



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 4th day of August 2026 at 7 P.M.

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

Also Present: Richard Hoyt, Esq., Planning Board Attorney; Bonnie Franson, 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 Exits Announcement

Pledge of Allegiance

Approval of Minutes: July 7, 2026

A motion was made by Mr. John Sarowski and seconded by Mr. Richard Barnhart to approve the July 7, 2026, Planning Board Minutes. Vote: All Ayes: 7, Abstain: 0, Absent: 0

CONTINUED PUBLIC HEARING:

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: Explained to the planning board he was withdrawing his application for The Little Store due to funding. He will submit a letter withdrawing his application.

Motion: Mr. Richard Barnhart made a motion and seconded by Mr. John Leonette to approve the withdrawal of the application The Little Store. Vote: All Ayes:7, Abstain: 0, Absent: 0

CONTINUED APPEARANCES:

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 P.C., was present representing Bayer Subdivision. We were last here in July and the public hearing was closed, and the Negative Declaration was adopted. This evening we have returned looking for a resolution of approval.

Ms. Bonnie Franson, Nelson Pope Voorhis stated we supplied to the board a Draft Resolution of Approval, prior to the July meeting. Ms. Franson gave a brief summary of the resolution to the board:

On April 15th, 2026, an application was submitted for a proposed Three (3) Lot residential subdivision for Debra Bayer. The original lot will consist of the existing single family detached dwelling. The new single family, detached dwellings, will be located on the newly created lots with individual well and septic.

On May 5th, 2026 you waived the cluster subdivision. There is no requirement for a GML review as this is a Three (3) Lot subdivision and is exempt by agreement and the EAF has been submitted by the applicant.

This project was determined to be an unlisted action. On July 7th, 2026, the Uncoordinated SEQRA was reviewed, EAF, and a Negative Declaration was issued based upon parts II and III.

A Public Hearing was opened and closed on July 7, 2026. Subject to specific conditions, you granted a final conditional subdivision plan approval.

Subjected to the final conditions:

- Submission of the mylar
- Twelve (12) copies of the subdivision plan in proper form
- Comply with the Zoning Law and Subdivision Regulations
- Consistent with the Negative Declaration adopted by the Planning Board
- Recreation fees of \$2,000.00 for every newly created lot equal to \$4,000
- Applicants will pay all outstanding application reviews and fees associated with the review
- The Planning Board Chairman and Attorney are to approve the final map before signing

Mr. Hoyt: Did you get the DOH approval of the septic's?

Ms. Monroe: We have not.

Mr. Hoyt : What about the DPW on your curb cut?

Ms. Monroe: We have not.

Mr. Hoyt: I would add those two to the final conditions.

A motion was made by Mr. John Szarowski and seconded by Mr. Sal Patella for Final Three (3) Lot subdivision approval with the following conditions, recreation fees, DOH approval, Ulster County DPW, final fees, and acceptable maps. Vote: All Ayes: 7, Abstain: 0 Absent: 0

Eagles Roost Multi-Family Development, Lou Donnelly (Applicant No.: 2025-07): SBL: 106.004-1-6.200, Zoning District: Hamlet (H-1) and Borden Historic Overlay (BH-O), Acres: 25.8, Address: Buena Vista Avenue, Wallkill, NY 12589, Wallkill Fire District, Wallkill Central School District, Wallkill Sewer and Water

Mr. Ross Winglowitz, Engineering & Surveying Properties, PC and Mr. John Cappello, J&G Law, were present to represent the applicant. Last April we moved from the proposed multi-family subdivision to a single-family subdivision, and we are here to go with the original single-family project. The original single-family subdivision that was approved by the board preliminary. The old owners got the DEC permits, then ultimately the new owner was going to move to the multi-family and did not pursue forward. At this point, we do not want to pursue the multi-family and put it on hold. We would like to pursue single-family homes.

We have provided correspondence with the DEC, Brain Drumm, indicating the wetlands have not changed. The standards have not changed, and we would expect a permit could be issued for this project. The Negative Declaration was issued back in February 2015, and we do not have a problem going through each potential impact areas that were identified and mentioned in the Negative Declaration. We would provide an update if anything changed between then and now. We will make sure everything is consistent and if not, we will address it.

Ms. Franson, Nelson Pope Voorhis: The eagles were not identified with DEC.

