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**Town of Shandaken Planning Board
 Minutes for Public Hearing
 August 9th, 2023**

The public hearing was called to order with the pledge of allegiance at 6:33 pm.

Roll called by acting Secretary to the Planning Board Olivia Amantia, and attendance was recorded as follows:

Cliff Rabuffo, Chair	Present
Art Christie	Absent
Joanne Kalb	Present
John Horn	Present
Allen Shiner	Absent
Sam Spata	Absent
Vivian Welton	Present

Roll Call Summary: 4 Present, 3 Absent

Others Present: Zoning Enforcement Officer Grace Grant, Code Enforcement Officer Donna LaMoine, Supervisor Peter Disclafani, Town Clerk Joyce Grant, Tariq Gujar, Mike North

Regular Monthly Meeting was preceded by a Public Hearing for Aero Star Petroleum at 7:00 as follows: Applicants are seeking a Special Use Permit for

Chair Rabuffo asks for the legal notice to be read, by Planning Board Secretary Amantia. Chair Rabuffo ask's Mr. North to run through the project for the Board and for the public. Mike North, states this is an existing facility, and the changes that will be made will be an improvement of the existing facility. They will demolish the current building, and rebuild a new building, keeping all of the current uses it has. Which includes the gas station, liquor store, laundromat, conveyance store, and the addition of a Dunkin Donuts drive through.

Mr. North states all the set backs have been met, and for the drive through queuing is shown on the new updated site plan. The laundromat will be in a separate building on the other

side of the property, and he adds there is a significant hill behind the property . There will be a retaining wall near the drive through, and a new sign has been added on the new site plan. Mr. North goes over the new site plan with the Board, the existing sign will stay with a new small Dunkin Donuts sign. The lighting is on the building and the canopy, the lighting will be upgraded as well, they will not be “broadcast lights.” Mr. North states he has also spoken with the DOT, regarding the curbs, there will be no curbs added because of the drainage, they do not want to interfere with it. He states the DOT is happy with how it is, and he also states there will be no significant landscaping , they will be disturbing a half an acre. Chair Rabuffo asks if the Board Members or if the public have any comments. Chair Rabuffo states that the public must address the Board, and not the applicant, and due to the large number of people here this evening, there will be a three minute time limit per person. Chair Rabuffo adds to address the Board, and to be respectful.

The first person who signed up to speak this evening, is Andrew Messinger, Pine Hill resident. Mr. Messinger is for the project, but has concerns about the increase in traffic, and feels it would be beneficial if the Town were to hire a consultant to review the plan.

Jan Jaffey, also a resident of Pine Hill, is not opposed to the project either, but also has some concerns for safety purposes. She states it would be great to have an engineer consultant look over the plans for safety purposes. She states also being in the Wilderness Park is a concern and if the DEP has been contacted.

Christel Vogler, a resident of Pine Hill as well, is for the project, with no opposition. Mrs. Vogler states it would be great to have the facility open again, since there is nothing there currently, and she doesn't understand why people are against it, since it will be great for our area and the community.

Rogan Wale a resident of Pine Hill as well, has some concerns about environmental issues. They state living in Catskill Park, and the NYC watershed, and was curious if the DEP has been involved.

Chandra Valianti resident of Pine Hill, is not opposed to the project, she states she's very happy that something will be coming back to Pine Hill since they are in desperate need of a facility offering everything the Plaza offers. She states she is against the Dunkin Donuts, and feels people come to our area to get away from corporate chain's. She states she is also concerned about safety , regarding individuals pulling in, and out of the plaza.

Hilary Smith resident of Shandaken is not opposed to the project, but has some concerns. She states according to the supplementary regulations for the gap development of gas stations and buildings need to be 50 ft back, and she states this building is only 25 ft. She states she did not do a full zoning analysis, but feels its not compliant with our zoning. She also states there is no pedestrian provisions and no bicycle access. She also states the

location of the laundromat which will be on the other side of the facility , and if someone is doing laundry, and needs to go into the store, they will have to walk through the parking lot. Mary Herrmann, resident of Pine Hill has some concerns about the project. She states she feels the public has not been able to view the plans. She states the increase in pumps will increase traffic , and knows it will be good for the community but also feels it can impact the area negatively. She shares the concerns that others do about the blind curve, upon turning into the facility.

Angel Molina resident of Pine Hill, and co-owner of the Bellayre Lodge. He is not opposed to the project, but does have some concerns. He states traffic is a main concern, and the impact of climate if vehicles are idling, he states which affects all of us. He also states the lighting to be dark sky compliant, and is concerned if any music would be playing from the facility, but is for the project overall, and thinks it will be good for the community.

Ross Stangle, resident of Pine Hill, is a volunteer for the Pine Hill Fire dept, she states her concerns are coming from her as a firefighter. She states during the winter months, when Bellayre lets out the traffic is very heavy, and there can be some safety concerns. She states a traffic study may be beneficial, she states she observed over the winter that several vehicles will slow down to turn into the facility but it has been closed for some time. But she adds she feels the plaza to be up and running will be good for our area, and there is a need for it.

Chair Rabuffo states, if there is no one else from the public who would like to speak, this will conclude this evening's portion of the public hearing. Chair Rabuffo states due to the changes as previously discussed we're going to leave the Public Hearing open, so people have a chance to review the additional changes. These changes will be revisited at the next meeting.

Jan Jaffey Pine Hill resident ask's the Board if the plans will be available on the Towns website. ZEO Grant states typically we do not post plans on the website, but anybody is welcome to come in the Town offices, and can look at plans upon request. ZEO Grant states the way our code is written we do not require PDF copies. ZEO Grant states it is out of kindness when the applicants give them to us. She states it is not something we can do for every application; we do not require PDF'S to be submitted to us. She adds its not something we would be able to do with any sort of consistency. Chair Rabuffo adds in the future, one can reach out to Grace Grant the ZEO, or Olivia Amantia, the Building Dept Secretary, and Planning Board Secretary, regarding plans for projects in the town.

