

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, 1st day of October 2024.

Those present were: Sal Patella
Rich Barnhart
Todd Widmark
Ryan Reid
John Leonette
Mark Watkins, Chairman



Those absent were: John Szarowski

Also Present: Rich Hoyt, Esq., Town Attorney; Bonnie Franson, AICP CEP, Town Planning Board Consultant, Rich Blazeski, Highway Superintendent, Kathy Ebbrell, Court Clerk, Ken Ronk, Jr., Town Supervisor. 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 September 3, 2024

A motion was made by Ryan Reid and second by John Leonette to approve the Meeting Minutes of September 3, 2024. Vote: All Ayes: 6, Abstain: 0, Absent: 1

PUBLIC HEARING:

One Stop Shop Supplies, Inc. (Applicant No.: 2022-07:

(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, Wallkill Fire, and Wallkill Central School District.

Ms. Lara Pruschki, Engineering & Surveying Properties, PC stated the following: I am here to represent the applicant for an existing 20,000 square foot building located on Route 208. Tax map parcel is Section 106.4, Block 1, Lot 7.112. The site, as it exists today, has the existing building, a gravel parking area with a paved area for accessible parking spaces and a paved entranceway. It has an existing well and septic system. Some of the proposed site improvements will be to relocate the propane tanks from the rear of the building to the side of the parking lot to accommodate a fire apparatus access turnaround, around the building, and a reduction in the width of the entranceway per the Department of Transportation (DOT). It is going to be a change of use to "Light Industry", which is a special use permit in the zone of a small business.

Mr. Reid stated when he was on the ZBA, he recalls the variance for the rear yard. In the December 2022 minutes, behind the rail trail and the building, it was said by the representative that it would be for emergency use only. Ms. Pruschki stated yes.

Mr. Reid stated the map shows it is going to be used for utilized access material maintenance on the side of southernly bays and I believe the accessway is also utilizing the bay doors too. Ms. Pruschki stated that is correct. Mr. Reid questioned the size of the tractor trailers that

would be going behind the building to use the bay doors? Ms. Pruschki stated she would have to confirm with the applicant, but believes it is smaller vehicles, and not necessarily tractor trailers.

Mr. Watkins stated he spoke to Mr. John Calaca, Code Enforcer of the Building Department, and understands the Engineer Company reached out to Mr. Calaca yesterday. The Town nor the Fire Company is in disagreement with the penetration walls. You need to have this discussion with the Fire Chief and Building Department to answer a lot of questions.

Mr. Watkins is requesting more landscaping to soften up the building. The color pallet was provided regarding earth tones, but a decision has not been made on the color choice.

Mr. Barnhart questioned if the Wallkill Fire Department Chief weighed in on the plans to go around the building in case of an emergency? Ms. Pruschki stated she believes it was submitted but unaware of any comments. Mr. Watkins stated over a year ago, there was a meeting at the building with the Code Enforcer and the Wallkill Fire Company to go over different fire safety theories instead of using a sprinkler system. Mr. Barnhart questioned if there is access to go around the circular of the building in the event of an emergency and has the Fire Chief weighed in on whether it is appropriate? Mr. Watkins stated the new Fire Chief (Robert Malatesta) has not and I tried to coordinate a meeting.

Mr. Watkins stated they discussed removing the tanks from behind the building and I would prefer the owner of the building to speak with the Fire Chief to keep the project moving forward. The project had been inactive for eight (8) months.

Mr. Watkins questioned Ms. Pruschki if she had any further questions for the board? Ms. Pruschki stated not at this time. Mr. Watkins stated if you have any questions to please call the Planning Board to see how we can assist but you will need to speak with the Fire Chief and the Building Inspector. This was a Public Hearing and there were no comments.

A motion was made by Sal Patella and second by Todd Widmark to extend the Public Hearing to Wednesday, November 6, 2024 at 7:00 PM. Vote: All Ayes: 6, Abstain: 0, Absent: 1

CONTINUATION OF A 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 4,800 sq. ft. for a restaurant business with three entities and one apartment above with parking. Property Class: Vacant, SB (Small Business), Pine Bush School District, Walker Valley Fire Company

Ulster County Planning Board:

Mr. Watkins stated the following: This is a continuation of a Public Hearing. Ulster County Planning Board (UCPB) did not have a full quorum at last month's meeting on Wednesday, September 4, 2024. Comments were provided regarding design guidelines, landscaping, and signage by the UCPB via email and forwarded to the Town Consultants and Planning Board Member. UCPB has Russek on the agenda for Wednesday, October 2, 2024 to review comments and approve as long as they have a quorum.

