



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 Tuesday, 6th day of August 2024.

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

Those absent were: Rich Barnhart
John Leonette

Also Present: Rich Hoyt, Esq., Town Attorney; Kathy Ebbrell, Court Clerk, Rich Blazeski, Highway Superintendent. Please see 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 July 2, 2024

A motion was made by Mr. Szarowski and seconded by Mr. Patella to approve the Meeting Minutes of July 2nd, 2024. Vote: All Ayes: 4, Abstain: 1 (Mr. Ryan Reid), Absent: 2

PUBLIC HEARING:

CONTINUATION OF PUBLIC HEARING:

Mr. Joseph Russek - Third Generation Homes (Applicant No. 2023-14):

SBL: 104.1-3-27, 2.3 acres, Address: Corner of Weed Road and NYS Route 52 in Walker Valley, Commercial Site Plan 4,900 sq. ft., one business with three entities with one apartment above the business. Zoning District: SB (Small Business), School District: Pine Bush, Fire District: Walker Valley Fire.

Entered into Record:

- Memo received August 2, 2024 from MHE Engineering, Mr. Shawn Arnott, P.E.
- Updated site plan on July 18, 2024 from Steven Green, PLS and Michael Morgante, PE
- Updated site plan on August 5, 2024 from Steven Green, PLS and Michael Morgante, PE
- Letter from Jim Greer, Walker Valley Fire Department, Fire Chief
- Letter from Rich Blazeski, Town of Shawangunk, Highway Superintendent

Mr. Mark Watkins stated this is an open Public Hearing and questioned Mr. Joe Russek if he would like to review Ms. Bonnie Franson's comments and the work from his Engineer? Mr. Russek stated the new plans are more organized and cleaned up from previous plans.

Updates Include the Following:

- Land disturbance is now 0.85 (less than an acre)
- Letter received from Walker Valley Fire Department Chief, Mr. Jim Greer
- Letter received from Highway Department Superintendent, Mr. Rich Blazeski
- Application for the 100' buffer is being processed currently with the DEC

Mr. Russek stated Mr. Mike Morgante, Engineer, used a different system to clean up the site plans and larger maps will be provided when ready. The architectural structure has not changed but more notes have been added with some details on the exterior. The apartment stayed the same. Mr. Watkins questioned is the building on the site plan the actual building going to be built and if the second floor is the apartment? Mr. Russek stated correct. Mr. Watkins stated through the process of what we did, we came up with one apartment and one business with three separate aspects. Mr. Russek stated correct and will provide us with larger copies of the maps.

Comments went back and forth to get all items addressed between Mr. Shawn Arnott, Town Engineer; Ms. Bonnie Franson, Town Planner Consultant; and Mr. Mike Morgante, and Steve Green, Mr. Russek's Engineer and Land Surveyor. Mr. Watkins stated he does not believe it is under an acre with all the sitework that was done to build a 5,000 sq. ft. building and/or a 4,900 square footprint with a parking lot. Mr. Russek stated it is in the site plan as 0.84 of an acre with space limits. Mr. Watkins stated he is going to verify that because there should be a SWPP Report.

Land Disturbance:

Mr. Watkins stated the grounds are being disturbed all the way up to Route 52 and we will have the Engineer verify this action. Mr. Reid questioned Mr. Russek if anyone from the Town notified you regarding the disturbance? Mr. Reid questioned if it is normal maintenance of the property and type of disturbance? Mr. Russek stated no one has contacted him but the Town put the material on the property. Mr. Reid questioned if there was any digging done on the property? Mr. Russek stated no, other than a perc test.

Lead Agency:

Mr. Watkins stated an EAF was received and was mailed on Monday, August 5 for intent of Lead Agency.

GML Review:

Mr. Russek stated probably 95% of Mr. Arnott's comments have been addressed due to the discussions and emails between the Engineer's and Town Planner. Mr. Watkins questioned the Planning Board if he has permission to send the site plans up to Ulster County for GML review once all paperwork has been received? The Planning Board members (Mr. Patella, Mr. Widmark, Mr. Szarowski, and Mr. Reid) all agreed. Mr. Watkins stated he will get everything together and will send it in for GML review once the Town Engineer, Town Planner, and Town Attorney have reviewed. Mr. Watkins stated we will not have an answer for you at the next Planning Board meeting because the Ulster County meeting is the next day after our Planning Board Meeting. Mr. Watkins questioned if there was anybody from the public to speak regarding Mr. Russek's site plan? No one from the public spoke.

