Town of Gardiner Planning Board

Meeting Minutes

April 21, 2026

Members Attending: Paul Colucci (Chairperson), Ralph Varano (Vice-Chairperson), Rob Boettcher, Rebecca Fullam, Marc Moran, Ryan Wiley (Alternate)

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

The meeting began at 6:00 pm.

P. Colucci held roll call. Ryan Wiley, (alternate) was activated for voting purposes.

Joint Public Comment Session with Town and Planning Boards:

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

The purpose of the joint public comment session with town and planning boards was to receive public comments with respect to SEQRA impacts of the proposed Fall Park Subdivision together, as part of the coordinated review of the project.

P. Colucci read the public comment session notice and made a brief statement about the conduct of the hearing to board members and the public in attendance. Everyone was requested to identify themselves, their address, interest and affiliations.

R. Wiley was activated for voting purposes.

Ilka Casey, Resident, Guilford Road – Parks and Recreation Chairperson spoke in favor of having a trail connection between the Wallkill Valley Rail Trail and Gardiner Park. The connecting trail would become part of the State's Empire Trail. Ilka Casey stated a neutral position with respect to the subdivision proposal.

Jennifer Gilligan, Resident, Church Farm Road, expressed traffic safety concern over the intersection of Church Farm Road and State Route 44/55.

Tim Weeland, Kingston – Ulster Strong Representative, said that DA Companies is the right developer for this type of project.

Lisa Minnetto, Resident, Dusinberre Road – ZBA Alternate, expressed concern about traffic safety and unrestricted commercial traffic. The proposed subdivision project is commercial and residential in nature, maximizes zoning density and is sandwiched into an undeveloped area between residential and commercial uses in the Town of Gardiner. Lisa Minnetto urged both boards to take this into consideration.

There were no further public comments.

M. Moran motioned to close the public comment session. R. Varano seconded the motion. The board voted unanimously to approve the motion.

P. Colucci opened the discussion with the Town Board.

Michael Hartner, Supervisor, questioned if there will be sufficient water for twenty (20), new residential homes in the RA District and nine (9) other unidentified users in the CLI District without adversely impacting any of the HR or HM wells, given the known unpredictability of the flow of groundwater through shale fissures. He identified the need for pumping tests and/or redrilling of wells to ensure that a sufficient quantity of water will be available to nearby existing wells in the HR and HM Districts and to the proposed twenty-nine new wells proposed to go into service.

James Ulvestad, Town Councilmember, identified that seventeen (17) new residences were indicated on the FEAF but twenty (20) were shown on the proposed plan for the RA District portion of the proposed subdivision. The number should be updated.

Andrew Millspaugh: Reviewing impact to water quantity is a SEQRA Requirement.

M. Hartner asked if sufficient filtration would occur between the twenty-nine (29) new leach fields and the shale aquifer to ensure that Fall Park, HR and HM water supply doesn't get polluted.

Andrew Millspaugh: The Department of Health governs separation distances between new and existing well and sanitary systems. Test pits are required.

M. Hartner asked if the board was considering a positive declaration of impact.

Victoria Polidoro, Esq., Counsel for the Planning Board, SEQRA has not been reviewed yet. The board may ask for extensive tests.

M. Hartner asserted that the subdivision plan appears to be in conflict with the Comprehensive Plan – putting higher density housing in the Hamlet and Hamlet Expansion Overlay District.

Roberta Clements, Town Councilmember. Shrink the expansiveness. Propose increased density on smaller lots than the two (2) Acre/Lot Plan. Design for increase density and affordability.

M. Hartner referred to the FEAF D.2 c *i* (page 5) *Will the proposed action use, or create a new demand for water?* There was a brief discussion of the calculations provided on the FEAF.

Michael Moriello, Esq., Counsel for the Developer: The FEAF Part 1 Project and Setting is the applicant's document. The applicant prepares this document. The Planning Board reviews impacts on Part 2 of the FEAF.

M. Hartner estimated, based on the traffic study, that a build out of the proposed subdivision plan will cause a substantial increase (320%) in traffic impact to the area.