Applicant Overview:

Mr. Russek gave an overview of the project as follows: The application is to propose new construction for a 4,900 square foot restaurant, brewery, and one apartment above the business on a 2.4-acre parcel in Walker Valley. Mr. Watkins stated this is a single business

with three aspects, and a single residence above the business. It will be worded as “a single business with three aspects.

Landscaping and Design:

Mr. Watkins stated we would like to see more landscaping and sent an email to the Town Engineer, Mr. Shawn Arnott, to provide information. The email response from Mr. Arnott was handed to Mr. Russek at the Planning Board meeting. Mr. Watkins gave a review of Mr. Arnott’s comments regarding planting of 61 trees and stated based on this number, you are still under the acre. No comments from the Public or the Planning Board addressing the landscaping.

Review of Negative Declaration (NegDec):

See Page 14 for full version of the Negative Declaration from Ms. Franson. Items listed below discussed from the NegDec are as follows:

- Applicant submitted a site plan dated November 16, 2023 to the Planning Board for a new commercial building on NYS Route 52 and Weed Road.
- Applicant amended the site plan to avoid variances and comply with the Small Business (SB) zoning regulations.
- Part 1 Short Environmental Assessment Form (EAF) was submitted on November 23, 2023. Last revised June 24, 2024 and classified as an Unlisted Action. EAF and NOI circulated on August 5, 2024. Planning Board serves as Lead Agency.
- Public Hearing was opened on July 2, 2024 and it closed October 1, 2024.
- The last site plan received on September 9, 2024 consisted of 10 sheets that will be revised based on the conditions of any approval and the NegDec.
- SEQRA and Planning Board finds the action will not have a significant adverse impact on the environment. Reasons can be found in the NegDec on Page 15 – 17.

Further Discussion on Landscaping:

Mr. Hoyt questioned if there was going to be a revisit on the landscaping? Ms. Franson stated the version we have states no additional landscaping except for the building entry and to include “add landscaping up to the one acre”. Mr. Watkins stated we have the memo from Mr. Arnott with the footage that could be used. This is part of the conditions on the resolution and for the Planning Board to approve the revised landscaping plan.

Ms. Franson stated, we will state landscaping improvements are proposed at the building entry, and it is shown on Sheet 7 of 10 on the site plan. In addition, the Planning Board shall require landscaping along New York State Route 52 and Weed Road to the extent it does not exceed the one-acre requirement. Applicant will need to be strategic as not to affect their permitting process. Mr. Watkins stated we will discuss when we do the landscaping plan.

Mr. Barnhart stated the owner of the property should have a say in the landscaping design. Mr. Watkins stated this is what we do on every project when the applicant proposes a design, we also approve it.

Mr. Russek questioned the number of trees? Mr. Watkins stated we use the number of trees as an example to give you an idea of how much land could be disturbed. You do not have to plant 61 trees. The count of trees was to avoid going over an acre. Ms. Franson stated it is not necessarily trees. You can plant shrubs or anything else based on 3’ diameter to 61 plantings per Mr. Calaca, Building Inspector. Prior to signing the site plan, you will show the landscaping. Mr. Russek stated he understood.

Mr. Watkins questioned the public if they had any comments or would like to speak? No comments from the public.

A motion was made by Rich Barnhart and second by Todd Widmark to close the Public Hearing on Tuesday, October 1, 2024. Vote: All Ayes: 6, Abstain: 0, Absent: 1

A motion was made by Todd Widmark and second by John Leonetti to accept the SEQRA Resolution and Negative Declaration. Vote: All Ayes: 6, Abstain: 0, Absent: 1

Review of Site Plan Resolution:

See Page 18 for full version of the Site Plan Resolution from Ms. Franson. Items listed below were discussed from Schedule A – Conditions of the Site Plan Approval Resolution as follows:

We list out the site plan map sheet, which will be amended and revised based on the final review conditions proposed by the Planning Board.

