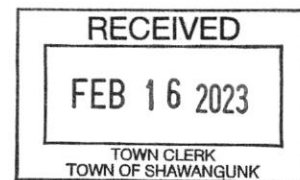


**Town of Shawangunk
Zoning Board of Appeals
January 18, 2023**



Minutes of a Public Hearing held by the Town of Shawangunk Zoning Board of Appeals on January 18, 2023, at 7:00 PM at the Town Hall, 14 Central Avenue, Wallkill, New York, County of Ulster for the following:

Present Were: Mr. Dennis Arluck, Chairman, Mr. John Russo, Mrs. Susan Wiand and Mr. Ryan Reid as Members. Also present were Mr. Robert Wallner, Building Inspector and Mr. Alex Danon, Town Councilman, and members of the public.

The meeting was called to order at 7:00 PM. Mr. Arluck led the Zoning Board in a moment of silence in memory of Mr. Archie Reid, the former Chairman of the Zoning Board, and in the pledge to the flag.

Approval of Minutes: A motion was made by Ms. Wiand and seconded by Mr. Reid to approve the minutes of December 21, 2022. **Vote:** Mr. Russo – Aye, Ms. Wiand – Aye, Mr. Reid – Aye, and Mr. Arluck – Aye.

All Public Hearings remain open for one hour.

Public Hearings:

Debra and Stephen DeEntremont – TM #98.1-1-9 (RS-1) 123 Clark Road, Pine Bush, NY 12566 - §177-23.2c.(2) and 117-10 – Variances for Lot Area of 5.448 Acres, Lot Width of 42.52’ and Rear Yard Setback of 53’:

Mr. and Mrs. DeEntremont presented this application and are looking to renovate their unattached garage for Mrs. DeEntremont’s 93-year-old mother in the early stages of dementia. Mrs. DeEntremont stated there is no affordable housing in the area. Mr. Arluck stated this is an incomplete application as a building permit was not applied for first, following procedure, and the property has not been engineered, i.e., septic and well. There was discussion about the applicants adding additional footage from an adjourned parcel and adding a breezeway to connect the house to the garage. A current survey has been submitted but there are certain requirements for an accessory dwelling unit that need to be addressed and added to the survey.

A motion was made by Mr. Reid and seconded by Mr. Arluck that this is an incomplete application without jurisdiction and the application will be continued to the February 15, 2022, meeting. **Vote: Mr. Russo – Aye, Ms. Wiand – Aye, Mr. Reid – Aye, and Mr. Arluck – Aye.**

Lily of the Valley Homes/Kelly Zemski – TM #99.2-6-22 (RAG-4) 2491 Bruynswick Road, Wallkill, NY 12589 – §177-6G Variances for Lot Area of .7 Acres and Lot Width of 65’:

Kelly and Mike Zemski presented this application on behalf of Lily of the Valley Homes. They are looking to build a single-family home. Mr. Arluck stated this application is incomplete as an engineered survey nor a complete building permit had not been submitted to the Building Department. Mr. Reid inquired whether the applicants have documentation regarding the LLC. Mr. Wallner stated the property had been cleared and graded without permits. The applicants recently sold the neighboring property. A new engineered survey is required showing the septic, the well and the driveway; just a few requirements to make sure the lot is viable. The Building Inspector will have to determine whether to issue violations for illegal clearing.

A motion was made by Ms. Wiand and seconded by Mr. Russo that this is an incomplete application without jurisdiction due to the lack of information and possible violations of clearing the property without a permit. Vote: Mr. Russo – Aye, Ms. Wiand – Aye, Mr. Reid – Aye, and Mr. Arluck – Aye.

Public Hearing Continuations:

Garvilla Construction, Inc. - TM #99.1-4-29 (RS-2) 694 Decker Road – Pine Bush, NY 12566 – §177-6C – Variances for Lot Area of 3 Acres, Side Setback of 10.3’ Road Frontage of 20’:

Mr. Arluck re-opened the public hearing for this application and stated that Mr. Garvilla had contacted the Zoning Board Secretary on January 12, 2023, to request a continuation to the February 15th meeting as he was waiting for additional documentation from the Department of Environmental Conservation.

A motion was made by Mr. Reid and seconded by Mr. Arluck that this is an incomplete application is to continue this Public Hearing to the February 15, 2023, meeting. Vote: Mr. Russo – Aye, Ms. Wiand – Aye, Mr. Reid – Aye, and Mr. Arluck – Aye.

One Stop Shop Supplies – TM #106.4-1-7.112 (SB) 3050 Route 208 – Wallkill, NY 12589 – §177-6I – Variances for Rear Yard Setback of 33.4’ and Impervious Coverage of 41%:

Andrei Lukianoff from Engineering & Surveying Properties, PC presented this application. The property is 2.6-acres and is located at 3050 Route 208. The property was formerly Gear Up Sports and will be used as a warehouse to support their e-commerce business. They purchase bulk clothing to ship, breakdown and sell to Amazon, and other retailers. They are looking to obtain variances for impervious coverage of 41%, maximum is 30% and a rear yard setback of 33.4’, 50’ required. This is a pre-existing, non-conforming parcel. The only change to the impervious coverage will be the removal of part of the entrance. The Zoning Board has received the Ulster County Planning Board’s Referral Response and their decision was

One Stop Shop Supplies – TM #106.4-1-7.112 (SB) 3050 Route 208 – Wallkill, NY 12589 – §177-61 – Variances for Rear Yard Setback of 33.4’ and Impervious Coverage of 41% continued:

“No County Impact”. There was further discussion regarding the parking spaces, access to the septic and the propane tank relocation for emergency vehicles for the Planning Board to review.

A motion was made by Mr. Reid and seconded by Mr. Russo to waive the one hour waiting time to close the public hearing as no one has appeared on this application and it was advertised in the paper. Vote: Mr. Russo – Aye, Ms. Wiand – Aye, Mr. Reid – Aye, and Mr. Arluck – Aye.

A motion was made by Mr. Russo and seconded by Ms. Wiand to grant the variances to allow the increase to impervious coverage (30% required, 41% existing, 11% requested) and the rear yard setback of 16.6’ (50’ required, 33.4’ existing, 16.6’ requested) for the existing building as per the drawing submitted dated December 22, 2022, of Engineering & Surveying Properties, PC. The Board’s findings are that the building is pre-existing and there is no greater impact to the neighborhood. Mr. Russo recommends that the applicant return to the Planning Board with the Zoning Board’s recommendation to review the septic location as it may be encroaching on the neighboring property line, the removal of two parking stalls near the northeast corner of the structure for emergency access and the propane tank relocation also for emergency access. Vote: Mr. Russo – Aye, Ms. Wiand – Aye, Mr. Reid – Aye, and Mr. Arluck – Aye.

Appearances: None

There was discussion on miscellaneous zoning matters as a letter was received from Mr. Richard Walls regarding possible violations on a neighboring property.

Joseph Yuknevich – TM #107.3-2-14.2 (RAG-2) 2253 State Route 300, Wallkill, NY 12589:

Mr. Wallner stated there are violations on this parcel and that the Zoning Board had denied his application twice for a pole barn. There was an inaccurate site plan that no one had picked up on.

A motion was made by Mr. Arluck and seconded by Mr. Reid to adjourn this meeting. Vote: Mr. Russo – Aye, Ms. Wiand – Aye, Mr. Reid – Aye, and Mr. Arluck – Aye.

**Meeting Adjourned at 8:30 PM
Respectfully submitted,**

**Kathy Ebbrell
Zoning Board of Appeals Secretary**