PLANNING BOARD MINUTES
September 21 2026
Town Hall, 284 Broadway
Port Ewen, New York 12466

Present: Vice-Chairperson Roxanne Pecora, Member Darin DeKoskie, Member David Mastny, Member Salvatore Morello, Member Christina Hill and Member Derick Karabec

Excused: Member Steve Bailer

Also present: Planner Bonnie Franson

Vice-Chairperson Pecora called the meeting to order at 7:33 p.m. with the Pledge of Allegiance.

Vice-Chairperson Pecora called for a motion to approve the August 17, 2026 Minutes. Upon Motion of Member DeKoskie, seconded by Member Karabec, the Minutes were approved by a vote of 6-0-1.

Vouchers:

Nelson, Pope & Voorhis – Contractual services of Planner Bonnie Franson - July $2,700.00

Vice-Chairperson Pecora called for a motion to approve payment of the voucher. Upon Motion of Member DeKoskie, seconded by Member Hill, and all present voting in favor, the vouchers were approved by a vote of 4-0-3.

PUBLIC HEARING:

74 Hardenburgh Road STR Site Plan/SUP (Atul Khosla) – Case No. 2026-14; 74 Hardenburgh Road, SBL No. 63.3-6-18; R40 Zoning District

Owner/Applicant Atul Khosla was present. **Vice-Chairperson Pecora entertained a Motion to open the Public Hearing**. Upon Motion of Member Karabec, seconded by Member DeKoskie, and all present voting in favor, the Public Hearing opened at 7:33 p.m. by a vote of 6-0-1.

Vice-Chairperson Pecora read the Public Hearing Notice for the record. There being no person present wishing to speak, Vice-Chairperson Pecora entertained a Motion to close the Public Hearing. Upon Motion of Member DeKoskie, seconded by Member Hill and all present voting in favor, the Public Hearing closed at 7:35 by a vote of 6-0-1.

683 Old Post Home Subdivision – Case No. 2026-13; 680 Old Post Road; SBL No. 71.2-3-10; R40 Zoning District

Richard Brooks, L.S. of Control Point was present.

Vice-Chairperson Pecora entertained a Motion to open the Public Hearing. Upon Motion of Member DeKoskie, seconded by Member Karabec, and all present voting in favor, the Public Hearing opened at 7:40 p.m. by a vote of 6-0-1.

Vice-Chairperson Pecora read the Public Hearing Notice for the record. There being no person present wishing to speak, Vice-Chairperson Pecora entertained a Motion to close the Public Hearing. Upon Motion of Member DeKoskie, seconded by Member Hill and all present voting in favor, the Public Hearing closed at 7:42 by a vote of 6-0-1.

Executive Session - Vice-Chairperson Pecora entertained a Motion to enter into an Executive Session for the purpose of interviewing individuals for legal counsel. Upon Motion of Member Mastny, seconded by Member Hill, and all present voting in favor, the Executive Session commenced at 7:43 p.m.

Vice-Chairperson Pecora entertained a Motion to come out of executive session. Upon Motion of Member Mastny, seconded by Member Karabec, and all present voting in favor, the Planning Board came out of the Executive Session at 8:14 p.m.

PRESUBMISSION:

Larkin Site Plan (Amendment) – 127 Station Road; SBL No. 56.19-3-4.1; R40 Zoning District

Owner Dale Larkin was present. He expressed concern having his map updated without prior approval. He questioned if a site plan was needed since the structure was under 4000 square feet. When asked if he'd had a conversation with the Building Inspector, he responded that initially he was told he could get a building permit but then was told that it was a limited use property. Planner Franson noted that the property was in the R40 residential zoning district and the question was, what was the use and was it allowed. She stated it may be a non-conforming use. Mr. Larkin confirmed that he had been operating from the location for years. Planner Franson noted if he was operating a contractor storage yard, it was expanding a use that wasn't allowed although it was pre-existing non-conforming. Planner Franson questioned if the use could be expanded and read §123-35 - **Enlargement of floor area of nonconforming use.** "The floor area of all nonconforming uses can be enlarged by up to 25% of the floor area as it existed at the time amendment by L.L. No. 11-2009 became effective, provided such expansion does not result in or increase any nonconformity of the building related to bulk, if applicable, and if a permit for expansion of the nonconforming use is granted by the Zoning Board of Appeals, following a public hearing, and if the Zoning Board finds that the expansion will comply with the general criteria set forth for special use permits, § **123-46C**, and will further comply with the area and bulk requirements of § **123-23** and the parking and loading requirements of § **123-26**." Planner Franson noted part of the problem was the "use" and how it was categorized. The commercial vehicles for the business were stored on the lot to conduct business offsite.

