TOWN OF PLATTEKILL

PLANNING BOARD

*P.O. BOX 45*

MODENA, N.Y. 12548

Minutes of: May 27, 2025

THE MEETING OPENED WITH A SALUTE TO THE FLAG BY CHAIRPERSON, RICHARD GORRES

ROLL CALL: CHAIRMAN: RICHARD GORRES, VICE CHAIRMAN: ERNIE VANDEMARK, JOSEPH LAFIANDRA, NATHANIEL BAUM, DARLENE EISENHARDT, RICH DMYTRY

EXCUSED ABSENCE: ERIC ACKERLY

CONSULTANT: PAT HINES, MHE ENGINEERING

 DOMINICK CORDISCO, DRAKE LOEB ATTORNEY AT LAW

**CONCEPTUAL:**

*The Ridgeyard SBL# 94.3-1-14.1*

*2021 US Route 44 Proposed: Storage Units*

Mr. Gorres: Going forward information.

If this project is going to go you need to pull the application for the other one. It is still a valid application.

Mr. Richard Chazen: We know you are very familiar with this picture. It was proposed as a 450,000 square ft. distribution warehouse, on the 50-acre site located in the BD-60 on Rt. 44; the Gardiner/Plattekill line.

I had the opportunity to read through all of your Planning Board minutes concerning this application. I guess it was pretty apparent that there was concern regarding the size and scale of this property. Concerns about traffic, drainage, wetlands. A very active neighborhood over here (showing on the map) was at many of your meetings. The applicant has decided not to, at this time, proceed with this application.

We are under contract to purchase this 50-acre parcel; we have a very different development scheme which we like to show you tonight.

We believe there is a market in town for much smaller commercial industrial sites; garden centers, automobile facilities, small storage areas.

So, what we would like to do is sub-divide the property into 5-7 lots. A road down the center of the property, then create these usable parcels on the property. We think that we can market them

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and we can successfully market them as there is a demand for these types of spaces. We think this something that will make sense in the town.

My partner Gary Baright happens to be, besides the carwash business, self-storage business; Gary is interested in building a self-storage business on our first lot.

This configuration is schematic in nature at this point in time. We think it will be a great location for a facility such as that. I am going to let Gary show you some pictures and explain a little more about the facilities he’s looking to build.

Ms. Eisenhardt: Is this sort of your vision, sort of like a little strip mall. Where you subdivide and there is gonna be a bunch of different business in there?

Mr. Chazen: I wouldn’t use the word strip mall. I would say …. (cut off by Mr. Gorres)

Mr. Gorres: Industrial Park?

Mr. Chazen: Industrial Park, Commercial Industrial Park.

Mr. Baright: More like a Commerce Park. Like a HVAC guy might need a place where he needs 20, 000 sq ft. He needs an office in the front and some bays in the back. He would buy a lot and build his building.

Mr. Gorres: Yah, right. When the attorney came in for the Warehouse, he was looking for ideas with Supervisor Depew, the Deputy Supervisor and I. We tried to steer him in that direction. There is more of a need for that then a big warehouse like that.

Mr. Chazen: That’s our thoughts as well.

These lots on this map look small. They would all be 5-10 acres in size depending who the user is. This first lot, we do have a user for.

Mr. Baright: I am looking to buy the property with a couple of developers. We want to build it out and subdivide it. I am going to build this; I have three boys that are in the business with me now. We have a self-storage business; we have them in Hudson, Kingston and Rhinebeck. We know the self-storage industry; we know the business. What we are looking to do is build some heated and cooled sections in the front, some traditional drive-up bins and stuff like that. These are like a flex space where they be like say 1,200 sq. ft to 2,000 sq. ft. There would be a garage door where they could put their cars in there, if he was a painting contractor he could rent this out. Show up in the morning and his trucks are warm instead of being outside and freezing. He loads them up, the guys drive off, he has a little office in there. He can conduct his business. People probably wouldn’t come to most of these places. He would go out in the day and do his thing. There would be like twelve guys here doing things like that. Say like a plumber, a guy who has three or four hot rods who wants to rent it out, like a man cave or something like that.

It seems to be a big concept around the country. There does not seem to be a lot of it in NY for some reason, it’s something we are looking to do.

What we are looking to do is the traditional storage, but then we are looking to do climate control, which would be up in the front.

 (Showing on a picture showed how the lay out was and how you would walk inside and how you would access your unit.)

Its climate control so it doesn’t freeze or get too hot. Seems to be what a lot of people are looking for now a days. It is good for record storing, furniture things like that.

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Mr. Gorres: Yah, that makes sense.

Mr. Baright: If someone has their grandmother’s good furniture, they want to put it somewhere they know it’s not gonna be 105 in the summer or freezing in the winter.

Ms. Eisenhardt: How many bins are you thinking of in there?

Mr. Baright: In this building there will be a 100 or so depending on the size.

(Showing on picture) You can see the different sizes here. This one here is 1200 sq ft and these are each like eight. These are traditional, some of these are climate control, this here is where we put the flex space.

