



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, 7th day of January, 2025.

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

Also Present: Rich Hoyt, Esq., Town Attorney; Bonnie Franson, AICP CEP, Town Planning Board Planning Consultant, Rich Blazeski, Highway Superintendent. Please see the 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 December 3, 2024

**A motion was made by Todd Widmark and second by John Szarowski to approve the Meeting Minutes of December 3, 2024. Vote: All Ayes: 7, Abstain: 0, Absent: 0**

***CONTINUATION OF PUBLIC HEARING:***

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

Lara Pruschki, P.E., was present for the Applicant. Lara said since the last time they appeared the Architect worked out the issues with the Building Inspector regarding the Firewall and stated that the Building Inspector had submitted a letter regarding such. Lara then verified with Chairman Watkins that the board was in receipt of the letter. Ms. Pruschki added that they had also provided the conceptual approval from the D.O.T. for the entrance and addressed all the consultants' comments. Additionally, she said they received comments from the Ulster County Planning Board, which they can substantially address. One of the comments from the U.C.P.B. was regarding turning radius on the site. Mr. Watkins stated that Lara had shown a map with a turning radius, but the Board was not in receipt of that map. Ms. Pruschki said that they do have one turning radius on the map, but not one for the back of the building, but that can all be provided. Mr. Watkins then brought up landscaping, which was another comment from U.C.P.B. He said that although he did not have paperwork from Shawn Arnott, the Planning Board Engineer, they had spoken earlier and Mr. Arnott had gone and looked at both sides of the property and he recommended some sort of planting along the bottom of the property, away from the building, such as a row of trees.

Bonnie Franson then mentioned that she did not have a Resolution or Neg Dec for the Board or the Client due to lack of time and late submission by the client, as well as the recent holidays.

Rich Barnhart then asked Ms. Pruschki what the nature of the Business is going to be. Lara replied it is a garment business, and they deal primarily with Amazon shipping. So, they have clothing coming in, being re-packed and shipped out. Mr. Barnhart asked if all the clothing would be new or used to which Ms. Pruschki replied that it would all be new. Mr. Watkins said that the last Engineer on the project before Ms. Pruschki explained the business to be a distribution center.

Mr. Barnhart then asked if the items would go in and out by tractor trailer and Lara replied that they would be. Mr. Barnhart raised the issue of sight distance for a tractor trailer coming south on 208 and turning left into the facility, he asked if they were concerned about the sight lines and added that there's a lot of brush at the base of the road which doesn't help. Lara replied that they had also received this comment from the D.O.T., so they will be addressing that issue. Todd Widmark then spoke and said that originally it was going to be straight trucks only (if he recalled correctly from prior meetings), that they were bringing in the clothing in smaller tractor trailers because of the site and the turning radius. He also said it was mentioned prior that when it was being redistributed it would leave in box trucks. Lara confirmed that Todd was correct. Mr. Watkins then asked to clarify that the apparel coming in would be in a trailer truck and would leave the facility in a box truck. Lara replied that he was correct, and she stated they'll have everything ready for next month's meeting.

Mr. Watkins then clarified with Ms. Pruschki that the Board will need the turning radius template and landscaping. There were no further comments from the Board or the Public.

**A motion was made by Ryan Reid and second by John Leonette to extend the Public Hearing to the next Planning Board Meeting on February 4<sup>th</sup>, 2025, at 7pm. Vote: All Ayes: 7, Abstain: 0, Absent: 0**

**Harrier Ridge Estates – Mako Homes – 7-Lot Subdivision  
(Applicant No. 2023-09) (SBL: 106.1-3-29.421) Address: Dubois & Malloy Road,  
26.5 Acres, Property Class: Abandoned Ag-2, Wallkill Central School District,  
Shawangunk Valley Fire District (FD 171). Seven lot subdivision.**

Engineer for the Applicant, Larry Marshall, P.E., of Mercurio-Norton-Tarolli-Marshall spoke on behalf of Mako Homes for Harrier Ridge. He stated this is a conventional subdivision plan with a proposed cul-de-sac that will be approximately 1,000 feet long from Malloy Road which would serve six of the seven proposed lots. The seventh lot would be open to Malloy Road. Mr. Marshall said there are two flag lots, which are lots five and seven. They are both the minimum four acres required, all remaining lots are the required two acre minimum. Mr. Marshall said they have provided responses to comments that were received at the last meeting, as well as the submission of a revised S.W.P.P.. Mr. Marshall then stated that he just received the additional comments from Ulster County Planning Board this evening.