**A motion was by Mr. Reid and second by Mr. Widmark to continue the Public Hearing at the next Planning Board meeting on Tuesday, September 3, 2024.
Vote: All Ayes: 5, Abstain: 0, Absent: 2**

Sidewalk:

Mr. Widmark questioned how DOT is going to run the sidewalk? Mr. Russek stated there are no requirements from DOT on the sidewalk. Mr. Blazeski stated the only knowledge he is aware of is the sidewalk ends at the Post Office because they needed to acquire some property from the owner of the Post Office. The sidewalk is only a little portion next to the driveway.

ROW (Right of Way):

Mr. Watkins questioned Mr. Blazeski if the Town already has a ROW on this property, and if the property line needs to be measured from the Town's ROW from center of road? Mr. Blazeski stated he will need to look at the Deed. Mr. Russek stated he believes the property goes onto the black top of the road and discussed previously about designating it but unsure of the particulars (Number 3 of Mr. Arnott's memo). Mr. Watkins stated he follow-up with Mr. Arnott if it was addressed on the map.

Follow-up to Mr. Arnott's Memo:

Mr. Hoyt stated, for the record, ten or more of Mr. Arnott's comments were previously noted and answered in a new submittal. Mr. Watkins stated the new map we received today addresses those comments from Mr. Arnott's most recent memo. Mr. Hoyt stated we will see that all comments have been addressed.

Breezy Valley, 52 Bruyn Turnpike, 3-Lot Line Adjustments (Applicant No. 2024-05), SBL: 106.1-2-17.111 (70.2 acres) Address: 52 Bruyn Turnpike, Wallkill Central School District, Wallkill Fire District.

Entered into Record:

- Memo dated July 30th from Bonnie Franson, AICP CEP and Danielle Dreyer, Planning Analyst
- Letter addressing owner representation
- Update site plan and memo dated July 19, 2024 from Mercurio-Norton-Tarolli-Marshall
- Mr. Hoyt is recused

Mr. Smithem stated the hydric soils were added into the proposed or existing wetland area and a conservative analysis for the net lot areas. All of the ownership and application signatures were submitted by the applicant in a separate document. All comments have been addressed and the only item outstanding is the waiver request from the applicant to not show all the septic systems that were not affected by the proposed lot changes. Mr. Watkins stated he reviewed the lot that is increasing in size and the other lot that has no development being proposed on it. Septic is not needed on the map for smaller lot. Mr. Watkins questioned the Planning Board members (Mr. Patella, Mr. Widmark, Mr. Szarowski, Mr. Reid) and they all agreed it is not needed on the map.

A motion was made by Mr. Widmark and second by Mr. Patella to waive all the septic systems that are not impacted by the Lot Line Adjustment from being shown on the map. Vote: All Ayes: 5, Abstain: 0, Absent: 2

A motion was made by Mr. Widmark and second by Mr. Szarowski to approve the Lot Line Adjustments. Vote: All Ayes: 5, Abstain: 0, Absent: 2

Mr. Watkins stated this is a Type II Action and is exempt from SEQRA.

**Joe Yuknevich – Lot Line Adjustment (Applicant No. 2024-11)
SBL: 106.2-5-21, Acres: 60.4, Address: 6 Justus Banks Lane and 106.2-5-16,
Acres 7.3 (vacant land), Owner's Address: 2253 Route 300, Wallkill, NY, School
District, Wallkill Fire District**

Entered into Record:

- Memo dated July 30th from Bonnie Franson, AICP CEP and Danielle Dreyer, Planning Analyst
- Memo received August 2, 2024 from MHE Engineering, Mr. Shawn Arnott, P.E.
- Updated map and a Real Property Description from Hudson Valley Land Surveys, Barak Miles, PLS

Easement:

Mr. Watkins questioned Mr. Yuknevich in regard to the situation with the easement? Mr. Yuknevich stated he spoke with his Attorney and Surveyor today about the type of easement, if it is going to be a maintenance easement? Mr. Yuknevich stated he has no problem with the Town being able to have access to clean out the ditch and keep the drainage flowing. Mr. Watkins stated he did not believe it would be resolved this evening. Mr. Hoyt stated we would not, and he had a discussion with the Surveyor late Friday (August 2nd) and asked him to show the stream and the footage on each side of it. Mr. Hoyt stated he is unclear of the width.

