

Special Permit and/or Site Plan Review Application

Applicant Information (if applicant is not the owner of the property, a notarized Agent Authorization form must be submitted)

Dustin Winston

Name

N/A

Name of Owner if other than Applicant

15 Surrey Rd

Mailing Address

Mailing Address

Chester, NY 10918

City/State/Zip

City/State/Zip

201-259-2423

Contact Number

Contact Number

Property Information

Section 004.014 Block 01 Lot 59.12 Zoning District R1.5 Size 2.1 acres

Physical address: 8776 Route 28 which is on the westbound

side of Route 28 road/street/lane, in the Hamlet of Big Indian,

within 0 feet of State/County Highway # 28 in the Town of

Shandaken.

Representative Information

N/A

Surveyor or Engineer (preparing the Site Plan)

Other Representative

Mailing Address

Mailing Address

City/State/Zip

City/State/Zip

Contact Number

Contact Number

Use

Current Use Vacant Deli/Market (Downstairs/Main Floor)


Proposed Use (attach additional pages if needed)

2 bedroom 1 1/2 bath residential rental unit

STATEMENT

The undersigned as individual owner(s) or as a qualified officer of the corporate owner of the above described property, hereby apply for approval of the proposed use and/or site plan for the development of the property in accordance with the provisions of the Zoning Law of the Town of Shandaken and authorize entry upon the property for site inspections by Planning/Zoning Officials and their authorized representatives. Further, I do hereby affirm that all fees, permits, and charges applicable under the laws and ordinance of the State of New York and Town of Shandaken (including those required for any environmental impact studies, etc) will be paid; also, any legal or engineering fees required, including consultant fees, if warranted, will be paid by applicant(s). Fees are due and payable to: Town of Shandaken upon submission of the application. Any of the additional fees can be paid prior to the final hearing.

Signature(s)



Date 6/24/2025

Note: Compliance with requirements shall be the sole responsibility of the applicant and/or his representative. Under the New York State SEQRLaw, it is a requirement to fill out an EAF statement for submission with this application.

Attachment – Plot Plan

Section: 004.014 Block: 01 Lot: 59.12

Location of lot: 8776 Route 28, Big Indian, NY 12410

Note: Plot plan must show the configuration of the lot (can be sketch plan) showing all buildings on the Parcel, giving the dimensions of each structure and **must reflect the setbacks of each Structure from the property lines (front/rear/sides.)** Sketch must be drawn to scale with scale indicated (if not providing professional drawings/plat.)

