

## MEMORANDUM

**PPBS** inc.

Planning Programming Budgeting Services Inc. 50 Elmwood Drive Highland Mills, New York 10930

TO: Town of Gardiner Planning Board

FROM: James M. Freiband, Principal Planner

DATE: November 13, 2018

SUBJECT: Minor Special Permit Application by Golden Dome Realty for Roberta Schwartz DBA Doc Schwartz Wine Jelly – 658 Rte 208 (Cathgro Property).

1. As requested, I have reviewed the application for Doc Schwarz for a retail use at the former Cathgro Warehouse site at 658 Rte 208. The 30 acre site is in the CLI district (the only property in that Zone) which allows retail business not exceed 20% of the wholesale business floor area by special permit of the planning board.
2. This site was issued a special permit for the warehouse use in March 1991 to D. Grote to permit warehousing of fabric. A that time the site was zoned HC along with all the adjacent properties. I have not been able to identify any subsequent changes to the existing special permit status. The 2008 Zoning provides for continuation of any pre-existing special permits. The residential use is a use permitted by right in this district.
3. The proposed tasting room operation is incidental to the sale of product.
4. No site construction has been proposed. The application is a Type II application under SEQR and should be so noted in the file.
5. No review letter has been received from the Building Inspector, but the applicant indicated that the she did meet with Mr. Lewis and he concurred with the propose use.
6. The change of use is a Minor Special Permit. Unfortunately, the zoning code only exempts minor site plans from public hearings. Additionally, the change of use occurs on a state highway and a referral to the Ulster County Planning Board is required.
7. **RECOMMENDATION:** It is recommended that the Board set a public hearing and submit the 239 referral to the Ulster County Planning Board.