Review of Schedule A – Conditions of Site Plan Approval:

- The final site plan has to comply with all requirements of the Zoning Law and the area and bulk requirements of the Small Business (SB) Zoning District.
- Payment of ALL outstanding fees applicable to review.
- The final site plan shall be consistent with the Negative Declaration adopted by the Planning Board.
- Disturbances shall not be permitted beyond the disturbance limits without Town approval.
- Town reviewed lighting shall not be substituted and no additional lighting installed without Town approval.
- New utilities will be underground.
- Final site plan with map notes will be reviewed by the Planning Board Attorney prior to signature of the Chairperson.
- See Number 9 A through H of Schedule A for revisions to complete prior to signing the site plan.
- Planning Board shall approve design materials, color of the building prior to issuance of a Building Permit.
- Nothing herein permits installation of any outdoor dumpster absent a site plan revision which shall show the dumpster within an enclosure.
- Additional landscaping not to increase the Limits of Disturbance.
- Applicant shall landscape the frontage of the property along Route 52.
- All three businesses are related and owned and operated by one owner.
- Hours of Operation

Mr. Watkins stated he would like the three-business condition to be changed to one business and three aspects as discussed. Ms. Franson stated she will rely on Mr. Hoyt for an explanation. Mr. Watkins stated it is one business with three different aspects: 1.) catering & barbeque, 2.) pizza, and 3.) brewery. Mr. Hoyt provided the appropriate language as follows: ***Applicant represented that it would be one business with three related aspects and will be owned and operated by one owner as an integrated plan.***

A motion was made by Ryan Reid and second by Todd Widmark to approve the Site Plan Approval Resolution subject to the conditions in Schedule A. Vote: All Ayes: 6, Abstain: 0, Absent: 1

Mr. Russek questioned what is the next step and does the plans landscaping need to be updated within Weed Road and New York State Route 52 frontage? The Planning Board Secretary was asked to email Mr. Russek the Site Plan Approval and Negative Declaration after they have been cleaned up first.

Hours of Operation:

Mr. Watkins stated we will look at the outline to find the hours of operations.

Note: Planning Board Secretary reviewed the narrative and informed Ms. Franson via email, after the meeting, the narrative stated hours of operation to be determined.

Final Sitemap:

Mr. Russek asked how many copies of the final sitemap. Mr. Watkins stated eight (8) copies as stated on the *SCHEDULE A - CONDITIONS OF SITE PLAN APPROVAL, Number 1*. Provide one copy of the landscaping to review and give an approval. Then you can make the final sitemap after the landscaping has been approved. Mr. Hoyt questioned is the Board authorizing the Chair or its delegate to approve the landscape plan, so it does not have to come back to the full Planning Board in November? Mr. Watkins stated he can email it to the Planning Board for the whole board to review. It is not necessary to put Russek back on the agenda. Mr. Hoyt and the Planning Board all agreed.

APPEARANCES:

1413 Indian Spring Roads LLA – Selma (Mitchell) Wiggins (Applicant No. 2024-13): SBL: 99.3-2-1.130 (4.117 Acres) 1413 Indian Springs Road (flag lot) and 2.200 (4.266 Acres) 1413 Indian Springs Road, in Pine Bush (across from Campbell Lane). Lot Line Adjustment (LLA) Change of Lands of Wiggins. Zoning: R Ag-2, Pine Bush School District; Shawangunk Valley Fire District

Mr. Larry Marshall, P.E. from Mecurio, Norton, Tarolli, Marshall stated following:

Description of Lot Line Adjustment (LLA):

The Wiggins application is a proposed lot line change to essentially undo a previous lot line change that was completed on this property. The two parcels associated with this application were created in 1999; where the two parcels that we show were created, as well as, an adjoining parcel and created as the lot line is shown on the map.

Several years later, Wiggins came back in to revise the LLA and move what was the existing barn from the rear parcel to the front parcel; to do an almost equal land swap. They would like to undo this and go back to the 1999 layout. No changes are proposed to any of the existing driveway easements that serves the rear parcel. The house location, well, sewer, any of those things that was originally approved back in 1999, there is no proposed alterations to those items mentioned. It is a proposed LLA where we would be moving the barn. The barn would be located on a parcel without a house which is the same as it was back in 1999. We have provided you the maps that we have been working on.

Legal Issues:

Mr. Ryan Smithem has been working with your attorney to try to work out any of the legal issues before we got to tonight's meeting. Mr. Hoyt stated we noticed three dwellings on the parcel that is going to give up the barn and asked how that happened. The answer is the middle dwelling was built in the 1850s, the dwelling to the right was built in 1942, prior to zoning.