8776 Route 28, Big Indian, NY
12410
6/24/25

Scale = 1 Box = 15ft

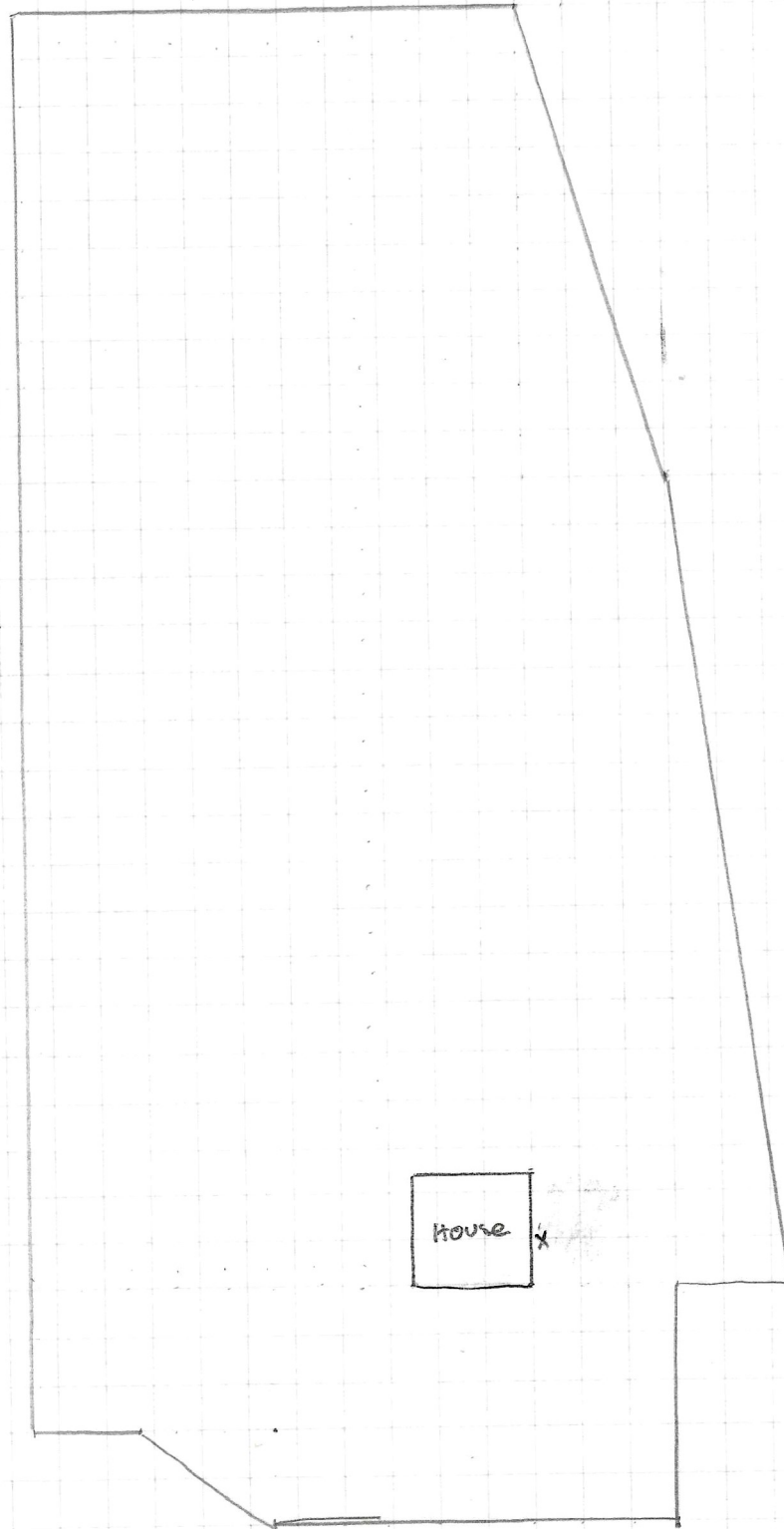


Set Back From Route 28
75ft

Set Back From 8794 (L)
122ft

Set Back From 8762 (R)
45ft

Set Back From 35 Pole
370ft (B)



House

Route 28

Site Plan Checklist

If the application includes the need for a Site Plan, the following checklist will simplify the items that will be required by the Planning Board. Please provide written responses to any required information that cannot be clearly reflected on the Site Plan. If you feel that the requirement is not applicable (N/A), you can check the box indicated. The final decision regarding whether information is necessary lies with the Planning Board.

Done **N/A**

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Title of drawing, including name and address of applicant and person(s) responsible for preparation of such drawing. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. North arrow, scale and date. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. Accurate boundaries of the property plotted to scale. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4. Existing watercourses. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Grading and drainage plan showing existing and proposed contours at an appropriate interval to be specified by the Planning Board at the sketch plan conference, with two foot contour intervals and soils data generally required on that portion of any site proposed for development where general site grades exceed 5% or there may be susceptibility to erosion, flooding, or ponding. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 6. Location, proposed use, and height of all buildings. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 7. Location, design, and construction materials of all parking and truck-loading areas, with access and egress drives thereto. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 8. Provision(s) for pedestrian access. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 9. Location of outdoor storage of equipment and materials, if any. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 10. Location, design, and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls, and fences. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 11. Description of the method of sewage disposal and the location, design, and construction materials of such facilities. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 12. Description of method of securing water supply and the location, design, and construction materials of such facilities. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 13. Location of fire and other emergency zones, including the location of the nearest water supply for fire emergencies. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 14. Location, design, and construction materials of all energy distribution facilities including electrical, gas, and solar energy. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 15. Location, size, design, and construction materials of all proposed signage. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 16. Location and proposed development of all buffer areas, including indications of existing vegetative cover. |

- ☐ ☒ 17. Location and design of outdoor lighting facilities, including data regarding when appropriate, lighting levels both within the site and at the site's boundaries.
- ☒ ☐ 18. Designation of the amount of building area proposed for retail sales, office use, or similar commercial activity.
- ☐ ☒ 19. Detailed landscaping plan and planting schedule including the number, size, type, and location of all canopy trees or understory trees, shrubs, and ground covers to be planted.
- ☐ ☒ 20. Building elevations and sections at a scale sufficient to delineate clearly the massing and the exterior materials, textures, and colors of all buildings and other structures shown on the Site Plan.
- ☒ ☐ 21. Other elements integral to the proposed development, as considered necessary By the Planning Board, including the identification of and State or County permits Required for the project's execution.