Mr. Winglovitz: We will have to submit that to the DEC and see how impact of threatened and endangered species are in relation to the project.

I will review some of the 2015 Negative Declaration:

- The impact on the land, regarding soil erosion control was also talked about. The technology has not changed significantly, and we will address that as well.
- The wet land disturbance will trigger a nationwide permit from the Army Corps but I feel it is minor.
- A new Stormwater Pollution Prevention Plan will need to be completed; it was originally done under the old regulations. The SWPPP will need to comply with the new regulations.
- Water supply will remain the same. We received a correspondence from your engineer this is in your water district, and they have preserved the water for this project.
- Wastewater discharge was in the Negative Declaration and further discussed was the capacity. Since we are in the district, we need to confirm what capacity is left for the project.

- Impact of historical resources was discussed. This is a single-family residential subdivision, and we will have to comply with the Borden Overlay architectural design conditions. One of the conditions from the previous approval was that we provide architecture prior to the final. Which we will do.
- The Historical archaeological resources have not changed but we will also provide an updated letter.
- The impact of transportation has not changed, the 31 (thirty-one) homes has not changed.
- I do not believe the board was provided a traffic study prior to the Negative Declaration. We will update the information that was provided from 2015; however, it has not changed.
- Open space and recreation is not a significant change of impact on public health.
- Impact on utilities that the Neg Dec addressed this will be updated with the water and storm reports and it requires the applicant to submit to the Ulster County Department of Health (DOH).

All the reports and applications will be reviewed by the town prior to the DEC or DOH.

Chairman Reid reiterated in the minutes regarding water and sewer studies. This is big that you are doing an audit study to make sure all the homes are going to fit within the town's supply to be able to handle capacity.

Mr. Winglovitz: Correct, it will all have to be updated, and the reports will be submitted to the town to sign the application so there are checks and balances before we go to the DEC...

Chairman Reid: Was the traffic study application approved based on prior 2006 documents (not the one done back in 1986). I did not find a study in our documents and the NegDec did not have anything about a previous study, and this is necessary to have.

Mr. Barnhart: The scoping session mentioned the impact on traffic. You have 31 houses with approximately two (2) cars per family and a significant impact on traffic. This has to be looked at.

Mr. John Cappello, J&G Law: We will provide the Institute of Transportation Engineer (ITE) figures, especially during peak hours onto Route 208.

Mr. Winglovitz: We will make sure the traffic study report is done and provided to the town.

Mr. Barnhart: This is also in the lighting district, and you will need to have streetlights.

Mr. Winglovitz: Are they required?

Mr. Hoyt: Not only do you need to have them, but the board also has to approve the design.

Mr. Winglovitz: You pick them and Central Hudson puts them in your district, maintains them, and can charge the district.

Mr. Richard Hoyt: The old plan had the sewer lines going under the rail trail laterally or perpendicular. Has that changed?

Mr. Winglovitz: We would like to connect into the sewer at Buena Vista, if possible, as an alternative to going under the rail trail.

Mr. Winglovitz: There is no change to this project, so the potential impact should not change. The impact on the historic resources was discussed in the Negative Declaration.

Mr. Hoyt: Pump stations came up twelve (12) years ago. I think you were going to have one big one.

- Mr. Winglovitz: That is correct.
- Mr. Hoyt: What is the idea of future ownership maintenance of it?
- Mr. Winglovitz: All the infrastructure goes to the town.
- Mr. Hoyt: The district would be assuming that obligation?
- Mr. Hoyt: Will the rest of the roads be private?
- Mr. Winglovitz: No. The roads and infrastructure would all be dedicated to the town.
- Mr. Hoyt: Is Highway Superintendent Rich Blazeski aware that it is proposed? Mr. Blazeski would be responsible for these new town Highways. Make sure Mr. Blazeski gets a memo regarding this in case he has comments.

Ms. Franson: In 2006 a summary of the EAF and a narrative talked about 30 trips per hour in the peak AM and PM hours. It also states projects are not anticipated to cause any deterioration in the existing levels of service. It sounds like a traffic study, but it is not referencing a traffic study.

Chairman Reid: This will need to comply with the Borden Overlay architectural design standard. One of the previous conditions of the previous approval was to provide the architectural design prior to the final.

Mr. Winglovitz: The same part should be the in an updated letter and will be submitted.