The third dwelling to the left side was built in the mid-80s and raised an issue. We had the Building Department look in the archives, and a variance was granted for that third building. In 2003, about seven years after it was built. My focus was on the three buildings on one lot and if it was legit? The answer is yes, based on the research that the Building Department did and sent it to Mr. Smithem. We will work on the note so that any reader of this map will realize that we did not approve these three buildings now.

Mr. Watkins questioned if Mr. Calaca had an issue with moving the line back. Mr. Hoyt stated the only issue is we expect a home to be built. Mr. Marshall stated that is correct. Mr. Hoyt stated Mr. Calaca would not issue a permit for a barn without a house, because a barn is an accessory use and cannot be the primary use. I asked Mr. Calaca if he thought this was an issue and he was confident the owners would be constructing a house in the not-too-distant future and said he was okay with it. Mr. Marshall stated that is correct.

Discussions on the Building Structure (Barn):

Mr. Patella questioned when the barn was constructed? Mr. Hoyt and Mr. Marshall did not know the answer but that it is old. Mr. Reid stated the barn is going to be in the front yard, setback of a flag lot. Mr. Watkins stated yes, and it is 20 feet off the previous lot. Ms. Franson questioned if the barn is going back on the other lot? The answer was yes.

Mr. Watkins stated the dotted line is going away and going back to the original lot line and questioned if the barn is going to be converted into a house? Mr. Marshall stated it is possible but is not the plan and it is on the setback. Mr. Watkins questioned if we need a variance for that? Mr. Hoyt stated I think our code has a heightened setback if there are animals in the barn. A normal accessory structure is only 10 feet, but this is a good-sized building.

Mr. Marshall stated there is no livestock and if a notation can be added to the plan on what the barn can be used for to avoid a variance, and work with Mr. Hoyt on this. Mr. Hoyt stated a barn connotes animals, maybe storage. It is bigger than a shed according to the footprint. Mr. Watkins stated it could be a storage building and not a barn. Mr. Marshall stated our surveyors identify it based upon on what is in the inside and not how it looks from the outside. It is currently used for storage. Mr. Watkins stated for our purposes, it cannot be a barn, otherwise, you have to go for a variance.

Mr. Hoyt stated he noticed the current line is only 12 feet and the new line will be 20 feet. This issue must not have come up when this was first done. Mr. Watkins stated he agrees.

Mr. Widmark stated he does not have a problem with it going back to the original way and there was no difference. Everything had been approved for subdividing now you are just flip flopping the line. Mr. Reid stated Mr. Calaca reviewed the plans, and he is fine with where the barn is located

Mr. Barnhart questioned if the building structure is safe? Mr. Marshall stated he did not do an inspection, but it is not falling down.

Mr. Hoyt questioned if you need a setback for a shed on the flag lot at the right angle? Mr. Watkins questioned Mr. Marshall if he thought it was about 10 feet? Mr. Marshall stated he would check and will add a notation. Mr. Hoyt stated you might need to send that line out a little bit; you need a setback for a shed. Mr. Patella questioned Mr. Marshall if he knew how big the shed is? Mr. Marshall stated he can get a scale and does not have the dimensions. Mr. Watkins questioned if we could extend that line out just a little bit? Mr. Marshall stated to make sure that we are 10 feet from the corner; yes, we can.

Mr. Watkins asked the Board if we can waive the Public Hearing. The Board Members agreed.

A motion by Todd Widmark and second by Rich Barnhart to waive the Public Hearing. Vote: All Ayes: 6, Abstain: 0, Absent: 1

Mr. Watkins stated this is a Type II Action and is exempt from SEQRA and questioned the Board to approve Lot Line Adjustment.

A motion by Rich Barnhart and second by Todd Widmark to approve a Type II Action exempt from SEQRA and a conditional Lot Line Adjustment. Vote: All Ayes: 6, Abstain: 0, Absent: 1

Additional conditions are:

- Mr. Hoyt requested Awosting Road on the site plan map to be changed to a County Road. Mr. Marshall agreed.
- Ms. Franson stated we need the application to be signed by all owners of the property and to update the application and the name matches all the documents. Mr. Marshall stated that he will address and take care of.

