieri :**(106.1-2-36.300 / 100.3-2-37.9) Proposed Lot Line Adjustment located at Lippincott Road & 30 Sycamore Drive in the R-Ag4 District and Wallkill Central School District. Hugh Crowell and Carolyn Crowell were present before the Board.

The following items were entered into record: Email dated October 25, 2022 from Richard Hoyt, Esq., Revised Survey Lot Line Adjustment for Lands of Crowell and Crinieri last revised October 28, 2022; email dated October 28, 2022 from Bonnie Franson, AICP CEP, PP and Draft Town of Shawangunk Planning Board Lot Line Adjustment Approval Resolution dated November 1, 2022.

Ms. Franson read the Draft Town of Shawangunk Planning Board Lot Line Adjustment Approval Resolution dated November 1, 2022 into record.

The Board discussed and agreed to the changes to the rewording Condition # 6.

Mr. Watkins said to Hugh Crowell and Carolyn Crowell, the deed on file has both Hugh and Stewart Crowell listed. When your attorney drafts the deeds, please let them know that Title Company and future deed recordings need to include Stewart and or Estate of Stewart Crowell. Each thanked the Board for making them aware and they will let their attorney know.

**TOWN OF SHAWANGUNK PLANNING BOARD  
LOT LINE ADJUSTMENT APPROVAL RESOLUTION**

Address: Lippincott Road and 30 Sycamore Drive  
Tax Parcels: 106.1-2-36.3 and 100.3-2-37.9  
Owner/Applicant: Hugh Crowell and Matt and Georgina Crinieri

**Crowell / Crinieri cont.**

WHEREAS, the Applicants, Hugh Crowell and Matt and Georgina Crinieri, submitted an application stamp dated September 15, 2022, to the Planning Board to approve lot line adjustments between two lots located in the RAG-4 zoning district. The lands that are the subject of the application are designated on the Town of Shawangunk Tax Map as S/B/L 106.1/2/36.3 and 100.3/2/37.9 comprised of two parcels located generally between Sycamore Drive and Lippincott Road, and together totaling approximately 42.89 gross acres in size; and

WHEREAS, the Planning Board reviewed the application in accordance with the procedures set forth for lot line adjustments set forth in Section 177-38.A of the Town of Shawangunk Zoning Law. The lot line adjustment will not create any new lots; and

WHEREAS, as a new residential lot will not be created, a fee in lieu of recreation land shall not be assessed; and

WHEREAS, on October 1, 2022, the Planning Board resolved to waive a public hearing for the lot line adjustment; and

WHEREAS, on October 1, 2022, the Planning Board resolved that the application for a lot line adjustment is classified a Type II action in accordance with the regulations implementing the New York State Environmental Quality Review Act, requiring no further environmental review, and the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) have been fully complied with; and

WHEREAS, the Planning Board has reviewed the Lot Line Adjustment Plan for Crowell and Crinieri, prepared by Margaret Hillriegel, PLS, and last revised October 28, 2022, consisting of one sheet, which may be further revised to address conditions of approval; and

WHEREAS, the Planning Board has considered the application materials submitted by the applicant in support of the Proposed Action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference).

NOW, THEREFORE, BE IT RESOLVED that:

Findings. The Planning Board finds that, consistent with Section 177-38.A of the Town of Shawangunk Zoning Law, the Lot Line Adjustment for Crowell and Crinieri will not: create any new lots; will not preclude proper future development of subdivision of the properties or maintenance of same; will not create any nonconformity which did not already exist; and will not result in future development which would result in the disturbance of the 100-year floodplain, ACOE or NYSDEC regulated wetlands, steep slopes, or sensitive habitat.

The lot line adjustment area shall be merged with and become a part of the receiving parcel and will not have any separate legal existence or be capable of being conveyed, other than for the purpose of merger with the receiving parcel. The receiving parcel(s), as enlarged, shall be considered as a single lot for zoning, building, tax and all other purposes.

Lot Line Adjustment Approval. Subject to the conditions set forth below, the Shawangunk Planning Board grants lot line adjustment approval to the Lot Line Adjustment Plan for Crowell and Crinieri.

Upon motion of Member Patella, seconded by Member Szarowski, and the affirmative vote of 5 members, the negative vote of 0 members, the abstention of 0 members, 1 member being absent, and one vacancy, the Planning Board approves the lot line adjustment, subject to the conditions set forth in the attached Schedule A.

