



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 March 2026 at 7 P.M.

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

Absent:

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: February 3, 2026

A motion was made by Mr. John Leonette and seconded by Mr. Tom Tango to approve the February 3, 2026, Planning Board Minutes. Vote: All Ayes: 7, Abstain: 0, Absent: 0

Mr. Hoyt: I would like to make a correction, for the record, that was stated at the February meeting. "I previously stated that One Stop Shop required a special permit; however, it only required a site plan approval which is valid for two years (through January 2, 2027)."

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.

Mr. Hoyt spoke with Ms. Hillriegel, who is still awaiting the DEC due to their backlog and has requested that the public hearing be postponed to the May 5, 2026, Planning Board meeting.

No one was present to comment on this continuation,

A motion was made by John Szarowski and second by Todd Widmark for Bardin Subdivision to continue their Public Hearing to May 5, 2026, at 7:00 pm. Vote: All Ayes: 7, Abstain: 0, Absent: 0

CONTINUATION OF APPEARANCES:

**Mako Homes 12- Lot – Reality Subdivision (Applicant No.: A25-0013):
SBL: 99.1-2-2, Zoning District: R-Ag-2 & RS-1, Address: 676 Awosting Road, Pine Bush, NY 12566
Acres: 65.86 Shawangunk Valley Fire District, Pine Bush School District**

Mr. Ryan Smithem, Mercurio, Norton, Tarolli & Marshall, PC was present to represent Mako Homes. The last time we were present we presented an outlined subdivision. We are presenting a subdivision maintaining the conventional side and we have reformatted our maps to show the clustered side. We are here tonight to get the board's opinion on a conventional subdivision or a cluster subdivision. The difference between conventional and clustered are pretty much the same. The conventional lot opens up the area a little bit more on the Easterly side, but it allows everything to be pulled closer to the road, which is more consistent with the neighborhood. There will still be the same number of lots and maintain the sixteen and a half acres at the rear side. The cluster subdivision is used to cluster the lots down with some parcels on the smaller side. Specifically, the section that is in the RS-1 district keeps these lots toward the conventional side. For the board's reference, we used the conventional plan as our measurement to say, by conventional means we can get this many acres or this many lots based on the acreage of the zone. The parcel happens to span two different zones and then the cluster subdivision is used to cluster those lots down. This will reduce some of the setbacks, so the overall disturbance of the entire subdivision is less. This is to conserve larger areas and have less environmental impact.

Mr. Tango: Is there a specific geographic feature that is preserved?

Mr. Smithem: The wetlands and the steep areas near the stream in the rear is all conservation and identified on the map as well as environmentally sensitive areas.

Mr. Patella: I am in favor of the significant amount of open space.

Mr. Hoyt: A cluster plan would prohibit a future subdivision and a conventional plan could allow it if zoning changes in the future.

Mr. Reid: A cluster plan is a better fit than a conventional plan and a nicer layout.

Mr. Smithem: The DEC validated the wetlands, and the plan has been revised to reflect the bounds and buffer areas.

Mr. Tango: It would be more effective with the wetlands to have a cluster subdivision.

Ms. Franson: Are any of these lots less than two-acres?

Mr. Smithem: No, they are not.

Ms. Franson: A cluster subdivision has smaller lots than a conventional plan. This is not a cluster subdivision because the lots would be smaller than 1-acre in order to protect the open space. Unless there are variations in setbacks and yards, you have the options between two conventional plans. With clustering you would be preserving land and conservation easements.

They have lost one lot due to the wetlands, and we are down to 11 lots versus 12. The Army Corps wetlands are now regulated by the DEC. There is now a 100-foot adjacent regulated area. There is not a lot of places to put buildings once you take into consideration the places which cannot be built without a DEC permit. It is better, in terms of presentation of the easement, to put it on fewer lots. The EMC should go out there and decide if this is the best or if more engineering needs to be done.

Mr. Smithem: Due to the topography of the area, we are likely to have individual basins and sewer areas. Some of these lots are already located in grass areas, so they are not going to be disturbed to have large yards. We are trying to determine whether the board would rather have a cluster subdivision with a conservation area and or open space with a conventional subdivision. The conventional will need a Stormwater Protection Plan. The cluster will have less disturbance than the conventional and we do not feel that designing individual Stormwater Facilities is going to change the balance very much. The Beaver Brook will have a walking trail alongside and it will not be wide enough to house a dock or a boat or anything like that. It would be a great picnic area.

Mr. Hoyt stated the following: I recommend that you open SEQR tonight; the project is an Unlisted Action; and is ready to circulate for coordinated review.

A motion was made by Sal Patella and seconded by Tom Tango. to Declare Lead Agency and circulate. All Ayes: 7, Abstain: 0, Absent: 0

**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 gave a brief description of the activities and functions of the application. We would like to utilize the barn as an accessory use and use it for events and to bring attention to the farming. It is used on a daily basis either with events or working on the agricultural part of the farm. The Green House will be used to bring plants in and to sell honey/honeybees. The event space is helping us along the way and are small. We do have occasional birthday parties, baby showers, and reunions that come through.

Everything that the building inspector wanted us to fix inside the barn has been completed. As we stated at the last meeting, we filed the paperwork for the easement for the light poles and are still waiting on the paperwork to be processed.

Mr. Reid: The board closed your public hearing at the February 3rd meeting. We received an e-mail/video of loud music from your neighbor concerning the loud noise. Our concern is the loud noise and limiting it to your neighbors.