J. Ulvestad: The Traffic Study doesn't address increased parking use of the lot at the end of Steve's Lane. There will be increased parking at this location due to increased trail access through the proposed subdivision and into Gardiner Park. This should be considered by the Planning Board.

Andy Willingham, P.E., Engineer for the Developer: When threshold guidance is not met, NO, is noted on Part 1 of the FEAF.

Wolfe Scandinaro, Town Councilmember, asked for clarification about threshold guidance for the FEAF.

Kartik Desai, Representative for the Developer, asserted that there will be no increase of traffic coming from Dusinberre Road.

W. Scandinaro, disputed this assertion. The CLI creates traffic though all part of the day. More development equals more traffic. W. Scandinaro proposed additional studies, and to stretch test times out further.

P. Colucci restated concerns made at every prior meeting regarding radii at intersections. These concerns were brought to the attention of the developer at the onset of the proposal. P. Colucci reminded board members that the traffic study looked at the intersection of Steve's Lane and three other intersections in the town.

M. Hartner expressed concern about increased noise and increased use of pesticides.

At approximately 6:30 p.m., T. Penichter joined the meeting. R. Wiley remained activated for voting in place of K. Libolt.

The topic of voluntary use restrictions and/or deed restrictions offered by the applicant was discussed. These restrictions could be offered to limit density, use, and the overall impact of the project.

W. Scandinaro asked what is more enforceable, zoning regulations or deed restrictions.

Andy Willingham commented that residential and commercial deed restrictions are two different things. Commercial restrictions can be more strict and more easily enforceable.

Victoria Polidoro, Esq. (Counsel for the Planning Board) advised that zoning could be changed, and voluntary deed restrictions could be established. The latter would follow in the chain of title.

R. Fullam: Change the zoning to what?

V. Polidoro: Overlay.

W. Scandinaro brought up questions about the existence, impact or risk to:

Floodplain – flood hazards
Endangered/ threatened species – bog turtle
Natural riverine habitat – risks
Surface water wetlands - lands subject to informational or jurisdiction by NYS/ACOE
Archeological sensitivity – risks

K. Desai claimed that furth clustering is not possible. This plan is a tight fit for the property.

R. Clements disputed this claim. This is not the only way.

P. Colucci echoed comments made at prior meetings that the total number of lots needs to be reduced.

R. Fullam motioned to adjourn the Joint Public Comment Session with the Town Board. R. Wiley seconded the motion. The board voted unanimously to approve the motion.

There was a brief recess.

K. Libolt joined the board at 7:00 p.m.

P. Colucci started the regular planning board meeting at 7:05 p.m. All members were present. R. Wiley, (Alternate) was deactivated for voting purposes.

The planning board continues their review of the Fall Park Subdivision Project.

P. Colucci asked Andy Willingham to update the planning board on the submissions provided for the meeting.

Andy Willingham submitted a revised conservation Analysis (LaBella), with a revised conservation map per prior board comments and well information as requested by the board. The site plan now shows two hundred (200) feet of buffer between the residential and commercial areas of the plan. The plan shows a three hundred (300) feet buffer between any residential or commercial structure. At the board's request the applicant has reviewed the intersection of Church Farm Road and Route 44/55. Based on the ROW Survey of Route 44/55, there is approximately ten (10) feet of bank that could be removed on the southern side of the highway, to improve the sight distance for east bound drivers turning onto Church Farm Road. There was a brief discussion about whether this ten feet of bank removal was from the toe or crest of the embankment.

P. Colucci asked the developer to provide a slope analysis of the proposed changes to the bank from the perspective of a driver's line of sight while driving in a normal sedan, and that of a light truck.

M. Moran asked if there would be a slope or a retaining wall.

Andrew Millspaugh asked that the slope be noted on the plan (Vertical : Horizontal).

Andy Willingham continued to speak about changes proposed to the plan. The driveways on lots 15, 16, and 17 were shortened.

R. Varano asked if there are use-restrictions proposed for the CLI, will it be addressed on the plan.

R. Varano recommended reviewing the proposed trail plan with members of the Gardiner Trail Alliance to seek comments and determine who will maintain the trail.

V. Polidoro asked when the trail would be built.

K. Desai said that the trail will be built during the road construction phase of the project to capitalize on equipment and labor being on the site.

P. Colucci asked for plan details of the proposed trail.

Cassondra Britton, (Counsel for the Planning Board) advised that the Wallkill Valley Land Trust (WVLT) should comment on the proposed trail plan.

M. Moran agreed with counsel and board members that the maintenance responsibility of the trail should be clearly identified.

M. Moran asked if there would be a Home Owners Association (HOA)

K. Desai, initially responded yes, however upon reflection that these were not going to be condominiums and that there would be no commonly owned areas, that this would not be appropriate.

M. Moriello agreed.

It seemed clear at this stage of the project that there would be no HOA, and that the matter was put to rest.

T. Penichter if any architectural design stands would be used.

M. Moriello: Yes, these will be reviewed by the planning board.

K. Libolt asked if there will be apartments in the shop buildings.

K. Desai: Yes

T. Penichter asked why there are two buildings shown on Lot H (CLI).

Andy Willingham responded that the septic plan would not work otherwise.

T. Penichter asked about the connectivity of these buildings.

Andy Willingham responded that the lot is intended to have one owner with two buildings.

T. Penichter asked hoe the developer will account for work on the first floor and living space on the upper floor. There was a brief discussion of the permissibility of attached versus detached apartments and/or accessory dwelling units.

Andy Willingham closed by asking the board when it expects to get though the sketch plan.

Andrew Millspaugh asked Andy Willingham if there was a complete SHPO "no effects" letter.

C. Britto advised the board that they will have to make conservation findings.

Andrew Millspaugh will complete a review letter at the that addresses the conservation analyses provided.

Public Hearing:

Richards
513 South Mountain Road, Gardiner, SBL: 92.4-2-26 Special Permit Application

P. Colucci read the Public Hearing Notice.

R. Varano motioned to open the Public Hearing. T. Penichter seconded the motion. The board voted unanimously to approve the motion.

P. Colucci read the review letter provided by Sterling Environmental Engineering dated April 20, 2026.

P. Colucci read the comment letter provided by the Environmental Conservation Commission dated April 21, 2026.

Joseph Richards explained that the use of the building was originally an art studio. With the addition of a kitchen, the building could be classified as accessory dwelling unit (ADU). The change of use requires a special permit from the planning board.

The board discussed the ECC Response and exterior lighting.

The board agreed that all exterior lighting should be shielded by downward facing sconces, with the origin of the light being shielded from above and from the side.

V. Polidoro advised the board that they could make downward ensconced lighting a condition of approval.

Joan Parker, Chairperson, Environmental Conservation Commission, stated that some of the due diligence required for the special permit application wasn't done particularly with the conservation analysis.

Andrew Millspaugh rephrased prior advice to the board that the conservation analysis could be tailored to the scope of the project. In this case, there were no additional exterior changes or infrastructure to be added to the property.

V. Polidoro added that reasonableness has to be applied.

R. Varano motioned to close the Public Hearing. R. Boettcher seconded the motion. The board voted unanimously to approve the motion.

K. Libolt wanted an approval conditioned upon "dark sky" compliance.

V. Polidoro clarified the meaning of "dark sky" compliance as a practical matter and not a specific standard or certification. The town engineer could review the lighting specifications of the existing exterior lights on the building to ensure compliance with §220-16 F (9).

M. Moran and T. Penichter agreed that approval should be conditioned upon lighting that is in compliance with the municipal code.

M. Moran motioned to approve Resolution PB 5-2026 to grant Special Permit Approval. T. Penichter seconded the motion. The board voted unanimously to approve the motion.

