



Minutes of a Regular Meeting held by the Planning Board of the Town of Shawangunk, County of Ulster, State of New York, at the Shawangunk Town Hall, 14 Central Avenue, Wallkill, New York, on Tuesday, the 6th day of January 2026.

Those present were: **Ryan Reid, Chairman**
 Sal Patella
 John Szarowski
 Tom Tango
 Todd Widmark

Absent: **Richard Barnhart**
 John Leonette

Also Present: Rich Hoyt, Esq., Planning Board Attorney; Bonnie Franson AICP, CEP, Nelson Pope Voorhiees, Planning Board Consultant. Please see the sign-in sheet for other attendees.

Meeting Location: Town Hall, 14 Central Avenue, Wallkill, NY 12589

Open Regular Meeting: 7:00 pm

Emergency Exists Announcement

Pledge of Allegiance

Approval of Minutes: December 2, 2025

A motion was made by John Szarowski and seconded by Todd Widmark to approve the December 2, 2025, Planning Board Minutes. Vote: All Ayes: 5, Abstain: 0, Absent: 2

Mr. Ryan Reid stated I would like to thank Richard Barnhart, who is unfortunately sick today, for the last year being chairman. I think over the last year, we really saw a good amount of change on the planning board, where we were able to really expedite the simpler applications, such as a lot line changes and similar changes of use.

CONTINUATION OF PUBLIC HEARING:

Bardin Subdivision – (Applicant No. 2025-04): Proposed 2 Lot Subdivision, SBL: 99.3-4-39.311, Acres: 115 +/-, Zoning District: R-Ag 2, Address: Andrew Bardin, 332 Old Hardenburgh Road, Pine Bush, New York 12566, Pine Bush Fire District, Pine Bush School District.

Ms. Hillriegel stated that there is no new news to report on Bardin Subdivision. They have gotten the Health Department approval. DEC has been unresponsive with the information.

Mr. Ryan Reid asked the audience if there were any questions. It was also stated that we have an affidavit of publication. No comments from the public.

A Motion was made by Todd Widmark and second by John Szarowski for Bardin Subdivision to continue their Public Hearing to March 3, 2026 at 7pm. Vote: All Ayes: 5, Abstain: 0, Absent: 2

Two lot Subdivision – Bud and Kimberly Devries (Applicant No.: 2025-11)SBL.; 105.2-1-9, zoning District: R-Ag4, Address: 540 Bruyn Turnpike, Acres 20.1, Shawangunk Valley Fire District, Wallkill Central School District

Mr. Ryan Smithem, from Mercurio, Norton, Tarolli, Marshall, stated this project is located at 540 Bruyn Turnpike on the northerly side on 20 acres. It is approximately west of the intersection of Hoagerburgh Road and Bruyn Turnpike. This project is a two-lot subdivision in the R-Ag4 Zoning District. It contains an existing single-family dwelling and a couple of outbuildings, certified driveways, and individual sewer systems.

We have received a verbal approval from the Board of Health Department and turnout has been addressed and the map has been revised. The project has proposed an additional line in the extreme rear of Lot 6 (6.2 acres) and containing the single-family dwelling. This driveway is served by the driveway accessing from Bruyn Turnpike along the existing access to the east for the adjoining property. The proposed line will be served by an individual septic system and well, both have been approved by the Department of Health.

Mr. Reid questioned where are we with the driveway maintenance agreement?

Mr. Hoyt stated a draft was submitted three weeks, and I have not heard back.

Mr. Reid stated this is a common driveway that they will have to work out. I do not see any issues with it getting signed off on asked if the board or the audience had any further comments. There were no further comments.

Mr. Hoyt stated that the Negative Declaration should be reviewed before the public hearing is closed due to this being a subdivision. Ms. Franson read and reviewed with the board Part 2 (two) of the short Environmental Assessment Form (EAF).

