

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 2nd day of June 2026 at 7 P.M.

Those present were: Ryan Reid, Chairman
Richard Barnhart
John Leonette
John Szarowski
Tom Tango

Absent: Sal Patella
Todd Widmark

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 Exist Announcement

Pledge of Allegiance

Approval of Minutes: May 5, 2026

A motion was made by Mr. Richard Barnhart and seconded by Mr. John Szarowski to approve the May 5, 2026, Planning Board Minutes. Vote: All Ayes: 5, Abstain: 0, Absent: 2

PUBLIC HEARING:

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 and Ms. Monserrat Rios from Passero Engineering were present to represent Liquid Mercantile.

We propose a 5,000 square feet facility that will be used to distill grains and provide the opportunity to sell those products in a facility with an occasional event where people can do testing. Our events will consist of tasting the different liquors with some form of minor entertainment. Maybe a small car show

or a guitar player. We are currently on a pause with the Zoning Board for a front yard variance. We are looking for a 100 feet set back and the code is 35 feet. The setback is off of Rt 300, and we would like to keep in line with the other buildings. I think at this point when we are able to close out the SEQR we will be able to go back to the Zoning Board for the variance. We are also currently waiting for a few of the other agencies that are outstanding as well.

The facility will sit on an 8-1/2 acre property. There is a portion of wetland that has been flagged by the DEC. We are not proposing to disturb the wetlands or the 100-foot adjacent area to the wetland. The project will include an on-site well for its water source. We are currently working with the Department of Health, and they have witnessed the on-site soil testing and on-site septic system. The only access to our facility will be Route 300. We are not proposing the use or connection of the private road that is located on the west side of our property. A copy of the map was sent to the Fire Department. They would like four parking spaces removed from around the building itself. This will allow the emergency vehicles to get around the building. There will then be 34 parking spaces.

Mr. Leonette: The remaining number of parking spaces after the firehouse request, will that be sufficient?

Mr. Cronk: We calculated based on the code requirements around 25 spaces. Based on their experience they wanted more than the 25 spaces but feel the 34 will be sufficient.

Mr. Ryan Reid: What will the hours of operation be?

Mr. Evan Favaro: We are thinking to have it open to the public 1pm to 10pm, Thursday through Sunday.

Mr. Reid: Do you plan on having these events every weekend or sporadic?

Mr. Favaro: They will be sporadic maybe or maybe once a week.

Mr. Reid: Will the event primarily be inside the building or will it be held outside? Primarily for the sound.

Mr. Favaro: If we have music we will probably try and keep it inside and then the people can go outside. Very seldomly there would be a car show that would be outside. If outside, everything will be in the back of the building. We will keep it to the decibel limits.

Mr. Cronk: SEQR is making a recommendation to follow the town code of the decibel limits.

Ms. Franson: Primarily we want to know if the noise will be amplified.

Mr. Favaro: We would like to, but we will keep the noise within the code limit.

Ms. Franson: It is in a valley and noise will travel.

Mr. Reid: Businesses who have music outside, we recommend having a log of the amperage during those events.

Mr. Szarowski: Is the septic system going to have waste from the distillation of your products?

Mr. Favaro: There will be waste, but the grain waste will be taken away. The waste will be taken by the company sucking it out or the farmers will take it.

Mr. Szarowski: Is there a wash down of the tanks and things like that?

Mr. Favaro: Yes, the wash down would go into the septic, but any solids would be removed at that time. Anything with acidity we can neutralize it so we are not putting too much acidic into the tank.

Mr. Reid: Do you anticipate from the parking lot any light shedding through to the adjacent owners alongside the private road? Will you be putting any buffers in?

Mr. LaPorta: The area that we are building on will be more fortified than anything around. We are proposing to keep all the trees on the side between us and the construction building with the exception of where we are putting the swale. In the back side we are proposing some trees in the center, and we are not proposing to take down any of the existing trees.

Mr. & Mrs. James & Ann Alisandrella: Our driveway is alongside your property. We have a 1,300 feet right-of-way from Route 300. This has not been addressed, and we would like to know how it may be affected.

Mr. Favaro: We are not proposing anything on that side.

Mr. Specht, Fire Chief: I reached out to the architect and we discussed the parking. That was our only concern, and it has been worked out.

Mr. Reid: Just make sure those changes are made on the map.

Ms. Franson reviewed changes that were made to the Negative Declaration (NegDec):

- The project was sent to Ulster County, and we are waiting to hear back.
- A SWPPP has been done for the various impacts including the land.
- The wetlands and 100 feet regulated area and impact on drainage will have to be adhere to.
- There are no threatened endangered species or habitat identified.
- You need to communicate with the Department of Transportation (DOT) and provide evidence of the driveway location and design.
- Comply with the noise ordinance and sound logs will be supplied upon request.
- Per the Fire Department comments, the parking spaces have been removed to provide adequate access for their trucks.
- Outdoor lighting will be LED and not exceed 3000 kelvin..
- Installation of any new connections will be underground.
- There will not be any significant adverse impact on the community or neighborhood.
- Planning Board has considered the impact from the front yard variance and determined that it would not have impact on the community character.

