Town of Gardiner Planning Board

Meeting Minutes

February 24, 2026

Members Attending: Paul Colucci (Chairperson), Ralph Varano (Vice-Chairperson), Rob Boettcher, Rebecca Fullam, Keith Libolt, Marc Moran, Tom Penichter

Also Attending: Cassondra Britton, Esq., Andrew Millspaugh, P.E.

The meeting began at 7:03 pm.

P. Colucci held roll call.

Public Comment Session:

Fall Park Blueprint, LLC
Major Subdivision - North side of Church Farm Road, Gardiner SBLs: 93.2-2-1.200 and 1.110

Andy Willingham, P.E. presented a brief overview of the project for the benefit of the public in attendance for the public comment session.

P. Colucci read the public notice advertised and circulated to neighbors as well as a SEQRA courtesy notice to explain the purpose of the session: to receive public input in advance of the board's review of SEQRA impacts.

Suzanne Levirne, a Gardiner resident, commented that increased traffic at a potentially dangerous intersection, with limited sight distance, will pose a problem.

Wayne Wadsworth, a Gardiner resident in the Church Farm subdivision, commented that stormwater run-off from the subject property is a continual impact to his own. The run-off often forms a moat that surrounds his home. He approved that the gravel pit operation would end. He expressed concern about safety at the intersection of Church Farm Road and SR 44/55. The turn on SR 44/55 provides limited sight/stopping distance to the intersection. Increased "turn" traffic" will exacerbate the problem. He added that proposed gate between the Residential and CLI Districts will limit the through traffic. He urged the board to not allow for the creation of new problems where they didn't exist before.

Lisa Minnetto, a Gardiner resident, commented that there is already unlimited heavy truck traffic, noise, dust, pollutants coming from the CLI district that impact residents. Eight newly developed lots in the CLI District will only increase this.

Clodagh Fraccari, A Gardiner resident in the Church Farm subdivision, asked who would manage the gate. She expressed concern that eventually, it will be left open for through traffic.

P. Colucci read the review letter provided by Sterling Environmental Engineering dated February 23, 2026.

T. Penichter brought up the code requirement to build inclusionary housing. The board discussed the question of whether it was the developer's responsibility to build accessible, inclusionary housing as part of the plan or contribute into a fund devoted to this. Since §220-42 was enacted as part of the most recent comprehensive zoning amendment (Local Law 1-2008), there hasn't been a development plan reviewed by the planning board where this requirement applied. The matter would have to be reviewed by the town board.

C. Britton advised the board that the developer would have to build or pay into the fund. This would be expressed as a percentage of total number, based on unit/dwelling.

P. Colucci asked if this would be reviewed simultaneously with the town board.

C. Britto advised that once a SEQRA determination is made and the layout is confirmed, then the matter would be referred to the town board.

The board then discussed the conservation analysis.

The board asked the developer to clarify terms and prepare a single, color coded map with legend, printed in architectural D size (24" x 36"), that uses terms consistent with the analysis, to describe the area.

C. Britton advised that the proposed trail (conserved area) should be described and detailed in a separate map. There should be an explanation of how the trail solves the issue of connectivity from the rail trail, through the newly developed area, and into Gardiner Park (parkland). Construction details of the trail should be provided.

J. McCormick asked if this was necessary for the sketch plan.

P. Colucci: Portions of the trail may be impacts based on the slope.

Andrew Millspaugh: The plan has to be code compliant.

C. Britton advised that the sketch plan has to be specific enough to review SEQRA.

M. Moran questioned the developer about the so-called production level wells drilled on the property. There is no discussion of this in the conservation analysis. The discovery of production level well capacity at two sites is worth discussing in a conservation analysis. Are these wells part of the conserved or developed land?

J. McCormick: The wells are going to be abandoned.

Andy Willingham: These are "sand and gravel" wells. Bedrock wells are more desirable for production level service.

J. McCormick asked the board if the loop was now closed on this question.

M. Moran: (To the Developer) You drill two wells that have the capacity to supply a substantial volume of water and then you decide to abandon them. Explain how you get to that decision.

Andrew Millspaugh requested that all well locations and gallons/minute/well is shown on one plan sheet.

T. Penichter questioned whether trail widening contributed to greater buffering between the commercial and residential areas.

P. Colucci: The description and plan of the transition area is poorly worded. To reiterate from prior meetings, he emphasized that there has to be a greater buffer between the commercial and residential uses of the subdivision. The buffer must be screened, wooded, planned in any way possible to reduce the impacts that different zoning uses have upon each other.

The board discussed the relative locations of the hammerhead turn-around, gate, trail, and associated buffer. The turn around itself is an impact and the location has to be ironed out prior to completing SEQRA.

M. Moran: This was supposed to be formally determined by the building inspector / code enforcement officer. Evidently, it was deferred to the highway superintendent.

P. Colucci asked the clerk to invite Brian Stiscia (Highway Superintendent and Assistant GFD Chief) and Matt Goodnow (GFD Chief) to the March 24, 2026 planning board meeting.

P. Colucci again recommended to the developer that the number of lots has to be reduced. This will translate into less SEQRA impacts and reduce the amount of additional traffic turning onto SR 44/55.

T. Penichter what the difference was between what is being proposed in the CLI District, and what is possible.

P. Colucci reiterated from past meetings that building envelopes could be larger than what is proposed. The real density and impact could be far greater than the proposed plan.

Andrew Millspaugh: All calculations tie into the requirements of Stormwater Prevention Plans (SWPP).

P. Colucci reminded the developer and the board that this is the third meeting in a row where the matter of proposed lower density per individual lot in the CLI was discussed.

As identified previously, the proposed plan is a Type I action under SEQRA. The board cannot "condition" a negative declaration. Restrictions have to be voluntary.

M. Moran proposed that the developer could extend a portion of the conservation into the CLI District. This voluntary action would restrict the amount of development on individual lots where the easement was granted, however, it would not add to the calculations required in the residential area.

The board then reviewed the area around the existing pond in the CLI District. The feature was essentially created by stormwater drainage. The NYS DEC has no jurisdictional authority over the feature. There are no setbacks required from the pond.

P. Colucci questioned: Doesn't the conservation analysis cover the entire project.

C. Britton advised that the conservation analysis applied to the residential (RA) portion of the project only.

R. Fullam questioned the lengths of the driveways on lots 16, 17, and 18. These driveways should be shorter. Consider shared driveways to reduce impacts. And, while it was tacitly implied that this plan had the look of a traditional subdivision layout, she urged the developer to bring the project more into the spirit of a conservation subdivision.

W. Scandinaro, a Gardiner resident and Member of the Town Board, made final public comments for the evening, that noise, traffic, and noise that emanates from traffic has to be considered. They are recurring problems. He questioned, who has *less or more* rights in Gardiner, to what is developed in the CLI District, the residents?

R. Varano motioned to close the public comment session for the evening and reopen it at the March 24, 2026 planning board meeting. K. Libolt seconded the motion. The board voted unanimously to approve the motion.

Old Business:

BE Ventures
Every Avenue at 4th Street, Gardiner, NY 12525 SBL: 93.68-3-1 Application for Three Lot Subdivision

The board verified that the guard rail shown on the site plan was outside of the town road right-of-way.

The board verified signage notes provided on the plan.

M. Moriello will submit current deeds from all parties involved with the subdivision.

T. Harvey provided a review letter dated February 13, 2026. All comments were addressed.

P. Colucci asked about the stormwater plan.

Andrew Millspaugh responded that the assessment was based on a fifty (50) year storm assessment.

R. Boettcher read a resolution to reaffirm A SEQRA Negative Declaration for B.E. Ventures dated February 24, 2026:

WHEREAS, the applicant, B.E. Venture Capital Inc., submitted an application to subdivide an approximately 1.64-acre lot located at the intersection of Every Avenue and Fourth Street., identified as tax parcel no. 93.68-3-1 (the "Property") into three residential lots intended for residential development (the "Project"); and

WHEREAS, the Project is depicted on a plan entitled, "3-Lot Subdivision Plan for the Lands of B.E. Venture Capital Inc." prepared by Medenbach, Eggers & Carr dated June 3, 2020, last revised February 9, 2026 (the "Preliminary Plat"); and

WHEREAS, on March 19, 2021, the Planning Board classified the Project as an Unlisted Action with respect to State Environmental Quality Review Act ("SEQRA") and declared its intent to serve as Lead Agency and in an uncoordinated review of the Project; and

WHEREAS, on April 27, 2021, the Planning Board reviewed Part II of the Environmental Assessment Form ("EAF") and issued a Negative Declaration for the Project; and

WHEREAS, the applicant has submitted an updated Short EAF dated June 16, 2025, pursuant to the SEQRA to include the partial abandonment of a Town Road (the "Amended Project"); and

WHEREAS, on June 25, 2025, the Planning Board reopened SEQRA in a coordinated review to include the modification to the Town road and is circulated its intent to serve as lead agency in a coordinated review of the Amended Project; and

WHEREAS, subsequent to circulation of the Amended Project, the Project was further revised to eliminate some of the proposed changes.

NOW THEREFORE BE IT RESOLVED, the Planning Board hereby reaffirms its prior SEQRA determination of significance adopted on April 27, 2021, determining that the Amended Project will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared.

M. Moran motioned to approve the resolution. R. Fullam seconded the motion. The board voted unanimously to approve the motion.

A record of the vote follows:

Paul Colucci, Chairman **Aye**

Ralph Varano, Vice Chairman **Aye**

Tom Penichter	**Aye**
Marc Moran	**Aye**
Keith Libolt	**Aye**
Rob Boettcher	**Aye**
Rebecca Fullam	**Aye**

Vote	**Aye-**	**Absent-**	**Nay-**	**Motion Carried/Denied**
	7		**0**	**Motion Carried**

T. Penichter motioned to hold a public hearing on the preliminary plat for B. E. Ventures at the March 24, 2026 planning board meeting. R. Boettcher seconded the motion. The board voted unanimously to approve the motion.

