

**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 3rd day of February 2026.**

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

**Absent:**                      **John Szarowski**

**Also Present:** Rich Hoyt, Esq., Planning Board Attorney; Bonnie Franson AICP, CEP, Nelson Pope Voorhis, 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: January 6, 2026**

**A motion was made by Mr. John Leonette and seconded by Mr. Todd Tango to approve the January 6, 2026, Planning Board Minutes. Vote: All Ayes: 6, Abstain: 0, Absent: 1**

***PUBLIC HEARING:***

**Fire Fox Farms, LLC – Kathy and James Miller, Kimberly and John Miller (Applicant No.: 2025-10) SBL: 100.1-1-1.2, Zoning District : R Ag-2, Acres: 5.9, Address: 2142 Bruynswick Road, Wallkill, NY 12589, Shawangunk Valley Fire District, Wallkill Central School District**

Mrs. Miller, Fire Fox Farms, gave a brief description of the activities and functions of the application. We are looking to have a small event space and axillary in the main building on the farm. We will sell Christmas trees and we have the greenhouse, so in the springtime we will bring flowers in for Mother's Day and maybe vegetables. We would like to do classes for honeybees and overall, more with Ag Tourism.

Both the Building Inspector and Code Enforcement officer have visited the location and everything that could be corrected immediately has been done. They asked us to put in grab bars in the bathroom, fire extinguishers, exit signs and anything that was in need of attention. We submitted the building plans to the Building Inspector, and we are waiting for the electrician for an inspection. In regard to the encroachment with the neighbor, we have an easement from the neighbor, and it is being filed with the County Clerk's office.

Mr. Barnhart questioned whether the greenhouse was a temporary structure; meaning it does not have walls or a standard roof.

Mrs. Miller: Yes, it is considered a temporary construction.

Mr. Patella: You currently have some things that you are growing and bringing into the greenhouse; do you plan to continue and expand on what you are doing?

Mrs. Miller: Yes, we start in the spring and want to work on things that were not able to be done last fall, for example have Mother Day flowers and pumpkins in the fall.

**Comment(s) from the public:**

Ms. Sandra Nencetti from 2146 Bruynswick Road stated she is fully supportive of the right for citizens and property owners, in this town, to exercise their right to modify and improve their property. The homes and businesses is what keeps our town vibrant and increases the value of our community as a whole. I have reached out to the owners to address these questions and concerns with no response. I am trying to be a good neighbor and expect the same.

Questions and Concerns:

- Where is the location of the septic, well, and drainage, and how is it impacting the soil?
- How is it affecting our property values?
- Concerned with high capacity and event space, it is not consistent with residential and agricultural.
- Traffic safety and emergency vehicles access.
- Light pollution, noise, and alcohol.

Mr. Reid: When the activities were happening, did you file a complaint with the Building Department?

Ms. Nencetti: No, I spoke directly to my neighbors, asked questions, and that they were going through the correct channels. I was originally told it was going to be a flower stand. If I had been able to understand what was going on I would have been able to sell my house. I did not want to call the police or the Building Inspector because I did not know anything was out of order.

Mr. Reid: With the proper restrictions or guidelines in place, you do not think it will be an issue in regards to your quality of life with the building?

Ms. Nencetti agreed and said I would like my concerns to be addressed (listed above).

Ms. Franson: Is there a sewer or are you bringing in porta sands?

Mrs. Miller: There is an existing raised septic that was used for a residential trailer.

Ms. Franson: Have you contacted the Department of Health (DOH) to find out what is needed to operate a septic system for any events?

Mrs. Miller: We had a licensed septic company come in and tested the lines, and a licensed well driller to test the water.

Ms. Fransen: Did this go to the DOH? With your operating events I am not sure if that is considered public.

Mr. Reid: We will take your opinions and concern into consideration.

Mr. Tango: Most of your concerns will be addressed during the CO process. The safety concerns have been and will be addressed with the multi visits from the Building/Code Enforcement Officer and are being delt with.

Mrs. Miller: We are trying to make everything right and we have been discussing everything with Ms. Nencetti when she stops by with her questions.

Mr. Dylan Lacoutte, 156 Beecher Hill Road: These people have done a lovely job renovating and maintaining the space and are doing a great job of being responsible with the space.