A motion was made by Todd Widmark and seconded by John Szarowski to approve a Negative Declaration Resolution. Vote: All Ayes: 5, Abstain: 0, Absent: 2

A motion was made by John Szarowski and seconded by Todd Widmark to close the Public Hearing. Vote: All Ayes: 5, Abstain: 0, Absent: 2

A motion was made by Tom Widmark and seconded by Tom Tango to issue conditional final approval with the final signed common driveway agreement and the final recreational fees. Vote: All Ayes:5, Abstain:0, Absent: 2

CONTINUATION OF APPEARANCES:

Fire Fox Farms, LLC – Kathy and James Miller (Applicant No.: 2025-10) SBL: 100.1-1-1.2, Zoning District : R Ag-2, Acres: 8.4, Address: 2142 Bruynswick Road, Wallkill, NY 12589, Shawangunk Valley Fire District, Wallkill Central School District

Mr. Reid stated that we need to have a better view of the building you would like to use. There is no building permit for the renovations that have been previously made. It is unknown of the structure and safety of the building and what needs to be addressed and is our main concern.

Mrs. Miller of Fire Fox Farms, LLC, explained they wish to use the barn, about 2,000 sq ft., as a small event space. It will be available to rent out for different types of events including baby showers, family reunions, small weddings, introduce different types of classes like farm to table style cooking, host some children's events, and raised flowers in the greenhouse to sell for Mother's Day. It will complete the Ag side of our business and will not be used for public occupancy.

Mr. Reid stated according to the Building Department, there is an encroachment onto the neighboring property in the Town of Gardiner of two light fixtures, a fence, and part of the green house. We received a letter permitting the light fixture encroachment from the neighboring property but unfortunately, this will not be sufficient as the neighbor can revoke it at any time. Either a boundary line agreement will have to be made, which would work well if the other property owner was to sell; or remove the fixtures from the opposing property.

Mr. Hoyt questioned what type of job would it be to move the poles to get it on your property? Mrs. Miller stated it would be expensive due to sizes and style of the poles.

Mrs. Miller stated they have options to do outside events under a tent and will need to get a permit and inspection when installed and must be uninstalled after every event. Mr. Reid questioned if it would be a problem to schedule time with the Building Inspector to do a proper on-site inspection. Mrs. Miller stated yes, we can schedule a formal visit with the Building Inspector.

Mrs. Miller stated we know a Building Permit is required and not an issue. We are at loss as to where to start because the Building Department states we need to go to the Planning Board and the Planning Board states we need to go to the Building Department. We need further directions, so we have a path to follow. Mr. Reid stated we are hoping to get a formal letter from the Building Department showing a preliminary list of what is needed. With the Building Department visited the site today have additional findings and comments to add and provide to Mr. Hoyt, Esq. for review.

Mr. Reid stated our concern right now is the structure of the building, is it safe, no issues from an engineer's report, and the electricity is good. We want to start with the bare minimum to keep your business running. The occupancy for the barn would not be able to exceed 98 people. Next would be to address the site plan and the encroachments.

A tent may affect the site plan, and the parking lot needs to be shown on how to fit thirty-two (32) car spaces and lines laid out. Mr. Hoyt questioned the Building Department and asked if they were able to get inside of the building or would they have to go back and do an inspection on the inside? Mr. John Calaca, Building Inspector, stated this was the first time he went to look at the project and they were inside the building but did not do a thorough inspection. There were a few things that he noticed that will have to be done to meet the codes such as:

- Emergency escapes
- Emergency Rescue lights
- Exit signs
- Fire Extinguishers (existing ones are the wrong size & type and need to be hung on the wall)

It has been established tonight by the applicant that the greenhouse will not be used for public occupancy, but we will still do an inspection on it to make sure it was done correctly.

Mr. Hoyt questioned the board if they would like to have a Public Hearing on this application. Mr. Reid felt that it would be a good idea since the Planning Board is not ready to make a decision on the application. We do not have everything from the Building Department and there is some agriculture exemption.

Ms. Franson mentioned that Ag & Market has a site with some verifications and they have one for direct marketing and Ag Tourism. It includes the Laws and Regulations and for Direct Marketing.