Ms. Franson: What are your hours of operations limits, Monday through Sunday?

Mr. Favaro: Monday through Sunday 11am to 10pm.

A motion was made by Mr. John Leonette seconded by Mr. John Szarowski to approve the amended Negative Declaration.

A motion was made by Mr. John Leonette seconded by Mr. Tom Tango to keep the Public Hearing open till July 7th at 7:00 pm or soon thereafter. Vote: All Ayes: 5, Abstain 0, Absent: 2

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.

Mrs. Margaret Hillriegel was present to represent Bardin Subdivision. They are proposing to break off a 13-acre parcel for a single-family home with a flag lot. The lot being created is a 13-acre parcel with about 11 acres of wetlands. We have DEC approval, DOH approval, and Army Corps approval due to the 45 day no response.

There were no comments from the audience.

Ms. Franson: This is a minor 2 lot subdivision. Instead of putting a whole NegDec together, we provided the EAF that the DEC has for Part Two (2) and Part Three (3). The Short EAF Part Two indicates that all the impacts with exception of natural resources, wetlands are no or small impact. We indicated moderate to large for wetlands. The analysis said the project is disturbing 0.2-acres of wetlands and 0.4-acres of the adjacent area. The 0.2-acre is primarily constructing an accessory road and 0.2-acres of wetlands mitigation area. No significant adverse impacts to wetlands are anticipated. The project is not going to have any impacts: significant impacts to land, water resources, community character, noise, air, community, facilities, archaeological historic resources, energy, and environmental health and agricultural resources.

A motion was made by Mr. Richard Barnhart and seconded by Mr. John Szarowski to adopt the Negative Declaration. Vote: All Ayes: 5, Abstain: 0 Absent: 2

A motion was made by Mr. Richard Barnhart and seconded by John Szarowski to close the Public hearing. Vote: All Ayes: 5. Abstain 0, Absent: 2

A motion was made by Mr. John Szarowski and seconded by Mr. John Leonette to grant final approval with mapping notes, per attorney, Final Review, Recreation Fees, and General Fees Vote: All Ayes: 5, Abstain: 0 Absent: 2

Dylan Lacoutte (Application No. A26-0001) Proposed Deli, 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 stated that he is proposing to fix up a building that was once a general store/deli and would like to turn it into a little deli again.

Mr. Reid: Paperwork was received late and we were unable to finish review.

Mr. Lacoutte: Yes

Mr. Reid: There is not much we can do until the next meeting when we have heard back from the county and reviewed your paperwork.

No comments from the audience.

A motion was made by Chairman Reid and seconded by Mr. John Leonette to adjourn the Public Hearing until July 7, 2026, at 7:00 pm or soon thereafter. Vote: All Ayes: 5, Abstain: 0 Absent: 2

Louks, Gregory (Application No: A26-0004) 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

Mr. John Nosek, Nosek Engineering and Mr. Joe Rappa L.S, Boundary and Benchmark were present to represent Mr. Louks. We are proposing one new single-family home with a well and septic, utilizing a common driveway that currently services Mr. Louks property. There is no disturbance to any wetlands.

No comments from the audience.

Ms. Bonnie Franson: Comments regarding the map and conditions of any approval.

- Easement Agreement
- Lot-line extending to center line of Bruyn Turnpike and Albany Post Road
- Agricultural Protection Note
- Reviewed the draft NegDec
- Cluster Subdivision waived
- No GML review needed
- EAF was submitted
- Disturbance was under the threshold of the SWPPP
- Army Corps or DEC Wetlands – no new disturbance
- Storm Water Pollution Plan - minimal
- Northern Harrier habitat – noted minimal disturbance
- State Historical Preservation Office – no effect
- Ulster County Health permit required
- Recreation Fee

A motion was made by Mr. Barnhart and seconded by Mr. Leonette to approve a Negative Declaration Resolution. All Ayes: 5, Abstain: 0, Absent: 2

A motion was made by Mr. Tom Tango and seconded by Mr. John Leonette to close the Public Hearing. Vote: All Ayes: 5, Abstain: 0, Absent: 2

Mr. Richard Hoyt: A few conditions for the final approval.