Mr. Hoyt: A month ago, the Millers said they were going to move the poles and now you are saying there is an easement.

Mrs. Miller: Yes. We had the easement drawn up, notarized and they are on their way to the County Clerk.

Mr. Hoyt: The Building Department stated you cannot light up your neighbor's property and reason to move the poles, and they would be dark sky compliant with shielding. If the poles are going to stay where they are you are obviously luminating the neighbor's property.

Mr. Reid: They are approved though. Has the easement been submitted for filing?

Mrs. Miller: Yes, the lawyer has it.

Mr. Patella: This property is the opposite side of your property. Will you be acting on this with the Code Enforcement Officer in regards to the dark sky compliance requests?

Mrs. Miller: The two lights will luminate our greenhouse.

Mr. Patella: Do the lights from the Firehouse shine onto your property?

Ms. Nencetti: No, they are not shining into my house and are shielded. On the Millers property there are light three lights that shine directly into my house.

Ms. Franson: Do you ever extinguish the lights?

Mrs. Miller: Yes, they are off now. As I have said, they are on photocells. We had them on for Christmas. Now they are on when we have someone in there for safety; then I throw the breaker off. The parking lot lights are on one breaker. We have shielded the light for the entrance to the barn.

Mr. Reid: What are the hours of operation for these specific events?

Mrs. Miller: The hours of operation usually start at 11:00 AM, 10:00 AM to set up, and last for four (4) hours per event. The latest event we had went until 11:00 PM. The music is done by 10:00 PM.

Mr. Patella: We do not have a noise ordinance in this town. It is more of a friendly-neighbor kind of understanding. There are things in municipal law that we cannot enforce without due processes.

Ms. Franson: We do have performance standards and there are also some noise requirements. It does state that the Building Department can apply that to use. Things the board may want to consider is hours of operation and can this be applied to this use? Question is for the Building Inspector.

Ms. Fransen: Will there be someone there from your group managing the event? Are you ensuring people get insurance and if alcohol is to be served, there is a rider?

Mrs. Miller: Everyone supplies same day insurance and if alcohol is to be served, they will get the alcohol rider. We are not necessarily in their face. Small baby showers, we set up and allow them to have the party. Anything bigger we are around the proximity of the event.

Mr. Reid: For the larger scale events, can we put parameters on the music being done by 10:00 PM and vacate the property by eleven 11:00 PM. Hours of operation to start at 10:00 AM for set up and the music to stop at 10:00 PM.

Mr. Barnhardt: Why do we not allow them to police the events? If it is a baby shower, it is low key compared to a graduation event.

Mr. Reid: Based on the information that we have received, we will take the time and see what we can and cannot address.

- We will not make a starting time due to the Ag & Markets.
- We will look into the Board of Health for another approval for the septic to handle what you are proposing.
- The board has to agree on the easement to have your lights on the neighbor's property instead of moving them as discussed and would be in the best interest of all parties.
- This project goes to the county so we will wait to see if they have any comments.

Mr. Hoyt: We do have to take Ag and Markets into consideration with this application. Based on new items and items covered, you may want to put this over to the March meeting.

Mr. Edward Diller, Code Enforcement Officer: I spoke with the Building Inspector, from the Town of Gardiner, I called him in response to this application to see if they had an issue. Town of Gardiner does have an issue with the lights.

Mr. Reid: Was there a formal statement made to the Building Department?

Mr. Diller: Last I heard there were going to be violations concerning the property owner of where the lights were. Town of Gardiner is going against their jurisdiction of 500 ft.

Mr. Reid: With the town notifying the adjoining towns it will not affect the site plan. Is it affecting the other towns' infrastructure, roads, etc.

Mr. Reid: I feel we should close the Public Hearing and put this off until next month. I want to make sure we do not hinder something if we do not have to and specifically put together our guidelines for you.