Mr. Watkins stated that the Town Board had decided to create a drainage district for this subdivision at their December 2024 meeting, but that still must go to a Public Hearing, so it is not completed.

Regarding the Ulster County Planning Board's comment referencing the Health Department, Mr. Marshall said the approval of wastewater facilities by the D.O.H. will be addressed.

Regarding the County's comments about subdivision design, Mr. Marshall said the County had recommended a cluster subdivision which would create more lots. However, considering the cluster subdivisions all around the property and the characteristics in the neighborhood, the Planning Board decided to go with a conventional plan. Mr. Watkins said that the cul-de-sac gave a 'neighborhood feel' and then stated that a motion is needed to override the County's recommendation for a cluster subdivision.

**A motion was made by Rich Barnhart and second by Sal Patella to override the Ulster County Planning Board recommendation for a cluster subdivision. Vote: All Ayes: 7, Abstain: 0, Absent: 0**

Mr. Marshall then brought up the County's comment on the issue of Density and Affordability and he stated that there is no requirement by Town or in the Town Code to follow these income/affordability scales. However, the County did put it as a required modification. Mr. Watkins then called for a vote to override the required modification regarding density and affordability.

**A motion was made by John Szarowski and second by Rich Barnhart to override the Ulster County Planning Board recommendations regarding density/ affordability. Vote: All Ayes: 7, Abstain: 0, Absent: 0**

Mr. Watkins then asked Mr. Marshall to speak about the drainage basins that the homeowners are going to maintain on their own in Lots 5 & 7. Mr. Marshall said the infiltration basin on lot 5 is a natural depression that exists, and they are maintaining it. There is not much needed to be done with it. In heavy storms it may accumulate water that will naturally drain into the soil. Mr. Marshall said on Lot 7 there is a low depression that runs into the neighboring property. There will be some berming done to prevent the water from entering the neighboring Leonard property. During normal weather the basins will be rather dry, and you'll be able to mow them just the same as anywhere else. Mr. Marshall said he doesn't anticipate any sort of accumulation of water in any of the infiltration basins due to the types of soil on the property.

Rich Hoyt Esq. then asked that the plans be revised to include some specific language on what the homeowners on lots 5 & 7 can and cannot do with these basins. Mr. Marshall agreed and stated that they will work on any map notes necessary. He said the homeowners can't change them without having them redesigned by a licensed Engineer. Mr. Hoyt asked if both drainage basins were outside of the limits of disturbance to which Mr. Marshall replied that they were. Mr. Hoyt said he was interested in the homeowners knowing what they were and weren't allowed to do with the drainage areas as well as how to maintain them. Mr. Marshall said the drainage basins should not be allowed to be overgrown & they should be mowed regularly. He said they have a maintenance specification in the SWPPP that he will incorporate the map notes for review.

Ryan Reid questioned Mr. Marshall if the applicant would be willing to file deed declarations/ restrictions so future lot owners know what they need to maintain regarding the drainage basins. Mr. Marshall said they will be required to file declarations for the basins on lots 5 & 7 that specify location, maintenance and allowable/unallowable use.

John Szarowski asked if a maintenance agreement with the Town should be in order if homeowners do not follow the agreement so the Town can maintain the drainage basins. Mr. Szarowski added that he has seen a lot of Towns do the maintenance and then charge for it on taxes. Mr. Szarowski then questioned Mr. Marshall, if the homeowners do not maintain the basins, how do we enforce it? Mr. Marshall said it would be the obligation of Code Enforcement to take that on. Mr. Marshall said the requirements are in a deed covenant. So, if someone was to buy the property and complete a title report it would come up with the maintenance requirements and restrictions. Mr. Marshall said the deed covenant also obliges the landowner and gives the Town enforcement rights. He added that the covenants also prescribe professional inspections and added that generally basins like these, once established, just work. He said if people mow them and treat them as a lawn, they just continue to work.