**Crowell / Crinieri cont.**

Planning Board Member	Roll Call Vote			
	Aye	Nay	Abstain	Absent
Richard Barnhart				X
Sal Patella	X			
John Szarowski	X			
Patricia Turner	X			
Mark Watkins	X			
Todd Widmark	X			
Vacancy				

NOW, THEREFORE, BE IT FURTHER RESOLVED that:

Filing. The approved lot line adjustment plan shall be filed in the Ulster County Clerk's office within 62 days from the date of signature of the Planning Board Chairperson and the deed shall be recorded concurrently with the County Clerk. Evidence of such filing shall be provided to the Planning Department. Failure to file the map and record the new Deed within this period shall constitute expiration of approval.

The Planning Board hereby directs the Secretary of the Planning Board to file a copy of this decision in the office of the Town Clerk and mail a copy of the decision to the applicant, and, as applicable, file and circulate it to the applicant and all involved and interested agencies, pursuant to the requirements of the New York State Town Law.

Dated: November 1, 2022

  
 \_\_\_\_\_  
 Planning Board Secretary

\_\_\_\_\_, the Town Clerk of the Town of Shawangunk, does hereby certify that the foregoing Resolution of the Planning Board was filed in my office on this date.

\_\_\_\_\_

Date

**SCHEDULE A - CONDITIONS OF LOT LINE ADJUSTMENT APPROVAL**

1. Submission of 1 mylar and 8 copies of the lot line adjustment in proper form, revised so as to conform to the conditions of approval set forth herein and the requirements of the Zoning Law of the Town of Shawangunk, and signed by the owners and the duly licensed professional who prepared the plat.
2. The final plan shall comply with all requirements of the Zoning Law and other applicable laws and regulations, including the area and bulk requirements of the R-AG4 Zoning District.
3. Payment of all outstanding application, review, and other fees applicable to review and approval of the lot line adjustment.
4. The map shall be revised to ensure all acreages are consistent.
5. Prior to map signing, the lot line adjustment map with all corrections including map notes, is subject to final review by the Town's consultants and the Chairperson.
6. Prior to map signing, the Applicant shall submit the new transfer deed and TP 584 and RP 5217 to the Town Attorney who shall approve the new deed for the subject properties. Any deed shall be submitted for filing with the final maps in the County Clerk's office. A copy of the final deed and proof of filing shall be sent to the Planning Board office for its files.

**One Stop Shop Supplies, Inc.** (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 and Wallkill Central School District. Keith Woodruff, PE of Engineering and Surveying Properties, Montgomery, NY, was present before the Board.

The following items were entered into record: Revised letter dated October 14, 2022 from Keith Woodruff, Senior Project Engineer with Applicant's submission – Amended Short EAF Part 1 dated 10/14/22, signed by Ross Winglovitz, PE, email dated October 11, 2022 from John Reilly, PE NYSDOT, Truck Turning Diagrams, prepared by Engineering & Surveying Properties dated October 12, 2022; Lot Depth Map prepared by Engineering & Surveying Properties dated October 12, 2022; One Stop Shop Supplies Site Plan Sheet C-1 last revised 10/14/22 & Sheet C-2 Details last revised 10/14/22; email dated October 20, 2022 with attached Limited Liability Corporation (LLC) ownership and memorandum dated October 28, 2022 from Bonnie Franson, AICP CEP, PP.

Mr. Woodruff discussed the items addressed in his October 14, 2022 comment letter to the Planning Board and the NYSDOT requirements as stated in email dated October 11, 2022 from John Reilly, PE

Mr. Woodruff said concrete bollards have been added to the plan for the well casing and propane tanks. He said he believed one (1) propane is active and will need to verify that and update the Board prior to final.

Mr. Watkins asked Ms. Franson to discuss her October 28, 2022 memorandum.

### **General Comments**

1. **Application. The owner's name should be provided, as it is not legible on the application. In addition, the Owner should submit evidence that he/she is able to represent the LLC. I did not see this provided in the submission although the transmittal letter notes it will be.**

Ms. Franson said an IRS EIN has been provided for the file, to represent the LLC. If that is acceptable to the Town Attorney and Planning Board then that item has been addressed.

2. **Design. The use is subject to the design guidelines as required for the SB zoning district. Are any changes being made to the exterior of the building?**

Ms. Franson asked if there would be any exterior changes to the building?

Mr. Woodruff said the owner is willing to repaint the building brown; earth tones would be best.

Ms. Turner asked if the siding and roof were metal. Mr. Woodruff said yes.

Ms. Franson said greens, browns, a deep blue possibly; discussed researching a prior project within the Borden Historic Overlay as this parcel is adjacent to the overlay.

Ms. Franson also asked, if there would be any roof changes?

Mr. Woodruff said if the Planning Board has color recommendations that would be preferred.

