



Supervisor: (845) 688-7165  
 Police: (845) 688-9902  
 Town Clerk: (845) 688-5004  
 Justice Court: (845) 688-5005  
 Assessor: (845) 688-5003  
 Assessor Fax: (845) 688-5708  
 ZBA/ZEO/Planning: (845) 688-5008  
 Highway: (845) 688-9901  
 Fax: (845) 688-2041  
 P.O. Box 134, 7209 Rte. 28, Shandaken, NY 12480

*"The Heart of the Park... Where the Eagle Soars"*

[www.shandaken.us](http://www.shandaken.us)

**Town of Shandaken Zoning Board of Appeals  
 Minutes for Public Hearings  
 February 21<sup>st</sup>, 2024**

Public Hearing was opened at 6:30 pm

Roll called by Secretary to the Zoning Board of Appeals Olivia Amantia, and attendance was recorded as follows:

Mark Loete, Chair	Absent
Gary Guglielmetti	Present
Allen Vella	Present
Christian Lynch	Present
Henry Williams	Present

**Roll Call Summary:** 4 Present, 1 Absent

**Others Present:** Zoning Enforcement Officer Grace Grant, Howard Widensky, Don Brewer, Christina Davis, Sophie Grant

**APFU LLC 13.-2-1.112**

Acting Chair Williams opens the public hearing at 6:30 for APFU LLC. Representing the applicant this evening is Don Brewer. Acting Chair Williams ask's Mr. Brewer to walk the Board through the project. The applicant is proposing a 7-unit apartment building. Mr. Brewer has displayed photos of what the potential building would look like for the Board to review. Board Member Lynch ask's what the distance is from the State route 28 to the proposed building? It is 100 feet shown on the map displayed. The proposed building would have five one-bedroom apartments and one two-bedroom apartment. Acting Chair Williams ask's what the reason is for a seven-unit building? Mr. Widensky states they tend to sell better, and the price is less to put a building together of that size, from his experience. The proposed units will be 14 by 14, and 560 square feet. Mr. Widensky states they will be full

time rentals, he currently owns another apartment building in the Town of Shandaken, and they are only full-time rentals, not seasonal or STR's.

Sophie Grant Chair of the Housing Smart Committee is here to speak about the project. Ms. Grant states she is happy to see someone who wants to invest in the community, since we are in need of full-time affordable housing for the community. She states she has some concerns, the unit the applicant is proposing is small, a four-unit building may be a better fit for families or for more than a single family. Ms. Grant states another concern is our law does not protect multi family structures from being converted into short term rentals, she states it is a concern whether or not if this project happens if it will become a STR. She adds she isn't against the development we need long term housing for the area, but she does add the proposed structure is very close to State route 28 which may be an issue. Ms. Grant states that the majority of the individuals who need housing can't afford high rent over a thousand dollars. Mr. Widensky states there will never be affordable housing will never happen in Shandaken because the cost of land is too much. Ms. Grant states that she disagrees and she's sorry he feels that way, and to hear that statement from a developer is unfortunate. Ms. Grant adds there is a way to have affordable housing, with assistance from the County and the State. Ms. Grant adds things have changed drastically over the last ten years and employees of the Town Hall are struggling to find affordable long-term housing, along with many locals which is not on Mr. Widensky, but a part of an ongoing problem. Ms. Grant adds having some compassion to the situation as well, stating she feels we will have affordable housing, once we rehabilitate existing structures and make changes to the Zoning laws. Acting Chair Williams states that we are at a disadvantage in our Town since about only twenty percent of the land is owned by private individuals, the land to build on is so little. Scott S a current tenant of Mr. Widensky of 160 Mt. Pleasant Rd, is here to speak about the project. He is here in support of the proposed building, he rents from Mr. Widensky, and has been for 6 years. He states that Mr. Widensky helped him during a tough time, and has been a great landlord, and is very happy with his apartment, stating its very clean and he stays on top of the upkeep. There was one homeowner who abuts the proposed property who has concerns about the project. The homeowner has a lot of horses and mini horses and is concerned about the water runoff, if and when construction begins. She is concerned about her animals and her property. Acting Chair Williams makes a motion to close the Public Hearing, seconded by Board Member Lynch.

### **Woodland Playhouse 25.1-1-2.200**

Acting Chair Williams opens the second public hearing for Woodland Playhouse, Christina Davis owner of Woodland Playhouse purchased 5605 route 28 to construct a new building. The new parcel has limited buildable land, there is a creek running through the property as well as State land and forever wild land as well on the property. The applicant is here for three variances, the new building will have three classrooms, two pre-school classrooms and a toddler classroom with three play yards for each classroom. In order to construct the new building, they are closer then the 100 ft setback. The intention is to be very mindful of how they are setting up their space. At the Phoenicia Plaza in the current location, they have

what they call the play yard, which is a small fenced in area for the children. Her intention is to have one play yard for each classroom. Sophie Grant is here to speak in favor for this project, she recognizes the need and demand for this service in our area. She adds the applicant is very passionate about her business and is all for it. She adds the variances are a small ask for something very beneficial to our area. With no further comments a motion to close the public hearing was made by Acting Chair Williams, seconded by Board Member Guillemette.

**Town of Shandaken Zoning Board of Appeals  
Minutes for Regular Monthly Meeting  
February 21<sup>st</sup> ,2024**

**Minutes:**

The regular monthly meeting was called to order at 7:07pm with the pledge of allegiance. Acting Chair Williams ask's if there are any comments or corrections to last month's meeting minutes? With no comments or corrections Acting Chair Williams made a motion to accept the minutes, seconded by Board Member Gugliemetti, all in favor.

The first order of business is APFU LLC. Acting Chair Williams states based off of the recommendation from the Ulster County Planning Board, they feel this project would need a Use Variance, as opposed to an Area Variance, since the issue is of use. Acting Chair Williams adds the Town's attorney felt the same as well, this is a matter of use, and not an area variance which is needed. Acting Chair Williams denies the Area Variance, and states the public hearing will be left open for thirty days. Acting Chair Williams advises the applicant to re submit the paperwork for a Use Variance.

The next order of business is Woodland Playhouse. Acting Chair Williams made a motion to approve each variance for the applicant, seconded by Board Member Lynch. Roll call vote as follows:

Mark Loete	Absent
Gary Gugliemetti	Yes
Allen Vella	Yes
Christian Lynch	Yes
Henry Williams	Yes

**Communications:**

**Old Business:**

**Other Business:**

**Adjournment:**

There being no further business before the Board, a motion was made to adjourn the meeting by Board Member Vella, seconded by Board Member Gugliemetti. These minutes were prepared by the Zoning Board of Appeals Secretary Olivia Amantia