Member DeKoskie remarked that "temporary" versus "permanent" structure needed to be considered and inquired if the Building Department had commented and determined what the structure was. The existing storage containers predated zoning but they were now in the R40

Zoning and would be considered "temporary." The plan was to use the two existing containers and place a roof over them. Planner Franson suggested that they have an "offline" conversation, look at the Code and decide if it needed to be before the Planning Board. Vice-Chairperson Pecora noted it was "grandfathered" and questioned if it even needed to go to the ZBA. A use variance for the garage had been previously granted but was not noted on the map Mr. Larkin presented. Vice-Chairperson Pecora stated that the variance should be noted on any map. If the use of the containers was "grandfathered," it wouldn't be an issue if evidence could be provided to show the containers existed prior to the new law. Member DeKoskie suggested looking at aerial photographs. A conversation with the Building Department would take place.

Charles Garibaldi Subdivision (Flag lot) – 18 Park Lane; SBL 80.1-3-3.200; GC Zoning District

Owner Charles Garibaldi was present and explained that he would like to create a flag lot subdivision of his property at 18 Park Lane to allow for a single-family home. Planner Franson noted the property was in the GC2 Zoning District which allowed for a residential dwelling but that the one standard that may be a problem stated that the "maximum length of the access strip shall be no greater than twice the required lot depth…." and residences in that Zoning District follow the requirements for the R12 Zoning District which would not allow an access longer than 200'. If the standard could not be met, he may need to go to the ZBA for a variance.

A survey would need to be provided and Planner Franson noted that surveyor should refer to flag lot requirements in §123-24 (G) of the Town Code. Once a map has been prepared, Mr. Girabaldi was directed to return to the Planning Board for review and, if everything was in order, he may then apply to the ZBA for any variance needed. If granted, he would then return to the Planning Board to complete the review process.

Member DeKoskie questioned the steepness of the proposed access and whether a road profile would be necessary. Mr. Garibaldi stated that it was basically flat. Planner Franson stated that he should refer to the driveway standards of the Code. Any proposed residence location needed to be mindful of any possible wetlands. Member DeKoskie recommended the Applicant check with Central Hudson and have a surveyor indicate any easements if they exist.

OLD BUSINESS:

74 Hardenburgh Road STR Site Plan/SUP (Atul Khosla) – Case No. 2026-14; 74 Hardenburgh Road, SBL No. 63.3-6-18; R40 Zoning District

Planner Franson reviewed the content of her Memo confirming that the Fire Inspection and Application of an Operating Permit had been provided. Mr. Khosla confirmed that there would be no more than eight (8) guests at a time.

Vice-Chairperson Pecora entertained a Motion to waive site plan required data relative to property boundaries, contours, depiction of any significant existing features, location of all structures within 100' of property boundary, and grant approval conditioned upon

submission 6 copies of the map. Upon Motion of Member Morello, seconded by Member DeKoskie, the Motion passed 6-0-1 by the following vote:

Darin DeKoskie	Aye
Roxanne Pecora	Aye
Derick Karabec	Aye
Christina Hill	Aye
Steve Bailer	Absent
David Mastny	Aye
Sal Morello	Aye

683 Old Post Home Subdivision – Case No. 2026-13; 680 Old Post Road; SBL No. 71.2-3-10; R40 Zoning District

Planner Franson noted that previous comments had been addressed and had prepared an EAF Part 2 & 3 in contemplation of approval. If approved, she noted that a fee in lieu of recreational land, Ulster County Board of Health Approval and County Highway approval of the curb cut should be conditions of approval.

Discussion ensured relative to grading of the driveway which was determined to be approximately 4%. Member Morello noted that the width of the driveway needed to be at least 15' wide.

Vice-Chairperson Pecora entertained a Motion to issue a SEQR Negative Declaration. Upon Motion of Member Mastny, seconded by Member Morello, the Motion passed 6-0-1 by the following vote:

Darin DeKoskie	Aye
Roxanne Pecora	Aye
Derick Karabec	Aye
Christina Hill	Aye
Steve Bailer	Absent
David Mastny	Aye
Sal Morello	Aye

Vice-Chairperson Pecora executed the Short EAF Part 2 and 3 for the record.