C. Britton advised the board that they could hold a public hearing on the preliminary plat at the March 24, 2026 planning board meeting.

Rosenbloom
Northwest corner of Hasbrouck Road and State Route 299, Gardiner SBL: 85.4-1-10 Application for Three Lot Subdivision

P. Colucci read a review letter from Sterling Environmental Engineering dated February 23, 2026.

The board briefly discussed whether and how §220-16 (Ridge Protection Law) applied to this application.

Lowest *feasible* elevation and how homes and driveways could possibly fit into this requirement was discussed.

The board wanted to see a zoning determination and classification from the building inspector / code enforcement officer on the proposed three-lot subdivision.

R. Fullam recommended scheduling a site visit.

P. Colucci suggested a visit sometime between March 19-21, 2026. The clerk was directed to poll the board for availability.

R. Varano motioned to establish an escrow account in the amount of $5,000.00 with a minimum threshold amount of $1,500.00. R. Fullam seconded the motion. The board voted unanimously to approve the motion.

M. Moran motioned for the planning board to declare itself to be the lead agency and to undertake an uncoordinated review of the Rosenbloom Subdivision Project. K. Libolt seconded the motion. The board voted unanimously to approve the motion.

New Business:

Aurora Properties, LLC
12 Second Street, Gardiner SBL: 93.68-2-20 Site Plan Amendment

P. Colucci read the review letter provided by Sterling Environmental Engineering dated February 23, 2026. In the technical comments, Andrew Millspaugh, P.E. identified that, "Upper floor apartments in a mixed-use building is a permitted use in the HM zoning district subject to Site Plan review by the Planning Board. The property previously received an area variance in 2013 for four 2-bedroom apartments. The HM zoning district allows a maximum density of 2 dwelling units per acre for lots with municipal water **or** municipal sewer. The lot area of 0.6 acres allows a maximum of 1.2 dwelling units. The prior area variance authorized an increased density of 3 dwelling units. The proposed two additional 2-bedroom apartments brings the total count to six 2-bedroom apartments, which are each counted as 0.75 dwelling units in accordance with 220-11.

Therefore, the proposed amendment will result in a density of 4.5 dwelling units per acre, which requires an area variance.

P. Colucci asked the applicant to verify that existing lighting of/on the building complied with the luminaire schedule on the approved site plan and that there were no direct lumens leaving the property.

P. Colucci asked the applicant to install all required landscaping in accordance with the existing approved plan.

P. Colucci asked the applicant's architect, Paul Jankowitz, to provide a plan showing all existing site conditions along with the proposed amendments prior to returning to the board.

R. Varano motioned to establish an escrow account in the amount of $4,000.00 with a minimum threshold replenishment of $1,000.00. R. Fullam seconded the motion. The board voted unanimously to approve the motion.

Informational:

42 Peaceable Hill Road
Informational presentation on a potential subdivision of land located at 42 Peaceable Hill Road, Gardiner SBL: 92.3-1-5 & Shawangunk SBL: 92.3-2-8

Patti Brooks, L.S. represented Joseph Bernabo (property owner).

The parcels adjoin on the town property line of Gardiner and Shawangunk. They are both owned by Mr. Bernabo. The Gardiner parcel consists of approximately 26 Acres. The Shawangunk parcel consists of approximately 16.13 acres.

§220-16 Ridge Protection Law will apply. The board briefly discussed "lowest feasible elevation". They questioned what land was in zones SP-2 and SP-3.

The precise location of the zone lines is not surveyed.

The board advised Mr. Bernabo that a conservation analysis will be required.

The board accepted a request for a site visit when the applicant is prepared.

Tim Chiarot-Church of the Gunks
144 Main Street, Gardiner SBL: 93.68-1-8.100 Site Plan Amendment

Tim Chiarot, Pastor – Church of the Gunks presented the idea of renting the front office portion of the Lightning Express building at 144 Main Street to hold Sunday services and meet one day during the week for administrative purposes.

C. Britton advised the board that this proposed action will require an amended site plan, and site plan review subject to the issuance of a special permit.

Privilege of the Floor:

No comments were made by the public.

T. Penichter, also the chairperson for Gardiner's Smart Housing Committee, announced a pro-housing initiative presentation by Kai Lord-Farmer (Ulster County Planning Staff) at the March 3, 2026 Town Board meeting.

Administrative:

T. Penichter motioned to approve the draft minutes from the January 27, 2025 Planning Board Meeting. R. Varano seconded the motion. The board voted unanimously to approve the motion.

R. Varano motioned to adjourn the Planning Board Meeting. T. Penichter seconded the motion. The board voted unanimously to adjourn the meeting.

Prepared By:

Michael Makely 25MAR2026

Michael Makely **Date**

Filed:

Nicole Bendell 3/25/26

Nicole Bendell **Date**

Deputy **Town Clerk / Town of Gardiner**

