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**Town of Shandaken Zoning Board of Appeals  
 Minutes for Public Hearings  
 December 18, 2024**

Public Hearing was opened at 6:50

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

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

**Roll Call Summary:** 5 Present, 0 Absent

**Others Present:** Zoning Enforcement Officer Grace Grant, Jan Jaffee, Mike Moriello, Robin Cornish

**Wellington Blueberry LLC 4.46-1-32.110 Area Variance**

Board Member Williams made a motion to open the public hearing for the Wellington Blueberry LLC, seconded by Board Member Guglielmetti. Following the legal notice being read, Jan Jaffee president of the Wellington approaches the Board to discuss the project, and address any concerns. Anthony Janetti, resident of 317 Main St. in Pine Hill, is here this evening to speak about the project, and his concerns about parking. Jan is aware of the parking issue, and they will adhere to parking regulations. They are currently working with the Town as well to try and resolve the parking issue. They do not want the entire parcel to become a parking lot. There is a discussion about the number of apartments, it will be ten apartments, and the project would not be feasible with out ten units. The housing will be affordable housing for people who work in our area. Jan lives on Bonnie View Ave. in Pine

Hill, and she understands the concerns regarding parking. They will have parking regulations in place, and are currently working with Rupco to develop the property.

The Wellington has received a state grant of 1.6 million dollars, the property itself has been neglected for a very long time. The foundation needs to be replaced, and they have a land use lawyer they're currently working with as well. Board Member Vella asks how big are the apartments? They will be 600-700 sq ft. There will be five studios, and five one-bedroom apartments. They all will comply with footage regulations according to the State code. Board Member Vella asks about parking? There will be 12 spots on site, 1 space for each apartment, and two spaces for staff. Board Member Vella asks if there will be on street parking? Jan states there is very little available parking on the street, & the Town is looking into another lot about 5 min away from the site. Mike Moriello Rupco's attorney for 25 years, states there needs to be either a coordinated or uncoordinated review, with one lead agency. Once SEQR is done then a determination/decision can be made. This will slow down the process with the ZBA, but it speeds up the special use permit process. They have a meeting next week with Donna LaMoine the Floodplain Administrator, and Ben Gailey the Town's attorney, as well as Grace Grant, our Zoning Enforcement Officer.

ZEO Grant points out that once the public hearing is closed, a decision needs to be made in 62 days, but that decision can be waived. If the applicant is not ready to come back to the Board in those 62 days. Izaak Schwaiger resident of Pine Hill states this project is good for the community, and states the importance of housing, and how there is no housing in Pine Hill. Several places are not contributing to the community because many buildings sit unused.

Board Member Williams states that he understands the concerns pertaining to the project, but it benefits the community in the long run. With no further questions or comments, Board Member Vella made a motion to close the public hearing, seconded by Board Member Gugliemetti, all in favor.

**Town of Shandaken Zoning Board of Appeals  
Minutes for Regular Monthly Meeting  
December 18<sup>th</sup>, 2024**

**Minutes:**

The regular monthly meeting was called to order at 7:00 pm with the pledge of allegiance. Chair Loete ask's the Board Members if they have looked over the previous month's meeting, and if there are any corrections, or questions. With no corrections, Chair Loete makes a motion to approve the minutes, seconded by Board Member Gugliemetti, all in favor.

Chair Loete makes a motion to keep the Perloff public hearing open for an additional thirty days, and to reopen the hearing on the January 15<sup>th</sup> meeting at 6:45, seconded by Board Member Lynch, all in favor.

### **Robin Cornish 14.1-2-28.200 Area Variance**

The next item on the agenda this evening is Robin Cornish, who is applying for a variance in order to build a single-family residence. Mr. Cornish will reside here full time with his family, he has already been to a Planning Board Workshop, as well as a Planning Board meeting. He has already met with the DEC, and the DEP, the variance is needed for a setback. Board Member Willams ask's how many ft is the proposed house set back from the rd.? It is 40-50 ft, it needs to be 60 ft, the building is under the road level. It is a 6.6-acre site that is currently vacant land. There is also a 9 percent road easement. It is a town road with a 25 ft right of way set back. 81 percent of the site is in the floodplain, and only ten percent of the land is buildable, the proposed house site is the only place where anything can be built.

Mr. Cornish has already spoken to Ashokan watershed stream management program and the DEC and they are aware that the building will be 30 ft from the stream. Board Member Lynch ask's if the proposed building is above the road level? Mr. Cornish states no it will come down off the road, then down 6 ft to have a driveway. It is also noted that there is an established forest and they are staying out of the 25 ft right of way. Mr. Cornish states they are not doing anything in the right of way, and they are never going over the floodway, they are staying out of the floodway completely. The top of the structure is below the entire road, and 30 ft from the road down to the creek. The applicant is proposing a planted roof as well, as opposed to a pitched roof. Board Member Vella ask's if there is an existing septic? Yes, there is in the corner of the lot with no holding tank. A newer treatment tank will be put in 100ft from the stream. The driveway is also a challenge, and that is something that he's working with Grace & Eric our highway superintendent. Board Member Vella ask's the applicant when he plans on starting to build? Mr. Cornish states ideally asap, but hopefully next winter. Board Member Vella asks about the HVAC, the applicant states it'll be geothermal perhaps or a solar design. With no further questions from the Board or for the applicant, Chair Loete made a motion to set a public hearing at the January 15<sup>th</sup> meeting at 6:30, seconded by Board Member Vella, all in favor.

### **Communications:**

ZEO Grant states to the Board that patterns for progress would like to sit with the Board at the next meeting if it's possible. There is a discussion amongst the Board what day, or time works best for everyone to meet. The Board came to a decision to meet early before the next meeting with patterns for progress. ZEO Grant also points out that Board Member Gugliemetti's term is up on the Board. ZEO Grant states we'll need to reappoint his position for another five years. Chair Loete makes a motion to reappoint Board Member Gugliemetti for another term, seconded by Board Member Vella, all in favor.

**Old Business:**

**Other Business:**

**Adjournment:**

There being no further business before the Board, a motion was made to adjourn the meeting by Chair Loete, seconded by Board Member Vella, all in favor. Meeting adjourned at 7:50 pm. These minutes were prepared by the Zoning Board of Appeals Secretary Olivia Amantia