There is no curve cut except from the road. There is no parking in the front, the parking is all in the back.

The proposal of course is to sell these lots off, lease them out or build to suite for somebody else who wants to put a small type business there.

Small Commerce Business.

Mr. Chazen: The good part about this use is there is very minimal water to sewer requirements

and very minimal traffic. People are there and then they unload all of their stuff and then they don’t come back forever. It’s not a very intense use in general.

Mr. Gorres: At least that one isn’t anyway.

Mr. Chazen: Procedurally what we envision here, and please correct me if I am wrong, I would like to get preliminary subdivision approval to create these lots. Then come forward for final subdivision and site plan approval on a lot-to-lot basis.

I don’t know what the ultimate configuration is going to be in this lot. Maybe we are going to find someone who wants smaller or maybe we are going to find a user that wants something a little bigger.

Mr. Gorres: That’s what I was wondering how are you judging the size of the lots that you are going to build since you do not know the use yet.

Mr. Chazen: That’s why preliminary subdivision approval and final subdivision approval on Lot 1 and sight plan approval for Lot 1. Then when the next user comes along, we will finally configure the lot to meet the requirements; come back in for final subdivision approval on that lot and site plan approval on that lot.

I don’t know how else to do it when I can’t identify seven users.

Mr. Gorres: That’s exactly what I was wondering.

Mr. Chazen: You would ultimately have control over each one of those uses because we would have to come back in here for approval.

Mr. Gorres: Each time.

Mr. Baright: What we are trying to show it won’t be a big warehouse.

Mr. Gorres: That’s more what we talked about back when their attorney came in. Doing an industrial park with warehouses that are shorter and (5) five to (10) ten thousand square feet, not (400,000) four hundred thousand.

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Mr. Chazen: That’s kind of what we are thinking. I started off saying we are in contract. We haven’t closed on the property yet and we are in the process of trying to do all of our due-diligence and obviously high on the list was meet with the Planning Board. Frankly we would like to get a read if you think this is an appropriate type of development for the town. Something you would like to see and if we get a good feeling we will proceed with doing the detailed engineering.

Mr. Gorres: I’d rather see something like this rather than a 450,000 sq ft warehouse.

The housing business located; kinda like on Steves Lane in Gardiner. Some more stuff like that that employ’s people and doesn’t create a lot of traffic. That’s just my opinion.

The rest of the board and engineer can weigh in on that.

Ms. Eisenhardt: I think the residents would like this better than, like you said, that big monstruous warehouse that was proposed.

Mr. Chazen: I think we can also be very respectable of what buffer along that property line.

We are going to have much smaller buildings. The buffer may be greater than what I am showing you.

Mr. Baright: What we are showing you is the worst-case scenario. There is wet lands over here that is another reason we did not put the storage over here.

Mr. VanDeMark: All of the storage units you are putting in are going to be climate control then.

Mr. Baright: No. (Showing on the map) this one is going to be climate controlled and a few of these. There will probably be about thirty.

Mr. VanDeMark: There will be a mix?

Mr. Baright: Yes, a mix.

What you do is build in phases. You build this building first. Then like two or three of these and then what happens we have different locations. It’s amazing how 10 x 10’s go amazing over here and its weird over here they don’t go. So then what we do is after six to eight months figuring out what people want then we build them a little different. The building will be about the same size.

Mr. Gorres: Same size building but different size storage.

Mr. Baright: Yeah.

Mr. VanDeMark: So, you are set on your acreage for that portion of the project.

Mr. Baright: What we are looking to do is this acreage here. (showing on the map).

Mr. Gorres: First thing we are going to do is subdivide that lot off and the rest just stays.

Then you come back and file another application and subdivide another lot off, based on

what that person needs.

Mr. Chazen: Correct.

Mr. VanDeMark: We are going to need a road to the first project.

Mr. Gorres: Oh, yeah right.

Mr. Chazen: This lot will have frontage on Rt. 44-55 so we will construct this portion as an access to it.

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Mr. Gorres: That road is going to stay in your use, or?

Do you plan on building a town approved road and turning it over to the town?

Mr. Chazen: I think what we would ask initially is, we have one lot and one use. This essentially be a driveway to service that lot as we find uses for these subsequent lots. We would need to make this a town road.

Mr. Gorres: Your gonna have to come back in if you want to subdivide and then we can turn that into a town road.

Mr. Chazen: Correct.

Mr. LaFiandra: These subsequent lots will they be industrial use?

Mr. Chazen: They will be uses permitted in the BD-60 zoning.

Mr. LaFiandra: Ok.

Mr. Gorres: So, if someone wanted to build a million-dollar home in there; not that they would but.

Mr. Chazen: I don’t know if that’s permitted in the BD-60.

Mr. LaFiandra: Multifamily is.

Mr. Gorres: That was something they talked about but did not go very well.

Mr. Baright: This is going to bring small business people that basically run the country.

What it does is gives them a nice place to be where they can come down here and have a nice place to run their business.