Vice-Chairperson Pecora entertained a Motion to grant approval conditioned upon UCBOH approval, payment of a $2,000.00 rec fee, County Highway approval, payment of any outstanding fees and submission of a mylar can 6 copies of the map. Upon Motion of Member Mastny, seconded by Member DeKoskie, the Motion passed 6-0-1 by the following vote:

Darin DeKoskie	Aye
Roxanne Pecora	Aye
Derick Karabec	Aye

Christina Hill	Aye
Steve Bailer	Absent
David Mastny	Aye
Sal Morello	Aye

Van Vliet Amended Site Plan – Case No. 2026-17; 339 Broadway; SBL No. 56.76-2-33; GC Zoning District

Harry VanVliet was present and confirmed that the Lot-Line Adjustment map had been filed with the County Clerk. Vice-Chairperson Pecora noted that the Ulster County Planning Board referral response was "no County impact." The lighting on the garage would match the funeral home and would be low (warm) lighting.

Vice-Chairperson Pecora entertained a Motion to grant approval with submission of four copies. Upon Motion of Member Mastny, seconded by Member DeKoskie, the Motion passed 6-0-1 by the following vote:

Darin DeKoskie	Aye
Roxanne Pecora	Aye
Derick Karabec	Aye
Christina Hill	Aye
Steve Bailer	Absent
David Mastny	Aye
Sal Morello	Aye

Wenzel Site Plan – Case No. 2026-10; 126-130 Broadway; SBL No. 56.51-3-10; RG Zoning District

Applicant Randy Wenzel and Jodi Wenzel were present.

Vice-Chairperson Pecora noted that the application initially was labeled as a "site plan amendment" which was incorrectly identified since a site plan never existed for the site. The files on record for the property were researched. A Building Permit was issued for 4 temporary 20' x 8' storage containers on August 5, 2022 (valid through 1/5/23) for the remodel of the laundromat and should have been removed.

There is now a business operating that was never approved for that location. Wenzel Amusement & Vending was issued an Operating Permit on July 27, 2026. The Planning Board cannot make a decision (upon advice of the Attorney). The Applicants were asked if they would agree to extend the 62-day timeframe from the close of the Public Hearing for the Planning Board to make a decision and prepare a site plan that included the third business, parking, lighting, etc. required pursuant to the Code. If the Applicants did not wish to grant the extension, the Planning Board would have to vote the Application down and the Applicants would have to reapply for Site Plan review.

Additionally, Vice-Chairperson Pecora had spoken to Planner Robert Liebowitz of the Ulster County Planning Board relative to a questions Member Morello had asked. When containers and storage came into being, there was a section of the Code that addressed them and initially was warehousing. A better definition had been provided by Planner Liebowitz in a September 2, 2026 email stating that "the County's review focused on the information in the referral materials that the containers were no longer being used pursuant to §123-26, were used for off-site purposes (amusement, parties, etc) and were no longer accessory storage, which as discussed, was well past their due date for removal, given their purpose to renovate the laundromat for temporary storage. The referral link them more to a contractors yard storage which was regulated on the Use Table. Accessory storage containers were not on the Use Table and should be added to differentiate them from other storage warehousing uses. As far as he could tell, there were no regulations regarding where permanent storage containers can be located on a site, just that they were subject to site plan review. He hadn't seen anything about non-residential accessory building placement either, other than that accessory building are subordinate to the primary use. That could be loosely read as being located further from the road than the primary structure but that interpretation should be left to the Code Enforcement and possibly the ZBA. He would like to see it specified in the Zoning Statute."

The website for Wenzel Amusement and Vending showed they supply washers and dryers for laundromats, jukeboxes, ATMs, pool tables, snack and drink vending machines. There did not appear to be enough space in the building but the bottom line was that it was not part of the site and there was no site plan. The Applicant was asked if he was willing to mutually agree to extend the time for the Planning Board to make a decision and return with a complete site plan.

The Applicant responded that he would like the opportunity to get legal advice before agreeing to an extension. They would like to think about it and come back in October. Although businesses had existed on the property for years, there had never been a site plan. Mr. Wenzel stated that the containers had been used for storage for the vending business but the Building Permit that had been issued was for that.

Planner Franson explained that the discussion relative to extending the timeframe for an approval was that the Code stated that the Planning Board must act within 62 days and since the Applicant didn't have what was needed, the Planning Board would have to disapprove unless they agreed to the extension. Planner Franson stated that there was time to allow the Applicant to think about whether they wished to pursue developing the site plan and decide at the next meeting if they wished to extend the time. She stated that if a site plan had existed, an additional use would not have mattered but the issue was that there never had been a site plan. Developing a site plan would be to the Applicants benefit.

The location of the containers was discussed. Planner Franson stated that having a site plan would legitimize the shop and the storage containers would be accessory to the shop. The Planning Board agreed that they would like to see the containers located in the back of the stores. Member DeKoskie inquired if a referral back to the UCPB would be necessary. Planner Franson felt that if the comments were satisfied through the revisions, it would be contained in the scope of what was reviewed. The site plan could be provided to the UCPB or a supermajority vote to override the UCPB recommendation would be needed.