Mr. Hoyt then asked if a report was ever submitted to the Town Board for the Drainage District. Mr. Marshall said a report was not submitted only a request for the approval. Mr. Hoyt then said a report would be needed for the Town Board and it would be helpful to the Planning Board.

Ms. Franson then asked if the drainage systems were going to be constructed at the same time as the road or during the construction of the homes. Mr. Marshall replied that the basins near the road would be constructed along with the road. The basins on Lots 5 and 7 would be constructed at the same time as the homes on each lot. Mr. Watkins asked how much of the basins on Lots 5 and 7 will need to be constructed. Mr. Marshall said they are going to be building out the basin on lot 7, but on lot 5 it is already there. He added that there is going to be the same flow of water into the neighboring property on lot 7 as current, but the basin would be built up some to help alleviate that.

Mr. Watkins then added that he was looking at Shawn Arnott's memo which states that there is a minimum of 33 trees required along the street. Larry Marshall replied that he was in receipt of the tree planting detail.

Regarding Mrs. Franson's comments on stormwater design, Mr. Marshall said that they need to hear back from the Department of Health, who has had the plans for nearly a year with no comment. Bonnie Franson said a response is needed because some of that discussion has to do with the former orchard use, and we need to know whether any testing is needed. Ms. Franson added that we've heard nothing from NYSDEC as well. Mr. Marshall asked how that should be approached and stated that Ms. Franson circulated, stating that we didn't receive anything back, and asked if they should specifically reach out, or is no answer sufficient. Mr. Hoyt stated that Town of Shawangunk was declared lead agency on June 4th, but we didn't circulate until November 20th. Bonnie Franson said that the NYSDEC has been slow & they're almost not sending letters out and suggested we wait and see if anything comes in. Mr. Marshall said he would prefer to leave it alone since the timeframe to respond has lapsed by NYSDEC, he added that he would respond regardless of if they did have comments. Ms. Franson said that they were sent the agency's notice, so we'll see what happens.

Mr. Reid then stated that he would prefer to stop receiving paper copies of the maps for Harrier Ridge and he's not sure if anyone else on the board would agree to that, but he would prefer digital copies until there is a final map. Mr. Patella agreed as well as Mr. Szarowski. The Board had no further comments and the Public had no comments.

Mr. Watkins called for a motion to extend the Public Hearing to February 4<sup>th</sup>, 2025 at 7pm.

**A motion was made by Ryan Reid and second by John Swarowski to extend the Public Hearing to February 4, 2025 at 7pm. Vote: All Ayes: 7, Abstain: 0, Absent: 0**

***APPEARANCES:***

**Lands Of Shoppman -Pelella – Lot Line Change (Applicant No.: 2024-16); (SBL: 100.3-1-14.11 & 14.12) Proposed Lot Line Change, Address: 25 Old Hoagerburg Road, Wallkill N.Y. 12589, & 23 Twin Ponds Lane, Wallkill N.Y. 12589, 20.6 Acres, Property Class: R-Ag4, Shawangunk Valley Fire District, Wallkill Central School District.**

Darren Stridiron from Heritage Land surveying represented for Mr. Pellele. He explained that the Applicant was before the Planning Board in 2017 for a two-lot subdivision, but this application is for a Lot Line Change. They want to add approximately 130 feet to the back of the property, and that nothing else is being changed. Darren Stridiron said he is in receipt of the comments from Ms. Franson and is happy to go over them. He said Ms. Franson's comment regarding signatures was addressed just prior to the meeting and his client Mr.

Pellella signed the application. Ms. Franson then asked if an Agricultural Data Statement was being prepared, to which Mr. Stridiron stated it was not, since there are no new lots proposed then he asked if he should add a note on the map or in the application itself. Ms. Franson then asked him to add it to the map and mark the check box on the application for a Lot Line Change. Ms. Franson then asked Mr. Stridiron to correct the Road name on the map as it is not a County Road. She also said that a Public Hearing is optional and asked the Planning Board if they want to waive it? Mr. Watkins called for a motion to waive a Public Hearing.