Ms. Miller: Yes, we were notified that evening. It was my son's 16th birthday and we had a DJ. The music had stopped at 9:45 as we promised and were walking out the door. This does not happen often the last time we had a DJ was four months ago.

Mr. Hoyt: Reviewed a draft of the Resolution for Fire Fox Farms. The corrections made since the Public Hearing were reviewed. The matter is a Type II Action – exempt - per the SEQRA. *(Please contact the Planning Board secretary for a copy of the Resolution)*

A motion was made by Mr. Richard Barnhardt and seconded by Mr. Todd Widmark to approve the resolution with all the conditions. All Ayes: 7, Abstain: 0, Absent: 0

**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**

Passero Associates were present representing Liquid Mercantile. We are back in front of the board to recirculate this project and to review our plans. This project will use an approximately five thousand square foot building and will be of mix use. This is a distillery using local grain from the area as well as hosting small tasting events to taste the products we produce. There will also be a small retail space to sell our products. The project site is located on Route 300, 14 Mechelke Lane that services three homes and another business. To the West side of the property is a stream that runs under Route 300. This wetland area and stream has been flagged and validated by the DEC. At the back side of the building will be the septic system or treatment of the wastewater. This property is in the Aquifer Overlay District which does carry some extra requirements for landscaping. The main stormwater treatment practice is a fire retention through filtration. It will go through the fire retention practices and the discharge into the neighboring stream and will retain our sewage, so we are not increasing the flow of sewer from the property. We are not proposing to clear anything beyond what we need for the project. There will be some delivery trucks approximately ten (10) times a year, once a month or something for delivery, straight tractor trailer size. They will not be utilizing the private road; everything will be entered and exited from Route 300.

Ms. Franson: I understand you are in the process of developing the plan. At some point, we would like to see the landscaping, particularly along the frontage to be shown and the lighting plan in terms of illumination levels. You have three different uses on the site and per our building code, you need at least one acre per primary use. That should be addressed with the building inspector due to the wetlands. The retail and tasting may essentially be one use and not require an acre for each.

Passero Associates stated that they need to go to the Zoning Board for a 108-foot variance from the maximum front yard. The maximum setback is 25 ft. in that zone. We would like to move the building back to have room for the landscaping, handicap parking, and parking.

A motion was made by Mr. Todd Widmark and seconded by Mr. John Leonette to send a letter regarding positive recommendations to the ZBA from the Planning Board. All Ayes: 7, Abstain: 0, Absent: 0

APPEARANCES:

Louks, Gregory (Application No.: 2026-0004) Proposed 2-Lot Subdivision, SBL#106.1-3-40.111, Zoning District: R Ag-4, Acres: 33.3, Address: 1845 Albany Post Road, Wallkill NY 12589, Wallkill Fire District, Wallkill Central School District

Nosek Engineering represented the client. This is a 33-acre parcel at the intersection of Bruyn Turnpike and Albany Post Road. There is an existing driveway, house, and septic. We would like to subdivide 2.7-acres off the 33 acres flag lot and build a single-family house with a septic and well-using a common driveway. There is an existing pond with 20+ acres of DEC wetlands around it.

Mr. Hoyt: Having a flag lot, per the code, the rules require you to use the stem and you will need to double the density for a flag lot, making it a 4-acre parcel. That will change what you are doing unless you are going to go to the Zoning Board.

Mr. Szarowski: We respect your plan to do family subdivision but someday you will both sell and we need to think about the future and if the property sells.

Ms. Franson: The wetlands seem towards the road. If you would like to build a house, the minimum is 4-acres. Another option is if you could find 2-acres of non-wetland and have a common driveway, you would not have to go to the ZBA for a conventional non-flag lot.

Mr. Hoyt: You also have the option of making it into a cluster subdivision. A cluster allows the Town Board on recommendation of the Planning Board to waive all the area and bulk requirements, including frontage. The town would then get permanent open space, which is the other part of a cluster equation.

The property owner will confer with Nosek Engineering and decide on which way to go and come back to the Planning Board.

DISCUSSIONS:

Battery Storage:

Mr. Reid: The ZBA and the EMC have already had a meeting regarding battery storage, and the Town Board is looking into it. We could give our opinion to the Town Board and have them report back to us or we can wait for the Town Board to make their recommendation.

Mr. Reid: The Town Board will take action, and we have provided our opinions. I would rather have the Town Board come to us with their decisions. The consensus that I have heard from the Zoning Board is that we are going to put some type of limitation on the battery level. The Town Board will put in place a local law and let us know so we can apply these new local laws.

Mr. Barnhart: There is an active bill before the Senate, 55506, and it is to do away with home rule in regard to solar and battery energy storage.

Mr. Hoyt: The one comment that I made at the rezoning meeting was maybe Shawangunk could get any zoning prohibition grandfathered, if you ban it before the State allows it, as opposed to no action, and the state came in and filled the void.

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Next Regular Meeting to be held on Tuesday, April 7, 2026, at 7:00 PM.
Deadline for submission is Friday, March 20, 2026, at noon
Agenda is subject to change

ADJOURN MEETING:

A motion was made by Mr. John Szarowski and seconded by Mr. Todd Widmark to adjourn meeting. Vote: All Ayes: 7, Abstain: 0, Absent: 0

Respectfully

Janice Stryker
Planning and Zoning Board Secretary