Chairman Reid: Updated water and sewer reports are required for the applicant to submit both to the Ulster County Department of Health maintenance protocol and the DEC's water maintenance protocol. Since this is a public main extension, the reports and applications will be reviewed by the town prior to going to the DEC. The original Negative Declaration was approved with the 2006 documents, and it was done in 1986. A new study should be carried out.

Ms. Franson: The board would like a new traffic study to be redone. See if there were any DOT counts on Route 208 & 300. Sidewalks will also be a concern.

Mr. Hoyt: The Planning Board promised the town residents another Public Hearing. We would like to have a Public Hearing after everything has been updated. Do you have a timeline for when that may be?

Mr. Winglovitz: We would like to supply the final and updated water and sewer. Looking forward, we feel it will not be until about six (6) months. We would like to make sure that there are no changes that have occurred.

Ms. Franson: Is there any change in the number of bedrooms or dwelling sizes?

Mr. Winglovitz: There are specific restrictions on the plan. The sizes of the lots are listed.

Mr. Szarowski: Do we still have conditional approval of this project?

Mr. Hoyt: Yes.

Mr. Szarowski: The Subdivision Law, 152.6(A) (see below) specifically says after six (6) months, it is gone without extension.

§ 152-6. Subdivision plat.

The process for approval and handling of subdivision plats shall be as follows:

- A. Subdivider. The subdivider must file the subdivision plat with the Planning Board within six (6) months or again submit the application and preliminary layout for approval.

Mr. Hoyt: The subdivision regulations are old, but we have always taken the position and the Titus approval says at the bottom, this approval is good unless and until it is revoked. It has never been revoked. What we are hearing tonight is that the applicants are willing to meet us, our concerns, without revoking. Everything is 100% one way or another. If the board revokes you are back to square one.

Titus was a preliminary approval that was never revoked. The final was never issued. The board can adopt a resolution revoking our preliminary approval. If the board does not like what we come back with and unacceptable, your remedy of revocation is still there.

Mr. Szarowski: There is no time limit on the conditional final.

Mr. Hoyt: For conditional final yes. For preliminary the statute is clear. The board must adopt a vote to revoke it.

Mr. Cappello: Hearing the information we have from the public, this was the preferred alternative everyone wanted to go with. We believe we can provide you the consistency as much as people think a lot changed. We will have to address the bald eagle issue and whatever is required and needed. While it is not required, you are authorized to hold a Public Hearing so we can hear the public's concern.

Mr. Zzarowoski: I am concerned with being hit with Article 78.

Mr. Hoyt: I think by the time we are done there will be quite a record here. This will be our 3rd Negative Declaration, 2006, 2015, and presumably later this year. It will be a restated consistency and a brand-new final approval resolution. As we approach the Public Hearing, we may want to look into having the venue at Wallkill High School. Although we did not use a special venue for the last meeting; we will not be able to project that now but it is an issue we will have to address.

DISCUSSION:

Blue Chip Hydrology Studies

Chairman Reid: Blue Chip Farms will be coming in front of us in September. They have submitted protocols that need to be approved by us, which involve location of the wells and testing.

Is the board ok with a Hydrologist, who was approved last month? We can wait until the next meeting.

Mr. Szarowski: Some neighbors got letters and some did not.

Mr. Hoyt: Passero Engineers got ahead of themselves and subsequently apologized to the Board. They sent letters out without informing the board regarding home well tests. Another round of letters will go out.

Ms. Franson: They are proposing a big project; when the DEIS is submitted the level of detail must be in their site plan and must be sufficient to move forward.

Mr. Hoyt: There are three things in the Scope to approved at this time.

Locations for:

- Water and well testing
- Noise receptors
- Visual simulations

Ms. Franson: Frank Getchell, Weston & Sampson, should deal with this. I can ask him to have a report to us in the next couple of weeks. There is no agreement on what the actual demand for water will be.

Mr. Getchell has several points, basis for determination of yield to be determined, classification as to whether there are twenty (21) or twenty-two (22) wells and information to have been collected in connection with corresponding tests. He will get into all the parameters of what the wells are to the point of; we don't know how deep they are excreta. He will get into all the parameters of the wells, including details such as how deep they are, etc.

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

Next Regular Meeting to be held on September 1, 2026, at 7:00 pm.
Deadline for submission is Friday, August 14, 2026, at 12:00 pm
Agenda is subject to change.

Respectfully

Janice Stryker
Planning and Zoning Board Secretary