ALL ISSUES HAVE BEEN READ AND ADDRESSED FOR THE APPLICATION

Name of Applicant(s) Dustin Winston

SBL

*******SHORT ENVIRONMENTAL ASSESSMENT FORM FOLLOWS*******

Site Plan Checklist

1. The sketch of the property lines and location of the building and the drawing of the initial plans for the downstairs unit were prepared by the owner, Dustin Winston. The mailing address is 15 Surrey Rd, Chester, NY 10918.
2. Included in sketch.
3. Included in sketch.
4. No watercourses on property.
5. N/A.
6. Location of the building is shown on the sketch. The proposed use is to convert the downstairs from a vacant deli to a 2 bedroom 1 ½ bath residential rental unit. The height of the ceilings are approximately 8 feet.
7. The driveway is constructed of crushed rock and dirt past the initial few feet of asphalt coming from Route 28.
8. Pedestrian access is not changing since the deck will remain in place with its two egresses – two steps on the left side access and a handicap accessible ramp on the right-side access. The back door leading to a small porch will also remain, which consists of roughly one step.
9. Equipment and materials used in the conversion/renovation of the downstairs will be kept inside the building and on the front porch for any materials and equipment with imminent use and the remainder will be stored on the side of the building or in the rear, but in either event, on the driveway.
10. Existing structure is noted on the sketch, but no site work will be conducted. There is no need for drains, culverts, retaining walls, and fences.
11. The property has direct access to municipal water and sewage. The proposed conversion/renovation will only be adding one full bathroom to the property in total.
12. The property has direct access to municipal water and water is currently supplied to the building.
13. Big Indian Oliverea Fire District, 8 Fire House Rd, Big Indian, NY 12410, which is 1.3 miles away from the property.
14. There is currently in place a 50 gallon propane tank marked by an "X" on the sketch. The propane runs the drier and propane stove in the upstairs apartment. The appliances will be electric in the converted unit and there will not be a need for propane or gas. The electric is already provided at the property and two separate panels are in use. The meter will likely be split in the future.
15. No signage is expected to be part of this project.
16. N/A
17. There are no changes to the property other than to the downstairs of the building. There are exterior lights on the upstairs front deck and on the front porch.
18. The space is approximately 1200 sq. ft. of vacant commercial space. If approved, there will not be any commercial space in the building – only 2 residential units – one upstairs and one downstairs.
19. N/A
20. N/A
21. A Building Permit will be required for the projects execution.

LIST OF NEIGHBORS BORDERING THE PROPERTY FOR NOTIFICATION OF HEARINGS

8794 ROUTE 28

Janet Chirrick

8794 Route 28

Big Indian, NY 12410

8762 ROUTE 28

Brierto, LLC

PO Box 190

Fleischmanns, NY 12430

19 ROSE MT. RD.

Windy A Lopez-Aflitto

327 8th St.

Jersey City, NJ 07302

29 ROSE MT. RD.

Robt Lewocki

29 Rose Mt. Rd.

Big Indian, NY 12410

35 ROSE MT. RD.

Dominick Logiudice

35 Rose Mt. Rd.

Big Indian, NY 12410

Pine Hill Wastewater Treatment Plant

8811 Route 28

Pine Hill, NY 12465

Short Environmental Assessment Form

Part 1 - Project Information

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			
Dustin Winston			
Name of Action or Project: Mixed Use Conversion To Residential Apartment			
Project Location (describe, and attach a location map): 8776 Route 28, Big Indian, NY 12410			
Brief Description of Proposed Action: Vacant deli will be converted to a 2bdrm/1 1/2 bathroom affordable housing unit with the support of the Vacant Rental Improvement Program Grant administered by RUPCO. No changes to the structural walls nor any expansion of the current exterior walls outside the current footprint nor any additions to the height of the building. A full bathroom will be added, kitchen cabinets, new kitchen sink, add appliances such as a refrigerator, oven, stove, and dishwasher. The existing 1/2 bath will be updated and a laundry closet will be added along with two bedrooms. The bedrooms will be created with 2x4s and sheet rock. Solely interior work will be completed without the movement of any supporting walls or beams.			
Name of Applicant or Sponsor: Dustin Winston		Telephone: 201-259-2423 E-Mail: Dustin07456@gmail.com	
Address: 15 Surrey Rd			
City/PO: Chester		State: NY	Zip Code: 10918
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.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Building Permit		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		2.1 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.1 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	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 type="checkbox"/>	<input checked="" 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 CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Dustin Winston</u> Date: <u>6/24/25</u> Signature: <u><i>Dustin F. Winston</i></u> Title: <u>Property Owner</u>		