**A motion was made by Todd Widmark and second by Rich Barnhart to waive a Public Hearing. Vote: All Ayes: 7, Abstain: 0, Absent: 0**

Ms. Franson continued, stating that there are wetlands present, and they need to be calculated into the plan. She also asked Mr. Stridiron to please indicate on the map which lot line is being deleted. Ms. Franson also pointed out that she didn't see the septic on the map and to please add that as well. She explained that the applicant is required to meet the minimum lot area for each use that's on the lot. The current uses include multiple dwellings and a cell tower. She explained that the bulk table needed to be updated to show the minimum lot area and the sum the different uses are. Mr. Stridiron replied that he had used the same exact calculations that were done for the last submission and that nothing has changed. Ms. Franson replied that we need to change some of the references if they're from the old map, she stated that we are not asking for another survey, just simply asking to change the note(s) and clean up the map to show these specifics. Mr. Stridiron agreed to make these map changes and stated that he had the D.E.C. on the property to do wetlands check on it, and they said there were no wetlands. Ms. Franson said there may not be a D.E.C. wetland, but it could be an Army Corps wetland. So regardless, we just need to change some of the wetland map notes and show the wetland calculations deducted for lot area. Ms. Franson then said a Lot Line Change is a type 2 action under SEQR, so no further SEQR review is required. Mr. Watkins stated that the Town Engineer, Mr. Arnott, didn't have any comments, and then asked Mr. Stridiron if he could make the map revisions and come back for next month's meeting to move forward with the Lot Line Change. Mr. Stridiron agreed.

**Rucinski- Scott- Lot Line Change (applicant No.: 2024-06)  
(SBL: 99.1-6-13.110 & 13.120) Proposed Lot Line Change, 116 & 39 Papuga Road,  
Pine Bush N.Y. 12566, 29.5 Acres, Property Class: R-Ag2, Shawangunk Valley  
Fire District, Pine Bish School District.**

Mr. Marshall presented for the applicant a proposed Lot Line Change between Bob Rucinski and Kaplan Scott to add approximately two acres to the existing parcel owned by Rucinski. They want to push the easterly boundary line to the east and the northerly boundary to the north to increase the size of the Rucinski parcel. Mr. Marshall said that at the last meeting M.N.T.M. hadn't completed a boundary survey of the larger parcel. Since that time, they have completed that survey, added the necessary notes and some additional details, and now also showed the septic system for the new Rucinski lot. Mr. Marshall said there is a wet area on the left and a wet low depression area on the right, and that between that is almost a driveway already from using it as an access road. He said that's where the proposed driveway is going to go.

Ms. Franson stated that most of her comments have been addressed but asked if the Highway Superintendent had gone out to look at the driveway location. To which Mr. Marshall replied that Papuga is a County Road. Ms. Franson said we must ask the County to review the entrance/driveway. She also said she requested that Mr. Watkins visit the site because in the correspondence from Peter Torgersen, he indicated there were two isolated non-jurisdictional wetlands, and that she only saw one on the map. Mr. Marshall replied that there were two wetlands on the left and right of the driveway, and they're not very big,

especially the one on the left and both are isolated. Mr. Watkins spoke and said that New York State's new wetland regulations went into effect as of January 1st, 2025. And he wasn't sure if those criteria for special and unique wetland applies here but Larry you might want to check that out. Mr. Marshall agreed.

Mr. Hoyt then questioned incorrect parcel labeling on the map which showed 0.05 acres on parcel 1.12 which should be corrected to parcel 13.12. Mr. Marshall said he would correct the map.

Mr. Watkins then recapped the discussion stating that M.N.T.M. must make a few map changes, he added that Bonnie Franson's comments were addressed and made sure Mr. Marshall was in receipt of Mr. Arnott's memo with additional comments. Mr. Marshall said he had Mr. Arnott's memo and that there is some clarification that must be made with him, but we'll take care of that. Neither the Public or the Board had any further questions or comments. Mr. Watkins then stated that the Planning Board looks forward to seeing the project next month with the revisions.