Mary Herrmann states she has concerns about the environmental impact of the tank removal, from the plaza. Board Member Kalb states Ms. Herrmann attended our previous planning board meeting, where Aero Star presented, Board Member Kalb states, Mike North, and Tariq Gujar, said they were going to remove the tanks which are currently there.

Board Member Kalb adds the DEC will be on site, during the tank removal process, and new tanks will be put in. Board Member Kalb states they already informed us they will be making sure the ground under the tanks that are there, are not contaminated, there is no leakage, and he will be putting everything in brand new, because he feels better about it. Board Member Kalb adds she understands the concern, regarding the groundwater and the brownfield. Board Member Kalb states Mr. North, and Mr. Gujar will be taking care of it. There is a discussion amongst the board, and the audience, regarding the garbage that is currently at the facility, due to the dumpster, individuals have been dumping garbage, and bears have been getting into it. Chair Rabuffo states if the garbage becomes an issue, it will be addressed.

A member of the audience mentions a traffic study being done prior to the facility reopening. Chair Rabuffo states we do not feel that it is necessary.

Board Member Kalb and Chair Rabuffo state, it is not necessary to do a traffic study for the site, but yes for the property, and a study of the parking, and the individuals coming in and out from the gas pumps, etc.

Another member of the audience mentions the parking lot, and the addition of spots. Chair Rabuffo states the previous location had inadequate parking, and that's when individuals would get backed up, and now there is more space to get people off the road. Mr. North adds that the town has a parking ordinance and regulations on how much parking they need, and the intent of that is to provide adequate parking. Mr. North states that's why in my opinion there is actually extra parking.

Chair Rabuffo states every new business that comes into this town must abide by the parking ordinance. And what they always run into is that it's a struggle, the previous businesses had inadequate parking and they have to add parking, that is the attempt to address that. Chair Rabuffo adds that we do not do traffic studies for every business that has parking spaces.

Several audience members interject during the meeting about parking spaces, and the distance from them to the building. Chair Rabuffo asks Mr. North to walk us through the setbacks. Mr. North states the current building extends into the required setback, in fact the pumps, and the pump canopy and the tanks actually violated the property line. Mr. North states they are partially our state land, the bus area, the regulation requires 25 foot setback, and we have made the closest corner of the building 25 feet from the property line which makes it 75 feet from the state's road. Mr. North adds the state owns a very large amount of land, normally the state would own somewhere around 12 feet off of the site, so there's a 50 foot right away in this case.

Mr. North states the state took a lot of property, and this property line is way more extensive than usual. An audience member asks the Board what agencies will be providing feedback for this project. Chair Rabuffo states, the DEP, and the Ulster County Planning Board, will let

us know their input after their review. Chair Rabuffo thanks everyone for their comments, and the public hearing section of this meeting will be closed.

All pertinent information having been discussed; Board Member Welton made a motion to keep the public hearing open until next month's September meeting, seconded by Board Member Kalb, all in favor.

The public hearing for Aero Star Petroleum, will re-open September 13th 2023 at 6:45 pm.

**Town of Shandaken Planning Board
Minutes for Regular Monthly Meeting
August 9th,2023**

The regular monthly meeting was called to order at 7:22 pm with the pledge of allegiance.

Chair Rabuffo ask's the Board if they've had a chance to look over the previous month's meeting minutes. With no corrections, Chair Rabuffo makes a motion to approve the minutes, seconded by Board Member Welton, all in favor.

Old Business: Aero Star Petroleum

Chair Rabuffo states the first order of business on the agenda, is Aero Star Petroleum. Chair Cliff states the Ulster County Planning Board, has not given the Board feedback, as of right now were still waiting to hear from them. Chair Rabuffo ask's if the applicant has details on the retaining wall as requested.

Mr. North states they don't have much detail pertaining to the retaining wall, stating its standard construction, but he can provide some information.

Chair Rabuffo states yes, they would like to know, what its going to look like. Chair Rabuffo states they will look into the parking as well, as the setback, and check to make sure there is enough space to move those back perhaps.

Board Member Horn ask's if the site plan, he is looking at, is the newest and current one. The answer is yes, Mr. North states that this updated site plan, includes the queuing of the cars through the drive through. He states he drew the cars on the map so that one can see how many of them can fit. As well as any new signage, and the location of the signs for the facility. ZEO Grant states the applicant was also asked to revise the SEAF, to include the permits that are required from other agencies, and the SWPPP was added as well as an underground tank registration. Chair Rabuffo states this covers the project for this evening.

New Business:

Smart Growth Grant resolution

The next order of business on the agenda, is smart growth grant resolution. ZEO Grant states the town is seeking grant money for a planner, pertaining to the comprehensive plan committee. The grant resolution needs to come from the Planning Board. The smart growth grant will allow the town to hire a planner to come in and assist, and hire a consultant. This is a time sensitive matter, since there is a deadline for the grant money. Roll call vote as follows:

Cliff Rabuffo Yes
Art Christie Absent
Joann Kalb Yes
John Horn No
Allen Shiner Absent
Sam Spata Absent
Vivian Welton Yes

The roll call vote is done a second time, 4 yes's 3 absent.

Cliff Rabuffo Yes
Art Christie Absent
Joann Kalb Yes
John Horn Yes
Allen Shiner Absent
Sam Spata Absent
Vivian Welton Yes

Other Business:

Adjournment:

All Evening's business having been discussed; the board adjourned at 7:34 on a Kalb/Welton motion. All in favor.