The Applicant was advised to be mindful of the setbacks from the streets (which would be considered front yard). Questions during the design concept could be emailed to the Administrative Assistant to forward for guidance.

Planner Franson reminded all that an extension was necessary at the next meeting or the Planning Board would have to take action.

NEW BUSINESS:

Cosmic Justus, LLC Subdivision - (Brewer Surveying as Agent) – Case No. 2026-18; 192 Martin Sweedish Road; SBL No. 71.3-5-26.31; R40 Zoning

Surveyor Colin Houston was present. Planner Franson reviewed content of her Memo. The signature of the Applicant was needed. She noted that it appeared that the owner needed to access Lot 1 through the lands of Carmen Sr. and asked if an agreement existed. Surveyor Houston stated that all the owners were related and there should have been an easement through the Carmen property. He would bring the oversight to the owner's attention. Planner Franson suggested showing a theoretical access was feasible if it was ever needed. Additional data necessary included limits of disturbance be shown, septic plans, outbuildings, label the wetland delineation in the legend, and submit waiver to demarcate trees.

Vice-Chairperson Pecora entertained a Motion to classify as an Unlisted Action for an uncoordinated SEQRA review. Upon Motion of Member Mastny, seconded by Member DeKoskie, the Motion passed 6-0-1 by the following vote:

Darin DeKoskie	Aye
Roxanne Pecora	Aye
Derick Karabec	Aye
Christina Hill	Aye
Steve Bailer	Absent
David Mastny	Aye
Sal Morello	Aye

Vice-Chairperson Pecora entertained a Motion to schedule a public hearing to be held on October 19, 2026 at 7:35 p.m. or as soon thereafter as comments may be heard. Upon Motion of Member Dekoskie, seconded by Member Hill, the Motion passed 6-0-1 by the following vote:

Darin DeKoskie	Aye
Roxanne Pecora	Aye
Derick Karabec	Aye
Christina Hill	Aye
Steve Bailer	Absent
David Mastny	Aye
Sal Morello	Aye

Keegan/Bolles LLA – Case No. 2026-19; 55 & 59 River Road, SBL Nos. 56.76-2-13 & 11; R40 Zoning

Owner Maureen Keegan and Chris Harp of Allen Ross Architecture were present.

A previous lot-line adjustment had been approved but never filed. Revisions had been made relative to the location of a proposed residence. Planner Franson reviewed her Memo.

Upon Motion of Member Hill, seconded by Vice-Chairperson Pecora, a Motion to waive the public hearing passed 6-0-1 by the following vote:

Darin DeKoskie	Aye
Roxanne Pecora	Aye
Derick Karabec	Aye
Christina Hill	Aye
Steve Bailer	Absent
David Mastny	Aye
Sal Morello	Aye

Vice-Chairperson Pecora entertained a Motion to classify as a SEQRA Type II action. Upon Motion of Member Hill, seconded by Vice-Chairperson Pecora, the Motion passed 6-0-1 by the following vote:

Darin DeKoskie	Aye
Roxanne Pecora	Aye
Derick Karabec	Aye
Christina Hill	Aye
Steve Bailer	Absent
David Mastny	Aye
Sal Morello	Aye

Vice-Chairperson Pecora entertained a Motion to grant approval conditioned upon submission of a mylar and six (6) paper copies and payment of any outstanding fees. Upon Motion of Member Mastny, seconded by Member DeKoskie, the Motion passed 6-0-1 by the following vote:

Darin DeKoskie	Aye
Roxanne Pecora	Aye
Derick Karabec	Aye
Christina Hill	Aye
Steve Bailer	Absent
David Mastny	Aye
Sal Morello	Aye

Bruno STR Site Plan/SUP by Agent Avantstay – Case No. 2026-20; 568 Swartekill Road, SBL No. 74.4-4-14.24; R40 Zoning District

Jeffrey Slaag of Avantstay was present. Planner Franson reviewed content of her Memo noting that both owners needed to sign the Application, and a response from the Ulster County Department of Health relative to adequate septic was needed. A survey had been provided with a plan with the house location which needed to be updated. An operating permit application and a safety inspection were needed from the Building Permit for the file, The data on the plan and contained in the narrative were not consistent. The occupancy data needed to be included on the plan as well as parking (confirm three bedrooms vs. five and 4 parking spaces vs. 10). The Board requested a revised plan and narrative prior to moving forward.

Upon Motion of Member Hill, seconded by Member Mastny and all Members present in voting favor, the meeting was adjourned at 10:10 p.m.

Respectfully submitted,

Lisa K. Mance, Administrative Assistant

Dated: October 5, 2026
Approved: October 19, 2026