Mr. Gorres: That’s a good use for the partial. It’s on a State Road not like Stevens Lane that is on a Town Road. The town can also use the tax base level.

Mr. Chazen: We are very happy to hear what you have to say and we are looking forward to working with you going forward.

Mr. Pat Hines: MHE Engineering: Mentioned he has a few red flags and would like to go over his comments.

We have not gotten Environmental Assessment Forms. There should be a SEQR review on this. It should address the entire build out on the long EAF.

The worst-case scenario on each of the lots; just some wetlands concern. Some of the lots are constrained by Federal and DEC wetlands which under the new regulations may also be DEC Wetlands, the regulations changed.

This is in the BD-60 zone which has the sidewalk district. This is in that sidewalk district so there will be a need to address sidewalks on the plan. It was discussed in length with the previous one.

Mr. Chazen: The previous one did not have a sidewalk on it. Is there a way (he showed on the map that this is a stream). Can you bond the sidewalk?

Mr. Hines: If you read the code, there is an ability to pay into a sidewalk, but the town board has to do that.

Mr. Gorres: You can give the town money in leu of.

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Mr. Hines: We have talked about private/public roadway; there will need to be some type of cul-da-sac. The fire department will have to weigh in on the access.

Mr. Chaisin: What’s the thoughts on private/public road way is their opinions somehow?

Mr. Gorres: You are building this out to seven lots right?

Mr. Chazen: Yeah.

Mr. Gorres: Seven lots require a town road.

Mr. LaFiandra: This project didn’t include a project narrative. I guess it’s too early.

Mr. Chazen: Our next application before you will be a complete one. We just wanted

to meet you… (cut off by Mr. Gorres)

Mr. Gorres: This is a conceptual Joe.

**PUBLIC HEARING:**

*Minard Farms LLC SBL#: 102.1-6-25.11 & 102.1-7-11.2*

*730 South Street Proposed: (4) Lot Conservation Subdivision*

*Part two of the Public Hearing:*

Ms. Brooks, Control Point Engineering: What happened was we had notified everybody, we had not advertised it. The board determined we did not need to re-do the mailings. We did publish.

Mr. Gorres: That’s right.

Mr. Gorres: Read the Public Hearing notice.

Ms. Brooks, Control Point Engineering, was present for her client, Minard Farms. This is a four-lot (4) subdivision with a lot line revision of two partials of continuous parcels, over seventy-nine (79) acres. We have a restrictive convenient on approximately sixty- nine (69) acres parcel. Lot three (3) has an existing single-family dwelling and there are a remaining three (3), four (4) family units on the remaining three (3) lots.

Mr. Gorres: Does anyone have any questions?

**MOTION:**

Mr. Gorres made a motion to close the Public Hearing for Minard Farms LLC with Mr. VanDeMark seconding the motion. All ayes on the motion.

Ms. Brooks: We did receive the comments. We need to confirm that Dominic has received and reviewed both the Conservation Easement and the Storm Water Maintenance agreement.

Ulster County Health Department has been taking a while to review; they are short staffed and have new people. So, what I understand, I may not be a hundred percent correct, but my understanding is they are having them put in two individual septic systems for each of the four-unit buildings. There will be two septic tanks and two leach fields. The flows are not changing;

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they are still going to be the same linear ft of tile but they are separating into two separate systems per lot.

The engineer has to make those revisions. I know we also are waiting for the revised SWPP from the engineer.

We did not receive any public comment at the last meeting or this meeting. I don’t know how the board feels about granting approval with those conditions.

Mr. Gorres: What are the conditions?

Ms. Brooks: Board of Health

 SWPP
 Confirmation of Dominic has approved all of the agreements

 Maps in final form

 Payment of final fees

Would be the conditions.

Mr. Gorres: Board of Health approval just hinges on them getting it done.

Ms. Brooks: Yeah.

Mr. Gorres: Just doing what they asked.

Ms. Brooks: Yes.

Mr. Gorres: The SWPP has not been done yet.

Mr. Hines: We have comments on that. Just needs to be revised.

Mr. Gorres: You just have to revise them?

Mr. Hines: I don’t envision it’s going to change the plans; it’s more the model and the structures.

Mr. Gorres: Ok.

Mr. Gorres: Only four (4) things.

Ms. Brooks: Five (5) things.

 Board of Health

 SWPP

 Confirmation of the easements

 Submission of map in final form

 Payment of all outstanding fees

Mr. Gorres: Maps and Mylars. We are waiting on Dominic.. (long pause) I thought we sent that (cut off by Dominic)

Mr. Cordisco, Drake Loeb Attorney at Law: I will confirm that when I get to my office.

Mr. Gorres: Yes, I thought you had that.

Mr. Cordisco: That’s fine either way you will have an answer tomorrow.

Mr. Gorres: You two can communicate if you have to (meaning Ms. Brooks and Mr. Cordisco)

Any opinion on that from the board? Whether you want to grant Contingent Final Approval based on those items?

Ms. Eisenhardt: My only concern is the Board of Health. Since they are so slow.

Ms. Brooks: We wouldn’t get the signed maps till.

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Mr. Gorres: I don’t sign the maps unless we have everything.

Ms. Eisenhardt: Right.

Ms. Brooks: Technically approval will not be granted until those contingencies are granted.

We don’t have to worry about the sixty-two (62) day time frame because until we meet those conditions the maps won’t be signed. That is when the sixty-two (62) days mark starts.

*No further questions from the board.*

Mr. VanDeMark: That is a lot of stuff. Its stuff that will happen.

Mr. Gorres: That is a lot of stuff but it’s all stuff that’s in the works and will be done.

Mr. Hines: If you put in that motion we have not closed out SEQR yet. Or did we do that?

Ms. Brooks: On 3-25-2025 the board declared Lead Agent, motion to declare Neg Dec Rich/Darlene and motion for Public Hearing April 22nd.

Ms. Brooks: Ok, so you did it.

**MOTION:**

Mr. Gorres made a motion to grant Contingent Final Approval for Minard Farms four lot subdivision with Board of Health Approval, revisions to the SWPP, confirmation of the easements from Mr. Cordisco, and maps, fees and mylars seconded by Ms. Eisenhart. All ayes on the vote.

**NEW BUSINESS:**

*Rappleyea SBL# 101.3-2-15.121*

*94 Patura Road Proposed: RV Rental*

Mr. Gorres: Explain to the board what you’re doing and where this is located.

Mr. Rappleyea: We have a small RV rental company and the operation is behind our barn.

Ms. Eisenhardt: So, the business is already operational.

Mr. Rappleyea: Correct.

What had happened is I contacted Greg Hermance asking about what permits were required for a propane filling station. Suburban Propane said they would give me a filling station for free if I wanted it and I could fill my RV’s with it. I thought great, let me check the permits. He said hold on before you do that, the town does not know you are operating a business there and you have to get a variance to do that.

Ironically when the next sales rep came in from Suburban, they changed the price from free to Twenty- Four thousand dollars (24,000) and I was no longer interested in a filling station from Suburban Propane.

So here we are.

Mr. Gorres: I am sure you will find something.

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Mr. Rappleyea: The selling of Propane is not on the top of my list.

Mr. Gorres: You just want to sell them. You are not going to fix them or anything.

Mr. Rappleyea: No. I am going to bring them to Gary Upright or North East Service down in Milton. Major RV repairs I bring to Charlie Kosleck down where Youngs used to be.

Mr. Gorres: Right, he’s down on the corner there. I see him all the time.

Mr. Rappleyea: Broken little things and bits and pieces here and there we do that on site.

Mr. VanDeMark: The shop right next to Mazzola Oil.

Mr. Rappleyea: Correct.

He does great work by the way. If you have a RV, bring it to him.

Mr. LaFiandra: You rent the RV’s?

Mr. Rappleyea: Correct.

Mr. LaFiandra: Is there any on-site use of the RV’s?

Mr. Rappleyea: That is another thing we found out we will not be doing. We have given people the option of staying overnight. Greg informed me that even to consider a campground usage..(cut off by Mr. Gorres)

Mr. Gorres: That is a whole nother … (did not finish sentence)

Mr. Rappleyea: That’s again another problem I do not need to solve.

Mr. Gorres: You just want to be there and sell them.

Mr. Rappleyea: Correct.

It was just a service to people now we send them to KOA.

Mr. Gorres: We need maps or something showing what’s gonna be.

Ms. Eisenhardt: The site map is in the back of the packet.

You store these then you rent them out?

Mr. Rappleyea: Correct.

Ms. Eisenhardt: How many RV’s do you store?

Mr. Rappleyea: We have at the moment eight (8).

After reading the code, we can have one per half acre, I guess. This is the way the code reads.

It will be on site in that zone.

The business is the rental business.

Ms. Eisenhardt: Is there plans to add more than eight (8)?

Mr. Rappleyea: Let’s see how tonight goes.

We asked for a variance to go over what is permitted.

Mr. Hines, MHE Engineering: You are not actually asking for a variance, which is good.

Mr. Rappleyea: Okay.

Mr. Hines: You are here for what the Building Inspector calls it a Home Occupation II.

Mr. Rappleyea: Okay.

Mr. Hines: They are thinking fifteen (15) for parking spaces for rental RV’s.

Ms. Eisenhardt: This is done out of the barn in the back?

Mr. Rappleyea: Theres nothing really in anything. There is no actual office.

Ms. Eisenhardt: There is no actual office, no employees.

Mr. Rappleyea: There are two part-time employees. One for cleaning and one that helps deliver them.

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Mr. Dmytry: What type of hydrogenate do you have down?

Mr. Rappleyea: The back of the barn, though we put nothing new down there. It is just packed earth. Its machinery running over it for a hundred year, it’s not grated.

Mr. Dmytry: Is it clay?

Mr. Rappleyea: It is clay and stone mixed.

I don’t know what the stone is there from but its clay and stone basically.

Mr. Gorres: The driveway they are already using, is already there?

You said the storage tank is out.

Mr. Hines: There is a septic pump off.

Mr. Rappleyea: Septic storage tank, yup.

Mr. Hines: He is here for a Home Occupation. The Code Officer has weighed in that it is an acceptable use. It’s a special use in your zone; it is a class II Home Occupation. Special Use criteria under section 110-61 would apply.

I just requested from the Highway Superintendent, look at the driveway, it is located on a turn in existing condition. We are looking for the site distance and the Highway Superintendent will reference the gate keeper letter of where the storage tank is. Excising facility where I guess you discharge there and the septic haler pumps off; it has no outflow. (over spoken by members)

Mr. VanDeMark: It’s just for cleaning.

Mr. Rappleyea: Correct it has no out fall.

Mr. Hines: Have to make sure there is not over flow. Additional detail on that would be helpful and I’m gonna check (cut off by applicant)

Mr. Rappleyea: Just so I get this right, the additional detail you are looking for is, how do we make sure it is not over flow?

Mr. Hines: Operation of maintance for that.

Mr. Gorres: Right. Locally done; Dawes does it. They come on a regular basis to pump it out.

Mr. Rappleyea: I haven’t had to have it pumped out yet.

Mr. Gorres: So, you just check it once in a while?

Mr. Rappleyea: I have installed a hatch so I can take a look.

Pretty straight forward.

Mr. Hines: You have not had it pumped out yet?

Mr. Rappleyea: Have not had that much business yet.

It’s a Fifteen Hundred Gallon (1500) it’s pretty thirsty.

Mr. Gorres: It will take you a while to fill that up.

Mr. Hines: As Rich was asking details about the parking lot construction; you are expanding this parking lot I believe now, right?

Mr. Rappleyea: It is what it is right now. We are not going larger.

Mr. Gorres: You have to have on the map and show us the fifteen (15) parking spots.

Mr. Hines: Also, what the material is.

Mr. Rappleyea: Just the existing ground, the hard packed ground.

Mr. Hines: So typically, we want a dust free surface. If the board is going to go and check it out.

Mr. Rappleyea: Grass is not dusty.

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Mr. Hines: If you have a successful business, it could come a mud hole is what I’m worried about.

Mr. Gorres: That is my concern too, thank you.

Mr. Rappleyea: If I have a successful business they will be out more. They are not coming and going like a rental car company where it is a day, day, day. Is a month, a week, maybe two months. So, the coming and going, and if we do it well and we are successful is pretty minimal.

Mr. Hines: Do people leave their vehicles when they pick them up?

Mr. Rappleyea: Some times.

(Showed the client parking on the site plan)

Mr. Gorres: So, if someone needed it for two (2) weeks they could leave their car there.

Mr. Rappleyea: Usually the people leaving cars are less then a week. People who are rent for a long time usually (cut of by Mr. Gorres)

Mr. Gorres: They drop them off and pick them up.

Mr. Rappleyea: Usually picking it up and taking it home for the day and loading it up.

It’s more like weekenders who are leaving their car. We have only had two to three cars at a time.

Mr. Gorres: Ok. We need to make sure if you’re going to do that it shows on the map.

Mr. Rappleyea: It is right here under client parking.

Mr. Hines: My comment #10 there, there is a section of the Home Occupation Code regarding “no outdoor display of goods, out door storing of equipment and materials used in the home occupation shall be permitted in the front yard of the premises. Such good and materials may be displayed or stored elsewhere on the property if appropriately covered by a structure and or screened by fence or natural vegetation, provided that such outdoor storage does not occur within 20 feet of an adjacent property line.”

Looks like it is wide open now. I don’t know if there is any screening.

Mr. Rappleyea: Screening from what?

Mr. Hines: Your neighbors.

Mr. Gorres: Your neighbors don’t like to look at fifteen (15) RV’s there.

Mr. Rappleyea: My neighbors are lovely people. (Showed on the survey, this is a row of trees and this is a barn).

You can get peaks of them through the foliage; they are not completely shut in from the trees.

Mr. LaFiandra: Are you proposing any signage?

Mr. Rappleyea: No. Ironically, we prefer people do not stop bye, so by appointment. When people stop bye, it creates more that does not pay.

Mr. VanDeMark: When the units are returned, do you detail and clean them out there or do you take them some place?

Mr. Rappleyea: The outside we often take them too Blue Beacon Care Wash. They do a great job. The interior, a cleaner comes in and cleans them.

Mr. Gorres: Details them.

Mr. Rappleyea: Yeah.

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Mr. Hines: The last one in googling this site, your house looks wonderful, I believe it is a historical structure.

Mr. Rappleyea: No, it’s not on any historical registers. Is there a historic commission?

Mr. Hines: Theres not but I ran it through a long form EAF, and it came back insufficient information is available. So, when we get an EAF for this project and it should be submitted to State Parks and Recs just to check that box. They may have no issue but (cut off by applicant)

Mr. Rappleyea: So, when you say submit, forgive me I am new to this, this to State Parks and Rec what am I asking?