190 Awosting Road & 719 Decker Road – May, Kingsley, and Miller (Applicant No. 2024-14): SBL: 99.2-1-6.100 (8.216 Acres) 90 Awosting Road, Pine Bush, Owner: Lori May; SBL: 99.2-1-7.300 (1.120 Acres) 719 Decker Road, Pine Bush, (Owner: Carrie Kingsley & Marc Miller; Lot Line Adjustment (LLA) of Lands May, Kingsley, & Miller. Zoning: R Ag-2, Pine Bush School District; Shawangunk Valley Fire District

Mr. Larry Marshall, P.E. from Mercurio, Norton, Tarolli, Marshall stated following:

Description of Lot Line Adjustment (LLA):

Mr. Marshall stated the following: This is a Lot Line Adjustment (LLA) between two parcels; one on Decker Road and one on Awosting Road. Awosting Road parcel is owned by Lori May and Decker Road parcel is owned by Kingsley and Miller. They are looking to transfer approximately 4.7-acres of the rear part of the May property (the “L” shape of the property) to Kingsley & Miller. Both of these parcels were part of a 2007 subdivision that involved the parcels along Decker Road. May got involved and she did a LLA to allow a conservation area to be located on the adjoining parcel. That conservation easement is not located on either of these parcels, but they were both part of that subdivision. We would like to move that property line from here (Mr. Marshall pointing to a map) along the backside of Kingsley and Miller and rotate it around and put it on the backside of May. All parcels meet zoning in terms of lot area. We are not making a non-conforming parcel for the May parcel. The Kingsley and Miller parcel were part of a conservation subdivision and does not have the necessary lot width and part of an approval back in 2007.

Discussion on Previous Property Subdivision:

Mr. Watkins stated if the properties are joined, it cannot be subdivided again? It was already used for the yield for the 4-acres and the cluster subdivision. With a cluster subdivision, you have the “as of right” now, then the cluster is done and the lots are made smaller for the houses, and part of the calculations in the beginning.

Mr. Reid questioned if they were to do anything with the larger half, they would have to come in front of us anyway? If they got joint lots, are we thinking too far ahead to not allow them to be able to subdivide? Mr. Watkins stated it was already used for the cluster subdivision to receive the lot count. It cannot be used again to create new lots. Ms. Franson

stated it would be like double dipping. They already used the land to determine the maximum yield, and they built all the lots. To use that land and then subdivide it again, they would be actually getting one (1) more lot that was not allowed in the cluster. Mr. Watkins stated the original subdivision map came to us with five (5) lots and there was an incentive zoning that they were going to get one more lot and through the process, they went back to four (4) lots.

Application – Owners Signatures:

Ms. Franson stated all property owners have to sign the application. We were able to determine two but there might be a third signature. All individual property owners involved must sign the application. GML is not required, and the Public Hearing can be waived.

A motion by Rich Barnhart and second by Sal Patella to waive the Public Hearing. Vote: All Ayes: 6, Abstain: 0, Absent: 1

Ms. Franson stated in terms of the lot line adjustment it meets the requirements and is a Type II Action. “No new lot is to be created – **condition met.**”

It is a Type II action. Do we have a motion and a second to approve this on the conditions that Bonnie just said? I’ll make a motion.

A motion by Ryan Reid and second by John Leonette to approve a Type II Action with conditions that the receiving parcel shall be considered as a single lot for zoning, building, tax and all other purposes. Any easement should be disclosed, if they exist and any additional information deemed necessary for the Planning Board to make its findings. Vote: All Ayes: 6, Abstain: 0, Absent: 1

Deeds:

Mr. Hoyt will need a copy of the Deeds, fully signed, and a copy for the files. A copy will go to Kingston with the signed map. Mr. Marshall questioned Mr. Hoyt if he wants to see them in their final filing form or prior? Mr. Hoyt stated final. All parties agreed (Mr. Marshall, Mr. Hoyt, Mr. Watkins) that Hill ‘N Dale Abstract company will be used for filing of the maps with Ulster County.

2442 Route 300, Liquid Mercantile, LLC – Evan Favaro & Cathy Erenzo (Applicant No. 2024-15): SBL: 106.12-1-22 (8.5 acres) 2442 Route 300, Wallkill. Combined use for retail, tasting, and distillery production. Zoning: Hamlet of Wallkill Gateway (HWG). Wallkill School District, Wallkill Fire District

Mr. George Cronk, P.E. from Passero Engineering Architecture stated following:

Project Overview:

On behalf of Liquid Mercantile, we would like to present a project located on Route 300 that is about an 8.5-acre parcel and has some old history. It was owned by the Town or a Municipality agency at one time and maybe a pool or a recreational facility at one time. We are looking to build a 5,000-square-foot building, which would have a three-purpose, single-entity use for a distillery, a retail section, and a tasting of product area as well as something to eat with a very small dining option. The building itself, is roughly a 50’ x 100’ and in the future, two overhangs on the outside for tasting events during the rain or anything of that nature.