Mr. Blazeski stated the right language needs to be added and it is a certain type of easement that you do not need to Deed. Mr. Hoyt stated we are proposing our standard Town template drainage easement. It gives us the right, but not the obligation, to maintain it at our expense. We have to restore it to approximately the condition that we found it in. We have to provide notice and probably insurance. The question becomes are they going to show it, and are they opposed to a blanket easement anywhere on the 60 acres? The stream is defined in the field, and you will show it on the map. Right now, the map shows the stream through the 7-acres on Cottage Street and the new map shows a dotted line, which I believe is the stream. The stream gets close to the barn and needs to be a full width.

Mr. Hoyt stated I think the new house is away from this streambed and if we do not have the metes and bounds, we have to do something different. Mr. Hoyt stated the surveyor did indicate he could come up with the metes and bounds. Mr. Yuknevich stated that is something we can discuss further with the Town Supervisor and the Town Attorney. Mr. Watkins stated he would like to move forward with a conditional approval regarding the easement. A meeting will need to take place to decide on the type of easement due to the involvement of different offices with different ideas. Mr. Yuknevich stated the meeting should include attorneys as well and come up with a metes and bounds or a description of what type of easement it is going to be, and then we can have a definitive answer. No signature of maps until a decision is made.

Mr. Hoyt questioned Mr. Blazeski how wide does it need to be for accessing? Mr. Blazeski stated Mr. Arnott had a name for the type of easement so that if the stream were to change, move, or flood it would not limit where the Town could work and would benefit the homeowner. Mr. Blazeski stated he will contact Mr. Arnott to find out. Mr. Hoyt questioned if it was the blanket easement that Mr. Arnott was referring to. Mr. Watkins read from Mr. Arnott's memo; Page 1, Comment Number 5; ***"a blanket easement across both parcels for the continued maintenance of the existing drainage course"***.

Mr. Watkins stated Mr. Arnott labeled it as a blanket easement, but it is over the drainage course, not over all of Mr. Yuknevich's property.

Mr. Reid questioned Mr. Blazeski if he looked at the proposed lot driveway on the corner of Cottage Street? Is there going to be issues granting a driveway permit for the construction of the lot? Mr. Blazeski stated it will be okay there because it is a dead end. We did some work there initially, maybe a year ago. I had him put the culvert clearly on his property. We removed a handful of dead trees to the left towards the vacant factory so you can see when existing. Mr. Reid questioned the wetlands (ditch) line and where it is located? Mr. Yuknevich stated it follows the stream all the way.

Structures:

Mr. Reid stated on the map, from the way you purchased the property, it looks like there is an encroachment of a carport fence along that southeasterly and southwesterly portion of that property, is that still there? Mr. Yukneovich believes it not anything that is of permanent structure. Mr. Watkins questioned if that can be cleaned up? Mr. Reid stated there may be a licensing agreement there as long as something is permanent. Mr. Watkins questioned if they are on the property? Mr. Yukneovich stated he does not know if anything has been changed in the survey that is there and there are no permanent structures. Mr. Watkins questioned Mr. Yukneovich if they are all temporary structures that can be moved? Mr. Yukneovich stated yes.

Mr. Reid stated the easement area for the Town, it should not be a blanket. You are going to have to map out however the variances are for the stream if you want to put 50' in either way. As long as it is shown, I do not want to change, and I do not see an issue. Mr. Watkins questioned if the encroachment is on the lot that we are dividing or on your property? Mr. Reid stated the encroachment is on Lot 16 on the map that was provided. Mr. Watkins questioned Mr. Yukneovich if there are buildings that could be moved? Mr. Yukneovich stated it is an aluminum portable carport and knows it is there encroaching on his property and does not have a problem with it.

Ms. Franson's memo was discussed regarding Lot 16: Page 2, continuation of Number 4; "The lot areas need to be adjusted to account for wetlands. ***At a minimum, NWI mapper and any state wetlands and hydric soils are to be subtracted out, in the absence of wetland survey. Tax Lot 16 is not in a sewer or water district, but the Applicant represents that the Supervisor has indicated that sewer and water is available on Cottage Street. The minimum lot area with sewer and water would be 15,000 square feet, which would be met. Tax Lot 21 to provide the net lot area***".

Water and Sewer:

Mr. Hoyt questioned can it be confirmed that Tax Lot 16 is in both water and sewer? Mr. Reid stated they are both in the public water and sewer district and it shows on the map the water lines.