Mr. Hines: We did not get an EAF for this?
Mr. Rappleyea: What is an EAF?

Mr. Hines: An Environmental Assessment Form.

Mr. Rappleyea: State Parks and Rec is who issue that?

Mr. Hines: This board will declare its intent for Lead Agency and will circulate that to any interested or involved agencies. So, we will add that agency to the list.

Mr. Hines: So, we will need that form filled out, it is on DEC website. The short Environmental Assessment Form.

Mr. Gorres: If you have any questions, you can call and speak with Janice.

Mr. Rappleyea: Janice, she has been very helpful.

Mr. Gorres: Yes, she is.

Mr. Rappleyea: The two main things I am hearing, if I am correct, are the operational explanation for the holding tank and then the EAF form.

Mr. Gorres: Right. We just need some kind of written thing that says you use so and so to

pump out the tank when it is full and monitor that. Kind of need to cover all of that if anyone ever questions what you are doing there.

Mr. Hines: The Home Occupation section has various items that you have to comply with.

I would just like those put on the map as a note. So, when they approve that each of the items are on there.

Mr. Rappleyea: Which items?

Mr. Gorres: Note on the map of how many employees.

Ms. Eisenhardt: Two part-time.

(Miscellaneous over talking of board members)

Mr. Rappleyea: Future plans. Anything else?

Mr. Gorres: Not at this point.

**OLD BUSINESS:**

*Fossler Forest SBL# 102.1-6-25.11 & 102.1-7-11.2*

*Fosler Road Proposed: (2) Lot Subdivision*

Ms. Patti Brooks, Control Point Engineering, was present to represent her client Fossler Forest.

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We were originally in front of the board in February and March with this application and we did receive a notation from the Planning Board Attorney. We can proceed as long as we put a note on the map that “the lots are not being approved as residential building lots until such time as an Individual Permit to construct a Septic System is obtained for each lot.” We will add a note identifying potential habitat for Bog Turtles. Where anything would be done on this lot would be well outside the Bog Turtle Habitat anyway. Certainly, the Bog Turtle Habitat is not buildable.

The project has been submitted to the Ulster County Department of Public Works and I am waiting for an e-mail back from them that the site distance is adequate for them for both driveways.

This is a new Environmental Resource mapper not only has the regulated wet lands that are shown in green, they have the information wet lands. I think you all know new regulations put in place January. So, when we have a situation where there is an informational wet land that is not tied to an existing regulated wet lands, such as this wet land up here, you have to request a jurisdictional determination from the Albany DEC office for our consultant determination from the local reginal office. When they are connected and part of an existing regulated wetland that gets handled through a wetland delineation.

Mr. Gorres: Sence that is part of that they have to come out and verify that.

Ms. Brooks: Yes.

Mr. Gorres: That’s what I thought I heard.

Ms. Brooks: Again, because of the location where the wetlands are on both of the parcels, which is confirmed by the topography on the site, basically looks like the wetlands are going to be ending at the stone wall. Topographically that is where it would make sense. I don’t think that has been previously requested the delineating wetlands. My questions is, because we have this high knoll here, is it necessary to have the DEC Wetlands located at this point and time based on

even with the informational wetlands.

Mr. Pat Hines, MHE Engineering: I would suggest there is no construction proposed and just a note be put on the map the site contains…. (cut of by Ms. Brooks)

Ms. Brooks: We have that note on here. Portions of the parcels contain NYS DEC regulated wetlands and or Federal wetlands and is therefore all subject to all regulations promulgated there under.

Mr. Hines: There is no construction proposed. We went through this with Dominick, replied that they are fine. It is explained that there are uses in detail other than residential use, there are varies other uses there.

There is no proposed septic system there right now. You added the note that says, any buyer will have to get Health Department approval prior to any construction.

Ms. Brooks: At this point I would believe we have enough information to schedule a Public Hearing and that is what I am looking to do this evening is schedule the public hearing for June 24th.

**MOTION:**
 Mr. Gorres made a motion to schedule a Public Hearing for Fossler Forest on

June 24th, 2025 seconded by Mr. Baum. All ayes on the motion.

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*Tenney, Mary Jane & Christopher SBL# 108.3-7-2-2 & 3*

*102 Decker Road, Wallkill Proposed: (2) Lot Subdivision & Lot Line*

Ms. Brooks, Control Point Engineering, was present to represent Mary Jane & Christopher Tenney and the Estate of Decker.

This one also we have not made a SEQR determination on so the board can either do that this evening or before they open the Public Hearing.

Mr. Gorres: We will do it before we open the Public Hearing.

Ms. Brooks: We just have to make sure we remember to do SEQR. I have it written down as well.

Ms. Brooks: The Zoning Board of Appeals have granted the variances. I did send an email to the Highway Superintendent, just today, for the driveway location after I got Pats comments, I forgot to do that so thank you.

This is one where I think we have enough information supplied to the board for a public hearing on June 24th.