Mr. Hoyt stated this project is in an Ag District which we have confirmed. Ag & Markets do tests and have to figure out if you are a viable farm which is sometimes easy to establish. For example, you are a 100-acre horse farm. The second test is they sell their own farm products and the Ag Tourism is to help you do that. Ag & Markets have the 70/30 rule. Seventy (70) percent of your gross profits have to come from your farm's gross revenue from your farm's products. The thirty (30) percent can come from your venue's receipts. Mrs. Miller stated that we bring in wreaths and trees. We do not grow them. We go to Magnanini's Winery and cut their grapevines for free and use them for wreaths. The wreath making classes are held for two to three weeks during the holidays.

Mr. John Calacia, Building Inspector, stated in order to be considered a Ag Business you had to have at least seven (7) acres of property and had to be in business with an income of over \$10,000 for two (2) years. Then you can apply for the Ag Exemption that is applied to your taxes. It has nothing to do with the venue or the farm and if they were a legitimate farm in the Ag District, they would still need a Building Permit, and we would waive the fees. The Ag and Markets guidelines has nothing to do with this application. There was a venue that was built without approval from this board, and they did not get a Building Permit.

Mr. Reid discussed next steps:

- Figure out the structure of the building.
- John will come out and do an inspection of the existing building.
- Public Hearing to be scheduled for next Planning Board meeting, February 3rd, 2026 at 7:00 PM or soon after.

- Make it fit in the current Zoning Code.
- Building Inspector needs a set of plans for the building.

Mr. Reid questioned could we give them a conditional approval if the building and fire codes are updated? Mr. Calaca stated we cannot give them approval until we have a signed off architectural site plan. Ms. Franson stated you need to know what the use is. Mr. Reid questioned is there a two-step process where the Planning Board can approve the small events as they fit with Ag and markets and small farm operations? In the meantime, the town should come up with a venue law and that is when Fire Fox Farms can come back for bigger events like weddings and more parking.

Mr. Hoyt feels that the best way to deal with this project is to work with the Building Department and get the Building Permits squared away; then deal with fitting this in with Ag & Markets and within the zoning. This should also be sent to the County.

Mrs. Miller, after speaking with the Building Department, it has been decided to remove the two lights on the adjoining parcel and place them on the Fire Fox Farm property. Mr. Reid stated when the mailings are sent out for the 500' Radius, the Town of Gardiner will be notified because the property line borders Fire Fox Farms property. Permission from them will not be needed if you move the lights. There are still other issues to be discussed at the next Public Hearing.

A motion was made by John Szarowski and seconded by Todd Widmark to hold a Public Hearing on February 3, 2026, at 7 pm or soon thereafter. All Ayes: 5, Abstain: 0, Absent: 2

**Home Occupation – Ms. Melyssa Harper (Application No. A25-0019)
SBL# 104.4-3-5 Zoning District R.-Ag-2 & RS-1, Address: 1228 Burlingham Road,
Pine Bush NY 12566, Acres: 0.952 Wallker Valley Fire District, Pine Bush School
District**

Ms. Harper would like to open a dog grooming business in her home. It would be considered a drop off and pick up when done with service. There should be one (1) dog at a time but no more than three (3). The grooming time per dog, depending on the temperament of the animal, should be a two-hour session. The existing room will be for the grooming table and a dryer. The bathing will be done in the existing bathroom. There will be crates in case one dog is waiting to be picked up. There will be no long-term care for the dogs and strictly a drop off and pickup when the dog grooming is completed. No employees will be staffed but possibly in the future.

Mr. Reid questioned if there will be a sign for the business. Ms. Harper would like to put a small sign up but does not have one now. We were thinking of maybe hanging a small sign from the mailbox or putting it in the corner of the yard where it meets the deli next door on existing posts.