Map Corrections:

- Number 9 – change Walker Valley Fire District to Wallkill Fire District
- Number 10 - change Pine Bush School District to Wallkill School District
- Lower right corner of property address:
 - Change SBL to 106.2
 - Change Walkill to Wallkill
 - Change Orange County to Ulster County.

Further Actions Upon Conditional Approval:

Mr. Hoyt stated if you are going to approve this evening, make sure it is a conditional approval based on Ms. Franson and Mr. Arnott's comments in each of their memorandums, plus the drainage issue. Mr. Hoyt stated Mr. Arnott would like to know from Ms. Franson if she would consider Tax Lot 16 to be buildable? Ms. Franson was not at the Planning Board meeting to advise of the small Lot on Cottage. Mr. Arnott wanted to make sure with Ms. Franson, to advise if the proposed building lot meets zoning to determine if it is truly buildable.

Mr. Watkins stated both memos from the Town Engineer and the Town Planner have to be addressed. The maps need to be changed so that we can move forward with the project as well as part of the final condition of approval for the Lot Line Adjustment and update the map.

Mr. Hoyt stated, no need to review the Deeds ahead of time because the applicant owns both parcels. Mr. Watkins stated it is a Type II Action and is exempt from SEQRA. Discussion about the drainage easement is going to be left up to the Town Board, the Town Highway Superintendent, Town Engineer, and the Town Attorney.

Mr. Hoyt stated another comment from Mr. Arnott, he wanted to know if there should be a driveway easement between the applicants, Mr. Prey, and Mr. Alan White and is unsure if anything exists. Mr. Yuknevich stated I believe there is one already. Mr. Hoyt stated Mr. Arnott raised the comment, should there be one if there is not? That is not going to be easy to answer without board input. Mr. Reid stated I do not think it is needed because the lot line change has nothing to do with that portion of the property. Mr. Watkins stated I do not think it can be addressed at this time because it is not the property owner even though you adding to it.

Mr. Watkins stated Ms. Franson has addressed most of the comments and the map table. Mr. Watkins questioned Mr. Yuknevich if he addressed Ms. Franson's comments? Mr. Yuknevich stated yes. Mr. Watkins stated you have 1,500 square feet for that tax lot with no problem. Mr. Watkins stated Town needs to decide whether or not to enter into agreement for the easement.

Mr. Watkins questioned if we have a motion and a second to approve the lot line change contingent on the Town Engineer and Town Planner's comments be addressed; and the Town Attorney, Town Board, Town Highway Superintendent, and Town Engineer to work on the easement language? Mr. Reid questioned if it will be reflected on the map. Mr. Watkins stated yes. The applicant will have to show us the net land for the lot.

Mr. Barak Miles, applicant's surveyor, questioned Mr. Watkins to define net lot? Would it exclude the roads that it is adjacent to? Mr. Watkins stated we normally take out the wetlands. Mr. Miles stated it is on the map "**Excluding Wetland Area = 3.43 Acres**". Mr. Watkins stated we will look into it.

Mr. Miles stated Mr. Hoyt made a comment on whether it was buildable or not. We showed a proposed house and driveway to answer that question. Mr. Watkins stated we did not know whether it was taken out or not. Since you advised us tonight it was taken out, we are good now.

A motion was made by Mr. Reid and second by Mr. Patella to approve a Lot Line Adjustment with the conditions discussed. Vote: All Ayes: 5, Abstain: 0, Absent: 2

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.

Entered into Record:

- Memo dated July 30th from Bonnie Franson, AICP CEP and Danielle Dreyer, Planning Analyst
- Memo received August 2, 2024 from MHE Engineering, Mr. Shawn Arnott, P.E.
- Letter of transmittal from Engineering & Surveying Properties: Architectural Plans, Site Plan Figures, Site Plans, and Update Letter dated July 1, 2024

Mr. Watkins questioned Mr. Lukianoff if he received memo's regarding comments from the Town Engineer and Town planner. Mr. Lukianoff. stated yes.

Mr. Andrei Lukianoff, PE stated the client, and the architect tried to design the building, to not need the sprinklers. They tried to redesign a few items, including the idea of the firewalls and the heights. They are going to keep the maximum height of the racks (15 feet) and add in some firewalls to help improve that aspect. They are also working on the turnaround in the back for the fire trucks and cleaning up the plan. The majority of the site is still going to be a warehouse to comply with the standards of the Town. We prefer not to use a sprinkler system and maximum height of the building is 25' to the peak. We will not be expanding or making it taller up to 30' as mentioned in the comments.