WHEREAS, the applicant, Joseph Richards, has submitted an application for special permit approval to convert an existing art studio to an 800 sq. ft. Accessory Dwelling Unit (the "Project") on property located at 513 South Mountain Road, Gardiner, NY, Tax Map # 92.4-2-26 (the "Property"); and

WHEREAS, the Project is depicted on a plan entitled, "513 South Mountain Road, Gardiner, NY" prepared by Miles Land Surveying, dated June 12, 2025 (the "Site Plan Set"); and

WHEREAS, the Project was referred to the Environmental Conservation Commission pursuant to Town of Gardiner Code Section 220-16, which responded on April 21, 2026 with a recommendation of conditional approval and comments; and

WHEREAS, pursuant to 6 NYCRR § 617.5(c)(11), construction of a single-family or two-family residence is a Type II action under SEQRA.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby finds that pursuant to Section 220-63A of the Zoning Law the Project will not violate any of the criteria listed Section 220-63B of the Zoning Law.

BE IT FURTHER RESOLVED, that the Planning Board hereby approves the special use permit for the Project as depicted on the Site Plan Set and authorizes the Chair or his authorized designee to sign the Site Plan Set after compliance with the following conditions:

1. Payment of all fees and escrow.

2. **Revision of the Site Plan Set to include the Septic Sheet and to depict the septic system components for the primary dwelling and the accessory structure to the satisfaction of the Planning Board Engineer.**

3. **Revision of the Site Plan Set to replace existing exterior sconces with downward facing fully shielded lights pursuant to Section 220-16F(9), to the approval of the Planning Board Engineer.**

Paul Colucci, Chairperson	**Aye**	**Keith Libolt**	**Aye**
Ralph Varano, Vice Chairperson	**Aye**	**Rob Boettcher**	**Aye**
Tom Penichter	**Aye**	**Rebecca Fullam**	**Aye**

Marc Moran **Aye** **Ryan Wiley – Not Activated for Voting**

The motion carried.

Old Business:

Tsimoyianis
747 North Mountain Road, Gardiner SBL: 93.1-1-30 Special Permit Extension

The board discussed the extension of Special Permits granted by the Planning Board.

C. Britton advised that the Special Permit could be extended.

M. Moran suggested to not extend the Special Permit further.

R. Wiley suggested that the applicant should submit for a building permit and begin construction of the project.

K. Libolt: Extend the Special Permit one (1) more year. No further extensions.

C. Britton advised that the resolution could read as a condition that, "there shall be no further extensions".

K. Libolt motioned to approve Resolution 6-2026 to extend the Special Permit for a final time with no further extensions. M. Moran seconded the motion. The Board voted unanimously to approve the motion.

WHEREAS, on August 25, 2020, the Planning Board granted a special permit

for the construction of single-family dwelling in the SP-2 district (the "Project"); and

WHEREAS, no changes have been proposed to the Project; and

WHEREAS, pursuant to § 220-62(I)(1) of the Town of Gardiner Zoning Law, a

special permit shall expire if the applicant fails to obtain the necessary building permits

within 12 months of permit issuance or if its time limit expires without renewal; and

WHEREAS, on July 1, 2022, the Planning Board granted a two-year extension of time to obtain the necessary building permits for the use authorized under the special

use permit; and

WHEREAS, on February 20, 2024, the Planning Board granted a one-year

extension to obtain the necessary building permits for the use authorized under the special use permit to February 20, 2025; and

WHEREAS, on May 27, 2025, the Planning Board granted a one-year extension to obtain the necessary building permits for the use authorized under the special use permit to May 27, 2026; and

WHEREAS, by email dated April 17, 2026, the applicant has requested another one-year extension to obtain the necessary building permits.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants the applicant a one-year extension to obtain the necessary building permits for the use authorized under the special permit for the Project through and including May 27, 2027.

BE IT FURTHER RESOLVED, that there shall be no further extensions given for this Project.

Paul Colucci, Chairperson	**Aye**	**Keith Libolt**	**Aye**
Ralph Varano, Vice Chairperson	**Aye**	**Rob Boettcher**	**Aye**
Tom Penichter	**Aye**	**Rebecca Fullam**	**Aye**
Marc Moran	**Aye**	**Ryan Wiley**	**Not Activated for Voting**

The motion carried.

Following the vote, P. Colucci added that the building colors, roofing materials and colors would have to approved by the board and that the findings would appear as a note on the plan.

R. Varano motioned to schedule a Public Hearing for the May 26, 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

As at the two prior meetings, M. Moran opened the discussion of this application by asking, "What does lowest feasible elevation mean"?