**Catsmo Artisan Smokehouse – Site Plan Change & Addition (Applicant No.: 2024-17) (SBL: 106.001-1-17.141) Proposed Addition for a 4,853 sq.ft. addition to existing smokehouse facility located at 25 Myers Road, Wallkill N.Y. 12589, 92.8 Acres in the R-Ag4 District, Wallkill Fire District & Wallkill Central School District**

Mr. Marshall of M.N.T.M. presented for Catsmo, and introduced Fred Pothier, C.F.O. of Catsmo. Mr. Marshall presented a site plan for the expansion of the existing facility located on Myers Road. The property is located off of Myers Road and Bruyn Turnpike, all the means of access are off of Myers Road. In 2018 there was an expansion to the facility which was brought to the Board. Mr. Marshall explained that Catsmo didn't complete all of the previously approved expansion and there is a small part that has yet to be completed which is about 2,800 sq ft. If completed it would connect the main building to the existing storage building. Catsmo would like to reserve the right to be able to do that in the future. However, this current application is for the construction of approximately 4,853 sq.ft. of space off the rear of the building. Catsmo has reached a point now where they've exceeded maximum capacity of the plant and they need to expand. The proposed addition would be constructed to increase the space on the back of the building where the shed is now. As part of that, we have two storage containers that would be connected to the building and there would be a gravel pad placed for them. They would also relocate the two loading docks that are side-by-side to accommodate the additional loading area. The recycling compactor would be inside as opposed to outside like it is now.

Mr. Marshall indicated Catsmo is at capacity for its existing septic system, so an additional leach field is needed and a schematic layout of what they anticipate building is shown. Mr. Marshall said M.N.T.M. will be applying to the Department of Health for review and approval for the leach field. Mr. Watkins asked if they would keep the existing leach field in place. Mr. Marshall replied yes and that they will be utilizing a flow splitter to split flows away from what's existing into a new leach field adjacent to the existing one. Mr. Marshall said what shows on the map is not intended construction but existing. Mr. Watkins asked about the detention ponds. Mr. Marshall confirmed they are operational and designed to treat the industrial wastewater that's coming out of the plant and that with the addition they will be applying to the D.E.C. to install two other cells (ponds). Mr. Watkins asked if there was an issue with the D.E.C. and wastewater to which Mr. Marshall replied no and explained that they recently installed some additional treatment. He said in the first cell there was an accumulation of some waste, so they added two additional septic tanks with additional

treatment methods in to alleviate that. Mr. Watkins asked if that was the two 3,000-gallon tanks shown on the map and Mr. Marshall confirmed.

Mr. Watkins said he went to the site and realized the second part of the addition wasn't done but understands now that the client may still want to do the addition. He said he was mostly looking to check the outside of the building(s) to see what they're taking out and adding on. Mr. Watkins said he did notice that they have storage containers (two 20-footers and three 12-footers) which he thought were supposed to be removed in the last approval. Mr. Pothier then confirmed they were still there.

Mr. Hoyt spoke on the proposed parking spaces; he said that there's a right-of-way mentioned in the prior file along the boundary line and that the right-of-way should be on the map. Mr. Marshall agreed. Mr. Hoyt then said he believed a farmer had an easement across there and Mr. Marshall said he would double check that.

Mr. Patella asked if the trucks access to Catsmo off Bruyn or Meyers Road, and the reason for his question is to understand the impact on the neighbors. Mr. Pothier replied that the truckers do what they want when entering Catsmo. Sometimes they come off Bruyn and other times off Meyers Rd. Mr. Watkins then stated that in 2013 before Catsmo did the expansion, the neighbors had complaints. So, the Planning Board put into place a resolution for a driveway across the field to try to mitigate traffic and to keep it off Meyers Road & Hoagerburgh, but that resolution was not completed. He said there was also a proposal to turn off Bruyn onto Meyers but because of an existing electrical pole and electrical service issues, that was not possible either, so they have since ended up using Myers Road to Hoagerburgh because that's the best truck turning pattern. He explained that was the history of the project and why they go up the hill. Mr. Pothier spoke and said box trucks come three times a week with fish, eight pallets each time and that's the main item. He said the business has gone from 1.1 million pounds of fish per year to 1.4 million pounds of fish this year. The packaging might come once a month to possibly three times a month on tractor trailers. The trucks for the fish are only 20-footers. The trailers are for delivery of supplies. He said the fish may come one extra time during the week but if it does it will always be in a 20-footer. He said they don't have any CDL drivers, and they have one truck that moves every night around 10/11 pm to another facility in New Jersey. So, there's not a lot of tractor trailers that are coming in and out.