Ms. Franson stated that you are only allowed to use thirty-five (35) percent of the house so a site plan would be needed. You have indicated that there will be no employees, but the law does allow you to have up to two employees. If you think that you are growing into something bigger you may say that you want one or two employees so you have that availability and you will not have to come back in front of the board if your business grows. This is an accessory use to a home that is allowed as a home occupation.

A motion was made by Todd Widmark and seconded by John Szarowski to wave the Public Hearing. Vote: All Ayes: 5, Abstain: 0, Absent: 2

A motion was made by Todd Widmark and seconded by Sal Patella to Declare this is a Type II Action and not subjected to a GML Review. Vote: All Ayes: 5, Abstain: 0, Absent: 2

Ms. Franson stated the following conditions are to be met for the home occupation for dog grooming:

- Will not accommodate dogs for an extended amount of time.
- One employee.
- Image of one sign not to exceed two square feet.
- Floor plan of workspace not to exceed more than thirty five percent of home.
- No kenneling dogs.

A motion was made by Todd Widmark and seconded by John Szarowski to approve site plan with the conditions stated by Ms. Franson . Vote: All Ayes: 5, Abstain: 0, Absent: 2

Lot Line – Jordan Manley & Steven Aumick (Application No. A25-0020) SBL#99.2-2-4.17 & 4.141, Zoning District R.Ag-2, Acres: 16.757+, Address: 30 Aumick Road, Wallkill NY 12589, Shawangunk Valley Fire District, Pine Bush School District

Mrs. Margaret M. Hillriegel, L.S. stated her clients Mr. Jordan Manley and Mr. Steben Aumick were looking to swap portions of land that should never have been approved the way they were laid out. There is one portion of the property that has a one-foot (1') connection in the back of the property. The acreage of the properties will stay the same. Both properties exceed the zoning requirements and there are some wetlands not affected by this swap of property. The one-acre piece will be completely eliminated in the front where there is a one-foot (1') strip that attaches to Mr. Manley's lot in the back. The proposed lines will go all the way over to the Vandermark lot. The last time this lot was subdivided was in 2020. Mr. Amuck did a lot line between his home and the larger piece. It was filed with the county again in the year 2020 and the File Number: 20-238.

Ms. Franson stated this is considered a lot line adjustment that is not subjected to SEQRA or a GML review and is a Type II Action. Back in 2020 there was a lot of talk regarding the movement of sheds as far as what can stay and what cannot. Mrs. Hillriegel state the removals

of the shed was completed before the project was given approval. One (1) shed had to be moved nine inches (9") because it had to be ten feet (10') off the property line.

Ms. Franson questioned what was the small triangular piece that you are changing the ownership for? Mrs. Hillriegel stated that was for the potential of widening the driveway to the remaining lot. It was for future access if we ever decided to develop. That land was also part of this land swap. Mr. Manley is getting .85 and Mr. Aumick is getting .82 and .03 so it is considered an equal swap of property between the two of them.

Mr. Hoyt stated that there are three lot-line deeds between Aumick to Manley and Manley to Aumick. that should be reviewed.

A motion was made by Todd Widmark and seconded by John Szarowski to wave the Public Hearing . Vote: All Ayes: 5, Abstain: 0, Absent: 2

A motion was made by Todd Widmark and seconded by John Szarowski declaring this is a Type II Action and not subject to a GML Review. Vote: All Ayes: 5, Abstain: 0, Absent: 2

A motion was made by Todd Widmark and seconded by John Szarowski for a Conditional Final Approval with review of all lot line deeds and paid Final Fees and signed maps . Vote: All Ayes: 5, Abstain: 0, Absent: 2

Next Regular Meeting to be held on Tuesday, February 3rd, 2026 at 7:00 PM.
Deadline for submission is Friday, January 16th, 2026 at noon
Agenda is subject to change

ADJOURN MEETING:

A motion was made by Todd Widmark and seconded by John Szarowski to adjourn meeting. Vote: All Ayes: 5, Abstain: 0, Absent: 2

Respectfully

Janice Stryker
Planning and Zoning Board Secretary