Mr. Cronk stated the building would be surrounded with a gravel parking lot area, and the entrance would be located closer to the easterly side of the property. Route 300 is a DOT State Road and a permit will need to be provided. The applicant is looking at using on-site

septic for all purposes, including bathrooms and distillery uses. There is a well on-site that is proposed for the facility. On the westerly side of the property, there is a stream that comes from the property. We included a note from the DEC in the submission package who came out to the site a couple of years ago. He provided some planning at that time to delineate the edge of the stream area. We do not have a current survey but will provide as soon as we can.

Existing Building:

Mr. Cronk stated at the back end of the property, we do have an existing storage building that Mr. Evan Favaro uses for another business to renovate and restores vehicles, and he keeps a couple of his vehicles in that building. Mr. Watkins questioned if it is a separate business on the land? Mr. Cronk stated it is on a neighboring property and is not part of the property application. Mr. Watkins stated it is an existing building used for storage? Mr. Favaro stated it is similar to seed containers and is going to be temporary. The business is on the neighboring property that I also own, and the seed containers are on this property used for storage. Mr. Reid questioned if it was like a garage, parking, or a loading area? Mr. Watkins stated we have existing storage building on the maps, but it is going to be containers. Mr. Watkins questioned there is an existing storage building on the map, but they are storage containers? Mr. Cronk stated yes and there is nothing permanent about them. Mr. Watkins stated the Building Inspector may have an issue with the containers, but it may not matter since they are far back.

Private Road and Entrance:

Mr. Cronk stated there is a private road that runs along the easterly side of the property that is not planned to be part of the distillery use. The distillery entrance would be off of Route 300 only. We have set the site up so you can pull in either for a delivery, like a box truck or anything else they may need for the distillery purposes, as well as, if you need to get an emergency vehicle around the facility, there is the ability to drive all the way around using the driveway.

Explanation of Lighting, Hours, and Type of Business:

Mr. Cronk stated they are proposing a limited amount of lighting at the site. This is generally a use that would be used during day hours. It would be open during the week and on the weekends. It would be during the day for the most part and may go into some evenings, but it is not a late-night type of venue by any means. There will be some lighting near the entranceway, a sign for the roof, and lighting on the building. Due to the residential properties to the easterly side of the property and over the stream to the westerly side, we are not looking to illuminate or create any type of huge lighting or visual impact. Mr. Watkins questioned you are not against hosting a party or having a venue there? Mr. Cronk stated he will let his clients speak as to what they are doing but it is more of a tasting event.

Mr. Favaro stated the adjacent properties where the Speakeasy Motor Shop is, is a classic car and motorcycle-based business. Then we started the whiskey company within the same kind of atmosphere and feel. Sometimes, we will host car shows to bring in more people and tourism. There are also classic car enthusiasts and motorcycle riders that come to the business and is a way to attract people. We do a lot of charity events and local weekly car shows with live music. The car shows are from 5 PM to 8 PM and is not anything that goes late into the night and more of an entertainment space for local people to visit, have some drinks, listen to music, and check out some old cars.

Well, Septic, and Land:

Mr. Patella questioned if the existing well will be utilized? Mr. Cronk stated we have not drilled a well yet. Mr. Patella questioned if there was going to be clearing of the land behind this parking area? Mr. Cronk stated if you drive down Route 300, there is a grass field there now that gets mowed once or twice a year. It is not agriculturally used, but it is still a field. There would be a little bit of clearing behind the building to the easterly side for the septic

system. The percolation and deep tests were performed, and the soils are very good for our proposed use in that area. Mr. Patella questioned what used to exist as the pool, what is there now? Mr. Cronk stated it was filled in with earth. The pool was fairly close to where the stream is, and we are not looking to be in that area in any way.

Mr. Cronk stated we are in the Hamlet Gateway zone, and as part of that, we do have to comply with the watershed protection or the water supply protection components of the code. We are proposing to use a bio-retention or a rain garden style approach for installing our runoff to meet those requirements as well as meet our landscaping requirement for this gateway. It is a good combo opportunity to use both those practices for this area. Mr. Watkins stated this is over the water aquifer.