**MOTION:**

Mr. Gorres made a motion to schedule a Public Hearing for Tenney (3) lot subdivision on 102 Decker Road June 24th, 2025 seconded by Mr. Baum. All ayes on the motion.

*United Pump & Tank SBL# 107.1-1-4.321*

*120 Kingsview Drive Proposed: Light Industrial*

Dan Bloom, Bloom & Bloom New Windsor, was present to represent Steve Lowitt, United Pump & Tank.

Mr. Brad Cleverly, with MJS Engineering & Land Surveying, PC: was also present to represent Mr. Steve Lowitt, United Pump & Tank.

Mr. Bloom, I am here really because this application, as you know, has a lengthy so of strange history. It started a while ago. It was submitted in semi-formal, Id say formal application, was made back in 2022 I believe.

Mr. Gorres: Your correct. It’s taken a while.

Mr. Bloom: We have had COVID in between; what I consider substantial changes to the environment and I used that term generally, of the entire application and applicant and the subject matter of the application.

When Steve first came here, he was operating a tank and pump business. That enquired him hiring skilled employees and sending them out to the job sites. They do nothing on site. They would send them out to the job sites in the morning and they would come back in the evening, that was the principal occupation.

Then comes along COVID. During that period of time, in order to supplement, Steve started a petroleum business. In the course of doing that he had two oil trucks that would have to travel

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one at a time, go out in the morning and come back in the afternoon and were passing through the residential neighborhood.

Steve and his wife live here too. They live in this community. They are not here to make money on the community and not care for the community. With that being said, he sold that business at the end of 2023, October 2023 seized that business entirely. As he did that he and his wife got interested in agricultural aspects of the property. In fact, they got so serious with it they now have trees planted, fruit trees planted, evergreen trees planted, that they hope to harvest and sell at Christmas time in a few years. He wants to have pick your own apples occasions. He wants to make it a community events sort of thing. He wants to make a living and respect the community.

To that end he is really strict with the employees, he has ten (10) of them. Two (2) of them are clerical and eight (8) of them drive the panel trucks. They do all their work off site. Of the eight (8) that drive the trucks, he indicates to me probably ¾’s of those eight never come to the property with those trucks at night. They take them home, then home to the job site and that’s how they function. Once in a while they have to get parts and they bring the truck back to the property.

I understand significant opposition, concerning the operation of the businesses, understandable its residential, but during investigation determined there are other business. We are not complaining they are run in a rather respectable matter. We intend, if permitted by the board, to continue to operate it in a respectable manner. Considering the rights of others, considering the property Steven and his wife own and are proud of also have plans. The plans

are to gradually reduce the amount of normal commercial activity on the property by expanding the agricultural use of the property. He has an application in for agricultural exemption is still pending but each year they are spending more time and devoting more resources to expanding the fruit trees, evergreen tree production, events in the community to come in and participate in the fruits of those nectars.

We understand that there are two other commercial activities in the area in the residential zone and they are, to the best of our knowledge, respecting the neighborhood as well. We would like to join them. One is a concrete operation, ones a black top operation and there is a child care operation. Again, my clients are firm believers in every bodies right to make a living but always respect your community and neighbors at the same time. They believe they are doing that and they hope to increase the amount of time that they actually spend farming, agricultural uses at the property and gradually each year they find them selves spending and devoting more and more of their employee’s time to trim trees, harvesting the product and selling the product.

In a nut shell, that is what they would like to convey to the board this evening. If you have any questions.. (cut off by Ms. Eisenhardt).

Ms. Eisenhardt: If I am understanding correctly then, in the future the plan is to decommission United Pump & Tank and go strictly to Ag?

Mr. Bloom: That’s the ultimate goal.

Mr. Gorres: But in the meantime the biggest problem is, Steve will tell you, the people up on Kingsview Road with the vehicles going in and out of a residential street.

We are trying to solve that problem but it does not look like DEC is going to cooperative.

The people up on Kingsview, because every once in so often, he takes up his big trucks in and out and the excavator when he does gas station work. That is where the opposition is there. If

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we did add onto a County Road, down here on Orchard Drive, that would make life easier, because all the rest of that is fine. The trees, the apples and whatever.

The biggest opposition is from the neighbors of bigger trucks going in and out of here. I know I have seen their trucks at houses where they work so that’s not the problem. The problem is when they bring trucks in and out of this driveway here out onto Kingsview.

Mr. Bloom: I can understand the concern, my feeling is from conversations I have had with my client, and I have had my client put his position in affidavit form, I want to make sure for representation, I’m making and reeling on my client’s representation and they are under oath. I just wanted to give that information to you so you would take that into consideration when you make your determination.

Mr. LaFiandra: Do I see something about a secondary ingress/egress from another property?

Mr. Gorres: On a neighboring property.

Mr. Bloom: To do that the answer is, its humanely possible, its physically possible, but its not economically possible. My client is willing to go the extra mile but to give up a substantial real estate that he has there by completely ruining a title to another parcel by putting a road in at that juncture is just not economically feasible. He has tried everything reasonable, reasonably possible, economically possible. There are certain limits.