Access from Route 208:

The access to the site via Route 208 we would like to keep wide per Mr. Ross Winglovitz, and unsure as to why it needs to be minimized and will look back on older plans. Mr. Watkins stated he will take a look too. We cannot make the entrance smaller if we want big trucks going through there. Mr. Lukianoff stated we do not want many big trucks going in there and we are aiming towards a WB50 type. The turning radius is for 53' and Mr. Lukianoff will get back to us to confirm. We are thinking of adding a sign regarding the size of trucks allowed to access premises and avoid an industrial type of image.

Firewall:

Mr. Watkins stated he gave a copy of the site plans to Mr. Calaca, Building Inspector, to go over the firewall. Mr. Calaca did not want a wall with penetration due to if you had a rack, and the gate was trying to come down, the rack would hold it up. After looking into the law, and speaking with Mr. Arnott, there are a couple of different options. The Building Inspector is looking further into figuring it out. Mr. Watkins stated he spoke to Mr. Arnott and there are three different walls and fire partitions. The Building Inspector will look it over and get back to you.

Sewer:

Mr. Lukianoff stated in Comment Number 6, regarding sewer connection; we all agreed once it became available, we could connect to sewer. Currently, the septic is still working. No changes to septic and it would be an existing nonconforming septic field until needed. Mr. Watkins questioned when the sewer line goes in, you would tap into it, and take the tank out? Mr. Lukianoff stated yes, either remove it or probably abandon it.

Water Testing:

Mr. Lukianoff stated we will do a "quick" water testing because it has been used before when it was Gear Up and make sure the water is usable. There was no need for advanced testing or going through the Ulster County Department of Health.

Parking / Turnaround:

Mr. Lukianoff stated everything on this site is going to be gravel. The only area paved is the handicapped parking. There is a hard surface and unsure if it is pavement or concrete. I believe it is concrete. The majority of the site is gravel. Mr. Lukianoff stated access lane and handicapped parking space are 8' wide. Mr. Watkins stated to keep the handicapped parking all the same size.

Mr. Lukianoff stated he will check on the turn at the back of the building. He believes they are trying to make it as close as possible to the Appendix D fire access. Mr. Watkins questioned if the propane lines have been moved? Mr. Lukianoff stated he thinks they have to be moved as no work on site has started. Mr. Watkins informed Mr. Lukianoff that he heard of garbage being dumped behind the building.

Color Scheme:

Mr. Watkins stated we provided neutral colors from another project (Titus Subdivision). Mr. Hoyt also had a copy of the neutral colors on-hand and showed it to Mr. Lukianoff and the board. Planning Board Secretary will resend color chart to Mr. Lukianoff via email. Mr. Watkins stated we do not pick the color of the building, but we provide a color palette for the applicant to choose from. We can discuss it further the next time you are here. Mr. Lukianoff agreed.

Landscaping / Screening:

Mr. Watkins stated since it is a site plan, we would like something to beautify the site. Any changes being made, for example the propane moving to the front, will have to be screened. I know there are items up in the air with this project, but we are making progress. Mr. Lukianoff agreed on the screening and can be revisited on the draft plans.

Workshop:

Mr. Lukianoff stated we are back in front of the Planning Board so we can move forward and complete this project. Mr. Watkins stated this building has been vacant for a long time and with more action in Town, people get the idea of reusing existing space. Mr. Lukianoff stated he was here to get the comments, discuss plan updates, the turnaround in back of building, and to get the project back on track.

Mr. Lukianoff questioned if it would be possible to have another workshop meeting. Mr. Watkins stated to send the Planning Board Secretary an email of available dates to coordinate schedules and have a workshop next month; third or fourth week in September. This gives time to have comments (i.e., firewall partitions) addressed, submit your updates, and give us a chance to review for a week. Location of meeting will be held at the Town of Shawangunk, Town Hall.