Mr. Patella and Mr. Szarowski both asked if a landscape plan be submitted?

Mr. Woodruff said other than changing the existing exterior fixtures and painting of the exterior of the building; the applicant is not proposing any other new changes.

## **One Stop Shop Supplies cont.**

### **Concept Plan Comments**

- 1. If the loading berth with the overhead door is limited to certain vehicles in size, it should be noted on the plan.**

Mr. Woodruff said he would look into this item.

- 2. The kelvin value for the new LED lights should be 3000 K.**

Ms. Turner asked will you be adding exterior lights?

Mr. Woodruff said the existing 3 WallPack lights are shown on the Site Plan; will be replaced with a more energy efficient, less intrusive, LED fixture. He said no other exterior lighting is proposed.

Mr. Watkins asked if the lights will be fully shielded?

Ms. Franson said the new LED should be 3000 K; it is a yellower color.

- 3. Given the regular employment and deliveries at the proposed warehouse, the Planning Board should determine if the parking lot needs to be paved and the parking spaces striped. The site plan is showing this area as gravel.**

Mr. Woodruff said they wish to maintain the existing gravel; we may add gravel, for the parking lot and DOT entrance. Mr. Woodruff said the Town's zoning requires the site to have twenty-six (26) parking spaces. There will be a maximum of eight (8) employees and possibly, two to three more on site occasionally.

Mr. Watkins said and to also maintain and provide perimeter parking?

Ms. Franson said that is why the request for the parking spots to be delineated or provide stops.

Ms. Turner asked where the snow removal will be placed on site?

Mr. Woodruff said he will add a note and place for snow storage.

Mr. Patella asked for clarification; for what if the parking lot gets paved; will the existing drainage ditch be sufficient to handle the runoff?

Mr. Szarowski said there is a Class C stream crossing the road; this area is part of the Town's MS4 drainage and discussed Chapter 9 for redevelopment with the Board.

Mr. Woodruff said if the Board makes us pave the parking lot; the drainage and runoff will get worse.

Mr. Watkins said the gravel parking lot doesn't appear to be impacted.

Ms. Franson asked to discuss what appears to be enclosed down spouts for roof drainage on the sides of the building.

Mr. Watkins asked where does is the runoff roof hook up and where does the water flow go?

Mr. Woodruff said he would need to verify what Ms. Franson pointed out on the side of the building; but there is roof drainage that is collected with a 12" PVC pipe that discharges towards the stream.

Mr. Watkins polled the Planning Board and asked if the parking lot should be paved or not paved?

**One Stop Shop Supplies cont.**

The Board agreed that paving the parking lot could increase the drainage runoff and said the parking lot shouldn't be paved.

**4. What is the actual building height? Applicant indicated this would be provided at a later date.**

Mr. Woodruff said they will add the building height to the plan.

**5. Please add a note to the map that there will only be one tenant for the building.**

Mr. Woodruff said they will add a note to the plan.

**6. Accessory structures are not permitted to be located closer than 10 feet to a rear lot line – the propane tanks do not meet this requirement. Should they be moved?**

Ms. Turner questioned the location of the propane tanks; if they may be required to be moved or relocated?

Mr. Szarowski said the propane tanks are too close to the building and yes, they need to be moved; and Chairman Watkins agreed.

Mr. Szarowski asked if the well was protruding and if the well was working?

Mr. Woodruff said he would need to check if the well is working and that they will add bollards around the well casing.

**7. A note should be added that there will be no outdoor storage.**

Mr. Woodruff said they will add a note to the plan.

**8. Please add a note that dumpsters shall be stored inside the building. As this is a warehouse, we would expect that dumpsters would be needed.**

Ms. Turner asked where will the dumpster be located?

Mr. Woodruff said they will not need a dumpster outside; all garbage disposal will be conducted from inside the building; when necessary for garbage removal; they will use the indoor roll up door when needed and there will be no outside storage.

Mr. Woodruff said they will add a note to the plan.

**9. Label the location of the identification sign on the site plan.**

Mr. Watkins and Ms. Franson asked that the sign be added to the Site Plan and submit a picture/drawing of what it will look like.

Mr. Watkins said if the existing sign exceeds 32 SF; you may need to go to the ZBA or put in a new sign.

Mr. Wallner, Building Inspector said this is a change of use and a variance will be required for the size of the sign.

Ms. Turner asked if the existing sign location will be used? She asked that the sign to be clearly shown on the Site Plan.

Mr. Woodruff said they will add a note to the plan and that it's the applicant intent is to keep the sign at the same location it currently is and just repurpose it by only changing the façade.