Mr. Gorres: Does anyone else here have an opinion besides me?

Mr. VanDeMark: I do not see where anything has changed since before. We are still in the same debacle as we have been.

Mr. Hines, MHE Engineering: I feel the oil company leaving is substantial.

Mr. Bloom: It is certainly a substantial change.

Mr. Hines: A lot of the complaints I heard during the public hearing we with the oil trucks.

Ms. Eisenhardt: What specifically is being done on the property now?

What business do you have on the property now?

Mr. Lowitt: That we are physically working on?

Ms. Eisenhardt: Yes.

Mr. Lowitt: It’s all agricultural. It’s the only work being done on the property.

We have a thousand (1,000) Christmas trees, we have fruit trees, apple trees, berries. We have a corn field we moved next door, we just expanded onto most of my parking, if you look at the original map from Pump & Tank, that’s all apple orchard now. Most of these guys that we are talking about driving they are staying a majority of the day. I can’t do this by myself; I am not a farmer.

Ms. Eisenhardt: So, you have eight (8) drivers so that means eight drivers coming down that road.

Mr. Lowitt: Two of them are my sons. One of them lives on the adjacent property and the other one comes in and out all day.

Ms. Eisenhardt: I know one of the complaints were the trucks. Up and down the road constantly.

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Mr. Lowitt: It’s cut down a lot. The big trucks don’t come up and down the road really any more. The service trucks, a handful of them go up and down the road. Some will stay all day and work on the farm and leave at night. Sometimes they leave through Kingsview.

Ms. Eisenhardt: Do you, I am going to use the word decommissioning, do you have a decommissioning date in mind to stop that part and just do the Ag?

Mr. Lowitt: I’ll be completely honest; I don’t want to go past sixty if I don’t have too. I really am waiting for one of my kids to get their crap together and take the company. My daughter could do it now but my sons won’t listen to her. It’s still a work in progress but I hope in the next eight to ten years. I don’t see myself going past that.

Ms. Eisenhardt: I think the only issue would still be the residents having is that you still have the eight to ten years for United Pump to be decommissioned. I think that will be the biggest issue still be eight to ten trucks going down the road on a daily basis.

Mr. Lowitt: It’s not the trucks, if your gonna count my son, five trucks maybe? Four trucks?

You’re not talking eight trucks coming in and out because any big trucks don’t use Kingsview.

Ms. Eisenhardt: What about hours those trucks are coming up and down the road?

Mr. Lowitt: The service trucks they get to work at eight and leave shortly after and they are gone for the day. Unless they are staying on the property all day.

I’d say since last year I have had two to four guys stay on the property full time.

Mr. Cleverly: These trucks he’s talking about are not these big tractor trailers; they are these small trucks.

Ms. Eisenhardt: Like a box truck?
Mr. Cleverly: Yeah. Has a generator on it maybe welding equipment. It’s a smaller truck.

Mr. VanDeMark: In the past wasn’t their history of tractor trailers getting hung up on turns out of the road.

Mr. Lowitt: I resolved all of that.

Mr. Gorres: Are you going out the other way?

Mr. Lowitt: That hasn’t happened in a couple of years now. Believe me I was not happy about that. If there is one its short lived. I am strict on that and I have made strict rules on that myself.

Mr. Cordisco, Drake Loeb Attorney at Law: As Pat had pointed out in his memo, in order for the board to grant a special permit for this project you have to make a finding and that the proposed use is compatible with the residential area. In connection with that you can impose reasonable conditions associated with the special permit that would become conditions with the property, including hours of operation, number of trucks. These are things that are directly related to the proposed business and as long as they are related and reasonable you can compose those types of conditions.

Mr. Gorres: Ok.

The lawyer is going to have to review this and think about this which we probably will not finish tonight.

He also has to draft a list of conditions on the things I like to use the word impose.

If you are looking for an answer tonight, you will not get one.

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Mr. Bloom: Can’t ask for more!

Mr. Cleverly: This is a tough one. The DEC was difficult that we had to go through.

Mr. Hines: The DEC had issued an e-mail. I do not know if all the board members had saw it; they basically said putting another access point across those wetlands does not meet their permitting standards.

Mr. Hines and Mr. Cordisco will work on a draft and they can do the SEQR at the next meeting, June 24th, 2025.

**DISCUSION:**

*Cross Landscaping: SBL# 101.1-6-16.0*

Ms. Brooks wanted to confirm on the Cross Landscaping site plan that is before the board

we will make sure that it is listed on the site plan map that this is a *Wholesale Establishment*

not a *Retail Establishment*.

**MOTION:**

Mr. Gorres made a motion to except May 13th, 2025 minutes with corrections second by Mr. VanDeMark. All ayes on the motion.

**MOTION**:

Ms. Eisenhart made a motion to adjourn with Mr. Gorres seconding the motion. All ayes on the motion.

The meeting adjourned at 8:25 p.m.

Respectfully submitted by

Janice Stryker, Planning Board Clerk