Easement / 50' Stem:

Mr. Hoyt stated on the map (this was raised a year ago), to your south, the School owns that 50' stem even though they do not use it. You have a note stating "50' wide ingress and egress in favor of One-Stop Shop". Make sure that is true. I do not know that the School granted an easement to anyone when it was purchased. That stem was supposed to marry all the acreage on the other side of the rail trail. The School then bought the Donner piece that includes the main dirt access lane. That will need to be checked because I did not know if One-Stop-Shop had any easement rights. Mr. Lukianoff stated he thinks it was probably from the previous owner and will have to verify. Mr. Hoyt stated the School bought that tract from the Van Dam brothers 25 years ago with the stem and is surprised if any neighbors had a right to use it. Mr. Lukianoff stated he will look into it. Mr. Reid stated that turnaround easement is going to need something from The School of Practical Philosophy because I am assuming you are going to improve that turnaround and going to put gravel on the property. Mr. Watkins stated they cannot do anything on their property and why Mr. Hoyt asked to see the ownership.

Driveway:

Mr. Szarowski questioned if you are modifying the driveway, is the DOT going to make you put in a standard entrance or pull a permit? Mr. Lukianoff stated we are going to look into it further. We will look at some of the previous conversations and see why we are trying to reduce it. Mr. Szarowski stated I do not know why you would if you are going to get a permit. Mr. Lukianoff stated he would find out.

DISCUSSION:

E&L Farms:

Mr. Watkins stated we received all the finalization of the E&L Farms documents, and we will be able to sign maps and close the project.

ENAIID:

George Lithco requested another 90-day extension. Another 90-day extension would be until December 13th. Instead, we are going to make it an 80-day extension which will be our next Planning Board meeting on Tuesday, December 3rd.

A motion by Mr. Widmark and second by Mr. Szarowski to approve an extension up to 80 days, Tuesday, December 3, 2024, while the applicant continues to comply with the remaining condition and the easement requirement conveyance to a separate entity. Vote: All Ayes: 5, Abstain: 0, Absent: 2

Joe Yuknevich Easement Discussion:

Mr. Reid stated if you have an owner who buys Lot 16 and the Town comes in and they start all the blanket easements, the owner will bring the Town to court. They are going to look at the description and it is going to be vague. Mr. Hoyt stated we need a metes and bounds. Let us make it wide enough, and if a little stream jumps around outside of the bounds, somebody will just have to maintain it. Mr. Szarowski stated it should be maintained so it does not go out of bounds. Mr. Reid stated I know it is going to be a lot if you have to go on to the larger parcel. Mr. Widmark questioned can you make it a certain number of feet from the center of the lot? Mr. Hoyt stated we were going to do that until he offered to meet Friday with the Surveyor to give us a metes and bounds. The Surveyor spoke to Mr. Hoyt and stated he could get this done from his desk and try to get it to Mr. Hoyt by Tuesday night, but it did not happen. Mr. Hoyt stated the Surveyor said to me Friday, we are happy to give you the easement, so we do not have to maintain it. I said no, with our drainage easements, we have the right but are not obligated. We do not want Ken Ronk, Jr., Town Supervisor, and Rich Blazeski, Highway Superintendent getting calls saying there is a tree down, you better come over and clear it out. This is meant in case the Hamlet floods like it did.

Mr. Watkins, Rich Blazeski, Joe LoCicero, and Shawn Arnott had a meeting at the Town Hall and discussed how important it is to have this easement and to be able to clear it out and keep it open. That is where the leeway was because Mr. Yuknevich really does not have to give it to us, but because it is across his other property too and not just the property with the LLA.

Army Corps / Wetlands:

Mr. Hoyt stated he wants to follow up on John Szarowski's comment in regard to the Army Corps giving municipalities a break from getting an ACOE permit for maintenance. Mr. Szarowski stated it was difficult to do 20 years ago and is probably even more difficult now because they are so few and far in between. If you want to try, do it now. Get that agreement with the DEC that we are going to need to maintain this ditch.

Mr. Szarowski stated it is an Army Corps wetland because it is a stream. The Army Corps does not see all the streams as wetlands. I am dealing with the DEC for a huge wetland in Chester and I am still waiting. Mr. Hoyt stated I think the wetlands are much more extensive than just the stream. The property owner, at the time, tried to develop it over the years and never could. This was Wallkill Acres; Phase III, and it is wet. The reason why this is not developed like Lincoln Circle (Phase I) because the ground is very wet.

ADJOURNMENT:

A motion was made by Mr. Widmark and seconded by Mr. Patella to Adjourn Meeting. Vote: All Ayes: 5, Abstain: 0, Absent: 2

Next Regular Meeting to be held on **September 3, 2024**
Deadline for submission is **Friday, August 16, 2024** at noon.

Respectfully submitted,

Mary Ann Longano, Secretary