Mr. Ryan Reid stated this is a fantastic idea for this district. This is what this district is for; to get people to come in into the gateway to get them to the Hamlet and hopefully we will have more traffic coming through Hamlet. The only concern is maybe noise, and have you had any issues with the existing events? Mr. Mark Chiancone, Business Partner of Liquid Mercantile, stated we never go past eight at night and with the Route 300 traffic, it washes it out. This will be similar to the winery out front.

Building Design:

Mr. Cronk stated we included in the package an example of the building that we are looking at for the facility. I do not think there is a specific color that it must be right now, but we are definitely looking for feedback before we start any further process of doing the rendering. It would be helpful if you had comments to provide on that topic.

Mr. Cronk stated in this particular zone, when we read through the Town Code requirements, it looked like we are hitting about three different sections of code that is outlined in the back end of the letter. We want to make sure we are following the correct path on getting the correct code process as well as the correct uses that will need to be approved at the end of this. Mr. Watkins stated it is a work in progress and it is also a process on how it all fits together and there will be back and forth discussions until it is all figured out.

Ms. Franson's Review of Memo:

Ms. Franson stated the following: At the time we wrote this, we had questions as to whether the use was allowed, and I believe the Building Inspector has "opined" since then and have not received a document what is allowed. Mr. Watkins held up a copy of Mr. Calaca's memo and handed it to Ms. Franson stating Mr. Calaca told us what sections of the law it belongs to. Mr. Hoyt stated Mr. Calaca agreed with the applicant's breakdown. Ms. Franson stated the following from the law: small size retail, tasting, and distillery.

Environment Area:

Ms. Franson stated you are in the aquifer protection overlay zone, which I believe is also a designated Critical Environmental Area (CEA) in the town and has to be considered during the SEQRA review process. The application needs to be updated as there appears to be Federal Wetlands present and should have been checked off as "Yes" in the application. NYSDEC wetlands technically this is "No" as they are not mapped but the NYSDEC can assert jurisdictional authority as per emails.

Agricultural Statement:

The property is adjacent to a county certified Ag district and the Agricultural Data Statement needs to be submitted.

Net Lot Area:

Review the net lot area requirements and revise the map to include the stream and delineated wetlands property. Subtract out particular environmental constraints when determining yield to apply the zoning.

The following steps will need to be addressed once there is a more complete application:

- a. The Planning Board can declare its intent to be lead agency, if it so desires, once it determines there is sufficient information for circulation.
- b. Site plan approval is required – special use permit may be required, depending on the determination of the uses proposed.
- c. The Planning Board should refer the plans to any outside agencies it deems appropriate, as well as those listed by the applicant. These should include the UCDOH and the NYSDOT.
- d. Ulster County GML review will be required as the site is located on a state highway.
- e. A public hearing would be required for a special use permit, if deemed as such.

The Planning Board Engineer should review the plans and work together to move the project farther along. This is in the Wallkill Fire District and at some point they will review the plan.

DOT:

The access is within 500 feet of a state highway and is proposing a paved entrance from the highway, and therefore will require review by the NYSDOT.

General Comments:

- We did have a question about that storage whether it was going to be part of this use or part of the other use that was discussed and clarified previously.
- A sketch plan was provided. Additional detailed information will need to be provided.
- The site appears to be mostly flat, but existing topography and grading will need to be shown in future submissions.
- Standard notes are to be added to the plan.
- A bulk table is to be provided and should include all relevant bulk regulation specifications for the HWG Zoning District.
- The property may have two front yards and would be required to meet the yard requirement on each road.

Ms. Franson's Comments from Memo:

- Make sure you put the parking calculations on the plan.
- The Fire and Building Code: They will check to see whether one access is sufficient based on building code.
- Landscaping details, signs, and lighting plan.
- You will need to be sure where the DEC or Federal Wetlands are located.
- Discussed stormwater and the aquifer protection overlay district, and your thoughts were indicated for addressing.
- All of the above required.
- Parking calculations must be provided on the plans for the applicable use. We note that extra parking is being provided for the proposed car show events.
- Landscaping details, and the specific plantings and planting height need to be added.
- The entrance sign location has been provided. All other signage locations, including that for parking and on the building, should also be detailed.
- Location and details of the light fixtures and footcandles are needed. Fixtures are to be dark sky compliant.
- All delineated wetlands and streams should be accurately shown on the site plans.