***A motion was made by Mr. Ryan Reid and seconded by Mr. Richard Barnhart to close the Public Hearing. All Ayes: 6, Abstain: 0, Absent: 1***

***APPEARANCES:***

**Dylan Lacoutte (Application No: A26-0001)**

**SBL#99.2-1-32, Zoning District: AE, Acres: 1.25, Address: 2630 New Prospect Road, Pine Bush, NY 12566, Shawangunk Valley Fire District, Pine Bush Central School District**

Mr. Dylan Lacoutte, CEO of Top-Notch Maintenance, stated I work and maintain properties for people in the area and would like to reinvest the money into other properties staying in this area. I have recently leased this store front, which previously was a deli in the past. It has been vacant for a few years and I would like to bring it back to a small deli in the town.

Mr. Reid: There seems to be a few attachments to this building. What portion will be used for the deli?

Mr. Lacoutte: Seventy-five percent (75%) of the bottom will be used for the deli. The top part of the building is an apartment that is currently being rented out. There is a section downstairs, that contains the staircase for the tenant to use.

Mr. Barnhardt: In the past, gas was sold at this deli. Do you know if the underground tanks have been removed?

Mr. Lacoutte: I believe that they have been removed but I do not have proof of the matter.

In regard to the parking lot, I would like to leave that up to the board. At this time, I do not have plans on paving it and just putting stone down in the beginning.

Ms. Fransen: The parking lot should be on an angle to avoid the traffic from having to back up. This is an existing building, and you are not proposing anything, it would be considered a TYPE II Action and would not require a SEQR review. A site plan showing the parking, dumpster location and details, and how the deli will function and operate is required as well.

Mr. Reid: Going forward, you want to speak with the Building Department and DOH to make sure the building structure is capable of what you are proposing. If those requirements are met, I would then get a survey plan done.

***DISCUSSION:***

Mr. Reid: It was pointed out by Mr. Hoyt that there are quite a few conditional finals that are expiring and need to be extended. This is being done out of courtesy. It is not the board's position to extend the projects as the applicant should be aware and ask for the extension.

Mr. Hoyt: Extensions are typically granted if there is no rezoning by the town. Example:

**Hufcut/Boniface: Burlingham Road**

A ninety (90) day extension for the Condition Final Subdivision approval granted in July 2025.

***A motion was made by Mr. Todd Widmark and seconded by Mr. John Leonette for a ninety (90) day extension from January 1, 2026, to April 1, 2026, for Hufcut /Boniface approval. All ayes: 6, Abstain: 0, Absent: 1***

**Wayne Sheeley: Plains Road**

Sheeley, Wayne is a ninety (90) day extension for the Condition Final Subdivision approval granted in July 2025.

***A motion was made by Mr. Todd Widmark and seconded by Mr. John Leonette for a ninety (90) day extension regarding Mr. Wayne Sheeley's approval to April 1, 2026. All Ayes: 6, Abstain:0, Absent: 1***

Mr. John Calaca, Building Inspector, stated he spoke with Mr. Sheeley, and he is considering taking down the structure and rebuilding the same structure and footprint with modern materials. There are issues with some material in the building.

**One Stop Shop: Route 208**

A six (6) month extension for the Special use approval granted February 2025.

***A motion was made by Mr. Sal Patella and seconded by Mr. Widmark for a six (6) month extension regarding One Stop Shop approval to August 3, 2026. All Ayes: 6, Abstain: 0, Absent 1***

**Joseph Russek: Weed Road**

Joseph Russek a six (6) month extension for the Special Use Approval approval granted on October 1, 2024.

***A motion was made by Mr. Richard Barnhart and seconded by Mr. Sal Petella for a six (6) month extension regards Mr. Joseph Russek till April 1, 2026. All Ayes: 6, Abstain: 0, Absent: 1***

Mr. Richard Hoyt: Briefly mentioned a Public Meeting made by the Town Environmental Management Corporation to discuss Battery Energy Storage Systems (BESS) and their potential impact on the Town. This meeting will be held at Shawangunk Town Hall on February 10, 2026, at 6:00 pm.

Next Regular Meeting to be held on Tuesday, March 3rd, 2026, at 7:00 PM.  
Deadline for submission is Friday, February 13th, 2026, at noon  
Agenda is subject to change

***ADJOURN MEETING:***

**A motion was made by Mr. Todd Widmark and seconded by Mr. Tom Tango to adjourn meeting. Vote: All Ayes: 6, Abstain: 0, Absent: 1**

Respectfully

Janice Stryker  
Planning and Zoning Board Secretary