

TOWN OF GARDINER
ZONING BOARD OF APPEALS APPLICATION

Applicant's Name PEAK RANCH INN LLC Phone (917) 330 5918

Applicant's Address 14 LACQUETTE LANE WALKILL NY 12589

Property interest of applicant:

Owner PEAK RANCH INN LLC / DAVE MARCINAK

Contact Purchaser
(attach copy of contract)

Tenant
(attach copy of lease)

Location of property 85.2-2-8

Zoning District RA

Tax map designation: Section 85.2 Block 2 Lot 8

Please answer all of the following questions:

1. Describe the use you desire to make of the property.

RESTAURANT AND LODGING INN.

2. Describe the uses surrounding property owners make of their properties.

BORDERING NEIGHBOR TO THE NORTHWEST IS A COMMERCIAL CIDER, FARM STAND AND ORCHARD. TO NORTHEAST A RESIDENTIAL HOME. TO THE SOUTHWEST, VACANT LAND.

3. Will the proposed use increase traffic congestion?

NO

If not, why?

TRAFFIC IN THIS AREA IS LOW.

4. Will off-street parking be provided for customers? Yes

If so, how many spaces? 34+ Size of each space: 9 ft. by 20 ft.

Submit a diagram of the parking available on the site, indicated entry and exit from the public streets.

5. List any churches, public buildings, playgrounds and recreation facilities which are located within 500 ft. of the exterior property lines of the property on which the proposed use is to be located.

N/A

6. How many persons will be employed by the use?

Full-time 6 Part-time 6

7. State the maximum number of customers, clients, patients or patrons expected to be on the premises at any one time. 120

8. State the size of the lot on which the use is to be located both in square footage and dimensions of front, side and rear lot lines.

Square footage: 61,000 sq ft

Lot Lines: Front 437 ft. Side 152 ft. Rear 403 ft.

9. State the dimensions of the building or structures to be used. If more than one

Building No. 1 Building No. _____ Building No. _____

Size: 28 ft. x 80 ft. Size: _____ ft. x _____ ft. Size: _____ ft. x _____ ft.

10. How many square feet of usable space is in each building?

Building No. 1 Building No. _____ Building No. _____

Usable Sq. ft. 4,480 Usable Sq. ft. _____ Usable Sq. ft. _____

Sq. ft. to be devoted to proposed use: 4,480 Sq. ft. to be devoted to proposed use: _____ Sq. ft. to be devoted to proposed use: _____

11. State the distance of the building in which the use will be located from all front, rear and side property lines. If more than one building or structure is to be used, list each individually.

Submit a drawing diagramming this information.

Building No. 1

Distance from property lines:

Front: 40 ft. Rear: 130 ft. Side 100 ft. Side 320 ft.

Building No. _____

Distance from property lines:

Front: _____ ft. Rear: _____ ft. Side _____ ft. Side _____ ft.

Building No. _____

Distance from property lines:

Front: _____ ft. Rear: _____ ft. Side _____ ft. Side _____ ft.

(To be completed by the individual applicant)

STATE OF NEW YORK)
 ORANGE) SS
COUNTY OF ULSTER)

DAVE MARCINAK, being duly sworn deposes and that he/she is the person named as the applicant in the foregoing application. He/she has read the foregoing application and knows the contents thereof the same is true to his/her own knowledge, except as to the matters there stated to be alleged on information and belief and as those matter he/she believes it to be true.

SIGNED: *Dave Marcinak*
DAVE MARCINAK
Print name

Sworn to before me
this 30 day of August 2018
David Griffith
Notary Public

DAVID A. GRIFFITH
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01GR6033434
QUALIFIED IN ORANGE COUNTY
COMMISSION EXPIRES 11/15/ 2021

(To be completed by the Corporate Applicant)

DAVE MARCINAK, being duly sworn deposes and that he/she is the MEMBER (title) of PEAK RANCH INW LLC (name of corporation) a NEW YORK (enter name of State of incorporation) cooperation, the applicant name in the

foregoing application knows the contents thereof, and the same is true to his/her own knowledge except as to mattes therein stated to be alleged upon information as to belief and as to those matters he believes it to be true.

SIGNED: *Dave Marcinak*
DAVE MARCINAK
Print name

Sworn to before me
this 30 day of August 2018
David Griffith
Notary Public

DAVID A. GRIFFITH
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01GR6033434
QUALIFIED IN ORANGE COUNTY
COMMISSION EXPIRES 11/15/ 2021

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: PERMIT FOR RESTAURANT AND LODGING INN							
Project Location (describe, and attach a location map): YANKEE FULLY ROAD + RT 299							
Brief Description of Proposed Action: SEEKING APPROVAL OF RESTAURANT AND LODGING INN							
Name of Applicant or Sponsor: PEAK RANCH INN LLC		Telephone: 917-330-5918 / 919-213-3902					
Address: 14 LACOUETTE LANE		E-Mail: INFO@ECHO-INVEST.COM					
City/PO: WALL KILL		State: N.Y.	Zip Code: 12589				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		1.41 acres					
b. Total acreage to be physically disturbed?		0.40 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.41 acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>David Marciniak / PEAK RANCH EMIN LLC</u> Date: <u>Aug 30, 2018</u> Signature: <u>David Marciniak / DAVID MARCINIAK</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

THE DETERMINATIONS WERE DEEMED LOW IMPACT AS PROPOSED ACTIONS ARE CONSISTENT WITH EXISTING SURROUNDING USES.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
PEAK RANCH LLC	8/30/18
Name of Lead Agency	Date
DAVID MARCINIAK	OWNER
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<i>David Marciniak</i>	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT