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Town of Shandaken Zoning Board of Appeals

MINUTES FOR REGULAR MONTHLY MEETING & PUBLIC HEARING
DECEMBER 16, 2015

The regular monthly meeting was opened by Chair Johnson at 7:35 PM with the pledge of allegiance.

Roll called by Planning Board secretary Anne Ricciardella, and attendance was recorded as follows:

Keith Johnson, Chair	Present
Rolf Reiss	Present
Joseph Michaels	Present
Gary Guglielmetti	Present
Mark Loete	Present

Roll call summary: 5 present

Others present: Jeff Bailey
Rod Fudderfas
Helen Morelli
Jim & Tracy Quick
Peter Stefancich
Karen Miller
Diana Hartel
Don Brewer
Tina Rice
Tim Malloy

Board member Reiss made a motion to open the Public Hearing, seconded by Board member Michaels.

Roll call vote:

Keith Johnson, Chair	Yes
Rolf Reiss	Yes
Mark Loete	Yes

Joseph Michaels	Yes
Gary Guglielmetti	Yes

Roll call summary: 5 Yes

Jeff Bailey would like to run the Glass Mountain Inn on 108-110 Route 214 ,that was previously used for long term rentals, for short term rental use to transients. According to the Shandaken Town Code book, it is a permitted use with a special permit from the Planning Board. After their review, they discovered a variance was needed from the zoning board, and will determine whether a special permit is grantable after the Zoning Board of Appeals makes their decision. There are three units that would be used, the most cars at any given time would be about six (6), and others use the bus to come into town. His lawyer stated that the benefit of the variance to the applicant is the difference between success and none at all. There were many residents that came to the hearing to voice their concerns. Most were against granting the variance because of the strangers that would be around their properties, parking on Route 214, noise levels from the people staying there, and it being in a residential area. Those that stood in favor of the variance said it would be good for the community to bring more business from elsewhere in, and that the owners were very nice people who have been acclimating well to the community thus far. It was brought to the attention of the Board that this past summer there was a concert on the premises and advertised as such on their website. There were 30 cars parked in the driveway, and Mr. Bailey confirmed that some parked in the pharmacy as well and there was no charge to attend and therefore not considered a concert. He stated he's had two parties like that since he moved in and stopped because of the complaints of his neighbors. There were three (3) letters read by the secretary in opposition of the variance. Karen Miller, Phillip Hartman, and Calvin Smith, who all live in close proximity to the property all spoke against granting it because they basically do not want strangers surrounding them every weekend. After hearing all opinions from the gallery, and realizing that the application had not yet been sent to County for their review, the Board could not make their decision yet. The County must weigh in because the variance requested is within 500 ft. of a County or State route. Motion was made to leave the Public Hearing open by Rolf Reiss, until the County reviews the application. Seconded by board member Guglielmetti.

Roll Call Vote:

Keith Johnson, Chair	Yes
Rolf Reiss	Yes
Joseph Michaels	Yes
Mark Loete	Yes
Gary Guglielmetti	Yes

Old Business:

The drafted resolution for Hanover Farms came in from the town attorney Larry Wolinsky. After the Board's review, motion was made by board member Reiss to accept the determination as typed by Mr. Wolinsky, seconded by Chair Johnson.

Roll call vote:

Keith Johnson, Chair	Yes
Rolf Reiss	Yes
Mark Loete	Yes
Joseph Michaels	Yes
Gary Guglielmetti	Yes

Roll call summary: 5 Yes

Minutes from previous meeting:

Minutes from the October meeting were reviewed and a motion was made to accept the minutes as written by board member Reiss, seconded by board member Michaels. All in favor.

Some discussion before the close of the meeting was to review the terms of the board members to see whose term is up, who will be running and appointed. Final decision was to confer with the Town Clerk.

Adjournment:

- There being no further business before the board, a motion was made by board member Reiss to adjourn, seconded by board member Gugliemetti. All in favor. The Zoning Board of Appeals meeting adjourned at approximately 8:20PM.