- Driveway agreement
- Health Department permit
- Final consultant comments
- Final review map with notations
- Recreation Fee
- Final Fees

Motion made by Mr. Richard Barnhart and seconded by Mr. John Leonette for final subdivision approval with conditions. Vote: All Ayes: 5, Abstain: 0, Absent: 2

APPEARANCES:

**1141 Burlingham Road (Applicant No. 26-0013)
SBL# 104.2-4-12.210 (1.4 Acres) 1441 Burlingham Road, Pine Bush, New York 12566,
Proposed: Single Family Home & 2-Story Dwelling Unit. Zoning R-Ag2, Pine Bush School
District, Walker Valley Fire District**

Mr. Mike Mazzella (owners Mr. William Monto and Ralph Rivera) was present to represent 1441 Burlingham Road. We have two (2) existing buildings located on the property. We are proposing to turn the two (2) existing buildings into each having two (2) apartments. One building was built in 1824 with a bar that can fit 65 people and a legal apartment above. The second building is a two-story garage built in 1950 with a legal apartment upstairs. In 2005, there was a permit issued for an office space downstairs with a bathroom installed. That permit was revoked in 2008 due to electrical work not finished.

We would like to convert the bar into an apartment and remove the wrap around porch as it is too close to the road. We would like to convert the garage and office space into an apartment. We are proposing to remove 7,500 square feet of impervious compacted parking. The septic system has been tested and in good working condition. By removing the bar this will also make an impact on the septic system. This will reduce traffic and is better for the runoff at the lower end of the property.

Mr. Barnhart: Is the stable yours?

Mr. Monto: No, the stable is not ours. They do use part of our property for the horses to graze.

Ms. Franson: When was this building last used?

Mr. Monto: We bought the property a little over a year ago and it was not working at that time. We know we are getting close to the two-year window.

Ms. Franson: You are referring to these as an accessory dwelling unit, two- family which are allowed in that zoning district by special use.

- Since there is no public water or sewage your density will be a lot more and you may need variances.
- You will have to go back to the Building Inspector to figure out what density is needed.
- You will need a survey map to make sure the dimensions are correct.
- Health Department to approve number of bedrooms from a septic perspective.
- Meet with the Building Inspector to determine use.

Bayer Subdivision (Applicant #A26-0015)

***SBL# 107.1-1-10.310 (8.066 Acres) 606 Plains Road, Wallkill, New York, 12589,
Proposed: 3-lot Residential Single-Family Subdivision. Zoning R-Ag2, Wallkill Central
School District, Wallkill Fire District.***

Ms. Lara Monroe, Engineering Properties, representing Bayer 3-lot Subdivision on Plains Road. The existing lot contains 8.06 acres and an existing single-family dwelling. They are proposing to split the parcel into three lots. The first lot will consist of 2.28 with existing family dwelling. Lot-2 will contain proposed single-family dwelling with 2.553 acres and Lot-3 will be 3.486 acres with a proposed single-family dwelling. Each lot will be serviced by an individual well and septic system. The lots are in the residential agricultural zone, also aquifer overlay. We are here before the board for our initial review. We request a waiver for the preparation of a cluster subdivision plan because we have three lots.

Mr. Szarowski: There is a well on the other side of the easement. You may want to shift it forward and do some preliminary testing. It is a long process to get permission.

Ms. Monroe: We did some primary testing, and the land is wet, and that is why we shifted it back.

Ms. Franson: Reviewed Comments:

- Bulk table – note one family dwellings.
- Lot-1 - approximate location of existing septic system.
- Standard location notes to be added to plan.
- Add a note that there are no constraints (Section 177-11 of the Zoning Law) to affect the minimum lot area calculation
- Board should consider actions that have potential impact on the resource.
- Ulster County Health Department septic approval.

A motion made by Mr. Tom Tango and seconded by Mr. John Szarowski to waive the cluster subdivision. Vote: All Ayes: 5, Abstain: 0, Absent: 2

A motion made by Richard Barnhart and seconded by Mr. Tom Tango for a Public Hearing on July 7th, 2026, at 7pm or soon thereafter. Vote: All Ayes: 5, Abstain: 0 Absent: 2

DISCUSSION:

Mr. Reid: Stated an application came in for July regarding Elsie's place. Building Inspector, Mr. John Calaca, recommended them to the Planning Board. They would like to renovate the building so they can continue the use of the restaurant. No additions proposed.

Mr. Calaca wrote "this property has been vacant and needs an approval".

I disagree with this. The abandonment of use from the case law shows it needs the intention to abandon the use. Sitting vacant does not mean it has lost its use of it.

Mr. Hoyt: I think it was put into the code that intent was irrelevant. The reason for that is it is hard to prove the intent.

Mr. Reid: It is unfair and unjust to have someone come to the Planning Board because they did not move on time, could not rent on time or due to the economy failing.

Mr. Szarowski: Is this the same person who had the trailer there?

Mr. Reid: Yes. The trailer is not there anymore, and they would like to move it inside the building.

Mr. Szarowski: With them cooking outside the building they were still going inside the building and using it.

Mr. Reid: I wanted the thoughts from the board, and I will look into it further.

ADJOURN MEETING:

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

Next Regular Meeting to be held on Tuesday, July 7, 2026, at 7:00 PM.
Deadline for submission is Friday, June 19, 2026, at noon
Agenda is subject to change

Respectfully

Janice Stryker
Planning and Zoning Board Secretary