Mr. Marshall said there's a lot of details that we need to add to the plans for the Board's review. But we wanted to present the application with the plant being at max capacity. Due to that fact, Catsmo is looking to move quickly on this addition. Therefore, we will address the comments and then continue to progress the plan forward.

Ms. Franson didn't have many comments but thanked Mr. Marshall for submitting the narrative on January 3rd, which the Board and consultants didn't have initially. Ms. Franson did mention that somehow, we need to reflect what happens with the approval for the addition that was not built in 2018 and think of how to incorporate that into this circulation. She mentioned the two septic areas, and said she thought those were going to be expansion areas from the old map. Mr. Marshall stated that the septic's were designed in place of the leach fields that were not removed last time, and he thinks a lot of it's in the memo. Then Mr. Marshall asked if it was possible to amend the last Negative Declaration instead of doing the process again. Rich Hoyt asked if we amended the 2013 Negative Declaration and Ms. Franson said that a new one was done in 2018. Mr. Hoyt said he'd like to look at the prior resolutions and that he remembered there was controversy years ago, which seems to have quieted down, but that he recalled one property owner was very against the expansion which was sizable.

Mark Watkins said the issue raised back then was regarding the business happening in front of Catsmo, off Myers Road, but with this new plan- it's all going behind the building, which, if anything, will help diminish sound and light disturbance. Bonnie Franson said a lot of her comments are just how do we go through the process now, given the new objectives and trying to preserve the older approvals. Mr. Marshall replied that they will address all comments as best they can and if there are any modifications that need to be made in the meantime, to let him know so that they can be addressed at the next meeting. He then stated that he has sat with Fred about what he wants to preserve from the 2018 approval. He said they will note all that clearly and show the prior approved expansion on the plans. Mr. Watkins asked the Board if they had any further comments to which no one replied.

**Kennedy- Upper Mountain Road – Subdivision (Applicant No.: 2024-19)  
(SBL: 91.4-1-29) Proposed Subdivision, 524 Upper Mountain Road, Pine Bush  
N.Y. 12566, 14.65 Acres, Property Class: RS-1, Walker Valley Fire Department,  
Pine Bush School District.**

Mr. Marshall of M.N.T.M. presented on behalf of the Applicant. The proposal is for a subdivision of an existing parcel that is 14.65 acres, located on Upper Mountain Road in the RS1 zoning district. The parcel previously contained a home. What they'd like to do is divide the parcel in half into two 7-acre parcels. Lot 1 would be slightly over 7.62 acres, with lot 2 being 7.02 acres. Lot 1 is where a house was previously located. The area where the previous septic system was located is shown on the plan and all improvements are shown as well. Larry said they found a suitable location for a mound system on lot 1 and then shallow brooks and trenches on lot 2. We recognize that this is in the RS1 zoning district, so there's some additional measures that we must take.

Mr. Watkins said he went to the site, and he is not happy with the ditch that was dug out. It goes all the way down along the road to the garage area and there's also a lot of logged areas on lot 2. He said there is what looks like a trailer site and there seems to be a septic system there and a trailer on lot 1 with electric and a sewage dumping spot. Mr. Watkins said there are a lot of wetland grass all throughout the site. and a lot of it is overgrown and where it's logged is just a mess. He said it looked like somebody was going in there and making some home sites, and they just started digging and then left it. There is also a lot of rip rap on the site. Mr. Reid then asked Mr. Marshall if he could show Mr. Watkins comments on a map. Larry replied that he can locate the rip rap entrance that Mr. Watkins referenced and locate the limits of clearing because it is RS1, so there are tree cutting limits.