Ben Pace of Medenbach, Eggers & Carr responded with the same question.

P. Colucci: What is reasonable to construct?

V. Polidoro advised that the applicant's engineer should prepare a letter to justify why the layout of homes is at the lowest feasible elevation.

Andrew Millspaugh asked Ben Pace to articulate this in the letter.

R. Boettcher motioned to approve Resolution PB 7-2026 to refer the application to the Environmental Conservation Commission and accept the Sketch Plan. K. Libolt seconded the motion. The planning board voted unanimously to approve the motion.

WHEREAS, the applicant, Jenna Rosenbloom, has submitted an application for subdivision approval to subdivide a 15.32-acre lot into three separate residential lots (the "Project") located at Hasbrouck Road SBL: 85.4-1-10 (the "Property"), in the Shawangunk Ridge Protection District (SP-1) Zoning District; and

WHEREAS, the Project is depicted on plans entitled, "Sketch Plan Showing Subdivision of Land For Jenna Rosenbloom" prepared Medenbach, Eggers & Carr Civil Engineering & Land Surveying, P.C. dated April 13, 2026 (the "Sketch Plan"); and

WHEREAS, pursuant to Section 188-12 of the Subdivision Law, the Planning Board is required to determine whether the sketch plan may be accepted as adequate for further review by the Planning Board and, where necessary, to make specific recommendations to be incorporated into future submissions; and

WHEREAS, pursuant to Section 220-16(F)(2)(b) of the Zoning Law all applications in the Shawangunk Ridge Protection District must be referred to the Town of Gardiner Environmental Conservation Commission for comment, which must be received at or prior to the public hearing.

NOW THEREFORE BE IT RESOLVED, that the Planning hereby:

1. Accepts the Sketch Plan in accordance with § 188-12 of the Subdivision Law.

2. Directs its Clerk to refer the Sketch Plan and application materials to the Environmental Conservation Commission.

Paul Colucci, Chairperson	**Aye**	**Keith Libolt**	**Aye**
Ralph Varano, Vice Chairperson	**Aye**	**Rob Boettcher**	**Aye**
Tom Penichter	**Aye**	**Rebecca Fullam**	**Aye**
Marc Moran	**Aye**	**Ryan Wiley Not Activated for Voting**	

The motion carried.

Nilsen
184 Forest Glen Road, Gardiner SBL: 93.8-2-53 & 309 Forest Glen Road, Gardiner SBL: 93.8-2-30 Application for Lot-Line Revision

Patti Brooks, LS, Control Point Associates advised the planning board that there is a letter and new lot-line revision proposal that brings the Nilsen lot to over ten (10) acres.

P. Colucci: Submit the revisions in time for the next May 26, 2026, Planning Board Meeting.

Privilege of the Floor:

There were no comments made during privilege of the floor.

Administrative:

Planning Board Organizational Meeting

The Planning Board requested that the clerk make any updates or grammatical changes to the Planning Board By-Laws (originally adopted in 2019), and submit them to Cassondra Britton, Esq. for review prior to the next regularly scheduled meeting on May 26, 2026.

P. Colucci announced that R. Varano's seven year term on the Planning Board expires in April 2026. As R. Varano had expressed the desire to fulfill another seven-year on the Planning Board to the Town Board, P. Colucci asked all eight (8) Planning Board members present at the meeting to consider a resolution of support for R. Varano's appointment to a second seven-year term.

T. Penichter motioned to authorize Chairperson Paul Colucci to prepare a letter of support to the Town Board for the appointment of Ralph Varano to a second seven-year term on the Planning Board. R. Boettcher seconded the motion. The Planning Board voted unanimously to approve the motion.

The clerk was asked to prepare a letter for review, signing and submission to the Town Supervisor.

R. Fullam motioned to approve the minutes from the March 24, 2026 Planning Board Meeting. T. Penichter seconded the motion. The Planning Board voted unanimously to approve the motion.

Adjournment

Prepared By:

Michael Makely 27 May 2026

Michael Makely **Date**

Filed:

Julia Hansen 5/27/26

Julia Hansen **Date**
Town Clerk / Town of Gardiner