Mr. Patella asked Mr. Marshall about the existing sewage system tank, because the narrative says that the leach field is intended to be abandoned and replaced, but Mr. Patella stated that it's likely connected to a tank. Mr. Marshall said he will have to do some research on the existing tank, that they must locate the tank, and he will indicate if the tank will be uncovered and removed or collapsed.

Mr. Franson then said that her memo identifies a lot of what needs to be shown. This site is in the Ridge Stewardship zoning district, so there are numerous requirements. Site plan approval is required and that must be addressed. Ms. Franson said the other issue is that the garage is in the front yard, and since it's being subdivided, does that now create a need to get a variance or will it be taken down?

She also brought up the preservation of mature Chestnut and Oak trees as the DEC identified the site as having a significant natural community of them and Mr. Watkins commented that there are significant oak trees around the wood frame garage. They're probably 24- 27 inches in diameter. Mr. Watkins then said he thinks it would be useful to see topography for the entire parcel, or at least in the inset. Mr. Marshall agreed that they need to show some more

information so that you can see, overall, how the site lays out. Ms. Franson said she would like to see more perspective as well as the drainage ditch and/or stream and just more detail in general because of the site's location in the Ridge stewardship. Mr. Watkins then asked the Board if they had any further comments or questions to which no one replied.

**Cottage Street – Change of Use (Applicant No.: 2024-20)  
(SBL: 106.2-5-19) Proposed Change of Use, 80 Cottage Street, Wallkill N.Y.  
12589, Property Class: SB, 8.238 Acres, Wallkill Fire District, Wallkill School  
District**

Rob Larson the Architect and Planner for Raphael Stone presented on behalf of his client for the property at 80 Cottage Street. He said he was aware that they submitted a limited amount of information and that his client had purchased the property at 80 Cottage Street. What they would like to do is simply change the use from what it had previously been to a Stone Business so from one light industrial use to another. Mr. Larson said they are not proposing exterior improvement. As of now all they are looking to do is be sure that the Board says that his client's business is an appropriate and permitted use on this property. Mr. Larson said that if they wanted to make any changes to the exterior, they would come back in front of the Board. Right now, they want to clean it out because there's a lot of extra stuff in there from the previous manufacturing. His client's business will not require the same amount of electricity and hydraulics there.

Mr. Watkins asked what they will essentially be doing with the stone business, to which Mr. Larson responded by introducing his Client Ascher Cohen, owner of Rafael Stone. Mr. Cohen said they are planning to bring in some stone such as marble, granite and quartz and they want to store it all there. Mr. Watkins asked if they had any intention of cutting stone on site and Mr. Cohen said no. Mr. Watkins then asked if the storage was to be interior or exterior to which Mr. Cohen replied that it would all be inside. Mr. Watkins then asked if they had talked to the neighbor? An Mr. Cohen replied yes, they had. Mr. Watkins then asked if the granite would be moved off and onto the site with tractor trailers to which Mr. Larson replied that the business uses 20-foot trucks to bring in the stone to store it, and from there Mr. Cohen has clients that are local who are buying and processing it. He reiterated that no cutting will be done on site, and they are aware of the environmental concerns. Mr. Watkins asked why the business would not store the stone outside to which the client replied that the marble and quartz cannot be outside.

Mr. Watkins said that the Town is working on something to try to stop the commercial traffic from going through the Town. He said he knows the Town is looking for an alternative to keep the commercial trucks out of the interior of the hamlet. Mr. Lawson replied that they are very amenable to working that out and creating access off C.E. Penny.

Mr. Reid asked the client if they were referred to the Planning Board by the Building Department. Mr. Lawson said they had spoken to the Building Department and the prior Planning Board Secretary who had recommended coming to the Planning Board for Change of Use. Mark Watkins said he had spoken to Mr. Calaca, the Town Building Inspector, who knows all about the project. Mr. Reid commented that the proposed use is continued light industrial, and the proposed business fits the category of light industrial. Mr. Reid added that the business would not be an environmental nuisance in terms of sound and air quality, and he wasn't sure why they were referred to the Planning Board. Mr. Watkins responded that Mr. Calaca referred the Applicant to the Planning Board. Mr. Watkins mentioned the trucking issues that the Town's trying to work on. He said he realizes the Applicant just wants to move in and begin storing material and we are interested in having the business in the Town, it's just a matter of getting it all in place and understanding the intentions.

Mr. Barnhart referenced the map that was submitted, he pointed out that it states, 'Material will be stored around the sides of the buildings on pavement'. Mr. Lawson replied for the applicant that's not happening now—those are future intentions, and they will be back before the Board.

Mr. Watkins stated that he went to the site and there is a lot of work to be done, he saw some excavation work done in the front of the building that had to do with a water / sewer line issue. He also said there's a lot of stones in the parking lot, so a base is already there if the Applicant decides to do blacktop. Mr. Watkins said he didn't go into the building, but I saw that it needed to be cleaned and fixed up quite a bit. He then stated that since the Applicant has purchased the building, he didn't want to hold them up. Ms. Franson then said the site, with the proposed Change of Use, is not subject to SEQR. So, that would allow them possibly to do activities where they normally couldn't have without first completing SEQR.

Mr. Hoyt then said he believes the building is in the Small Business Zone and light industrial is allowed up to 5,000 square feet as a permanent use, but he doesn't see light industrial in the special use category for buildings larger than 5,000 square feet. So, he was questioning that. He then asked if anyone knew when the building was erected and how big the building is. Mr. Cohen replied that he believes it is a 60,000 square foot building and it was built in 1955. Mr. Lawson said that it used to be a company called Stamplate. Mr. Watkins said we must investigate this, and we'll get in touch if we're able to come up with a way to allow the Applicant to start doing some stuff in the meantime, but we really need to investigate these things. He said for that reason, the Planning Board cannot have an answer for the Applicant tonight about beginning to store items and doing business, but we'll work on it this and see what we can come up with for you considering they just bought the building a week ago.

Mr. Patella asked if there was any intent to utilize the outside portion of the building that faces the Rail Trail for outside storage. The reason for his question was to understand if these was going to be any disturbance to the people who are utilizing the rail trail for the natural resource that it is. Mr. Lawson replied that as of now there are no real plans to make outside improvements. Mr. Watkins recommended the Applicant and Engineer provide a list of the building activities that they want to do, and that would help the Board understand more and provide more of a chance to talk to the Town Board and find out what they want. Mr. Cohen asked if there could possibly be a chance that they can't do anything, and Mr. Lawson added that his client is mostly just looking for a degree of confidence to want to move forward and invest in very expensive construction drawings. He added that Mr. Cohen wants to move some office partitions around and maybe add some more office space for the way his business works. He said there are also a lot of underground slab hydraulics and a lot of extra panels that all need to come out. Mr. Lawson said they want to start that work.

Mr. Watkins then said he wanted to poll the board and all he really wants to know is if there's an interest in having this business in the Town. He added that we're not saying yes, we're not saying no, but asked for a vote to see if the Board's interested in allowing this to be done in the building as indicated. The Board was polled and they all agreed to have an interest in the business. Mr. Watkins said again that we need to look and verify everything & tonight there is not much we can do for approval, but he hopes the Applicant was given the vote of confidence they were looking for. The public had no further questions or comments.

### ***DISCUSSIONS:***

#### ***Abe Berkovic – Prospect Heights Lot 25 – Driveway and Wetland Discussion***

Mr. Watkins spoke to the Board regarding Abe Berkovic's garage being on the wrong side of the house. He said the owner had previously flipped the design / layout of house and in

doing so they tried to put the driveway on the other side of the property. Mr. Watkins said the biggest contention was by moving the driveway there; every time they went in and out of the driveway, the house across the road was going to have lights shining inside it. He also stated that on that side of the property there was a wet area that was identified as a vernal pool and was used in the original calculations. Mr. Watkins said the resolution to this issue was that the Owner was told to put the driveway back to where it was originally. Mr. Widmark stated that he didn't think the Owner had done that yet and he believes Realtors are showing the house without the driveway being put back to the original entrance.

Respectfully Submitted,

  
Julie C. Pawson, Planning Board Secretary