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**Town of Shandaken Planning Board  
 Minutes for Regular Monthly Meeting  
 December 11<sup>th</sup>, 2024**

The regular monthly meeting was called to order with the pledge of allegiance at 7:00 pm.

Roll called by acting Secretary to the Planning Board Olivia Amantia, and attendance was recorded as follows:

Cliff Rabuffo, Chair	Absent
Art Christie	Absent
Joanne Kalb	Present
John Horn	Present
Allen Shiner	Absent
Sam Spata	Present
Vivian Welton	Present

**Roll Call Summary:** 4 Present, 3 Absent

**Others Present:** Zoning Enforcement- Officer Grace Grant, Robin Cornish, Alan Dumas, Chandra Valenti, Jan Jaffe, Kevin O' Connor, Mike Moriello, Joshua Pulver, Don Brewer

**Minutes:**

Acting Chair Spata made a motion to accept the minutes from the previous month's meeting, with no corrections, seconded by Board Member Kalb; all in favor.

**New Business**

ZEO Grant states that Board Member Christie resigned from the Planning Board. There will be interviews held to fill his position. Acting Chair Spata states that Chandra our Ulster County Planning Board liaison, is eligible to apply for the available spot on the Board.

Because the Board cannot achieve a quorum for the purpose of interviewing applicants for the two open positions, those interviews will take place during the January 2025 regular monthly meeting.

## Wellington Blueberry LLC 4.46-1-32.110 Special Use Permit/Site Plan Review

Jan Jaffe the president of the Wellington Blueberry LLC is here this evening to represent. Jan states they have been working closely with Alan Dumas, and Mike Moriello on the project. They have also been working closely with Rupco who they've partnered with for their affordable housing mission. Kevin O'Connor the CEO of Rupco is here this evening. Mr. O'Connor states that Rupco works with 6 counties in the Mid-Hudson Valley. They work in housing community development, and communities with local energy. Mr. O'Connor states that the Wellington Blueberry hotel represented a quintessential rural project. He states the opportunity to re-use the building for work force housing seems like a worthwhile endeavor to bring the project, and see it home. Alan Dumas the site plan engineer on the project states the building will be repurposed with the affordable housing and a retail space/café. The plan is to have five one-bedroom units, and five studio units. They will be addressing site improvements, parking, accessible parking, staff parking, the driveway and storm water. The type of material for the driveway is still being determined as well as curb stops, and landscaping. They are also working with the DEP on a SWIPP since they are working within 100 ft of the creek, and a site visit with the DEP is also planned. They do not need to contact the DEC because the disturbance is less than an acre. Five tenths of an acre will be worked on, and the parcel is in the Pine Hill sewer district. The Pine Hill sewer service connection will be re done. The parking is being addressed, there will be 8 regular spots that will be 9 by 20 ft, and one accessible spot as required by code. There will be staff parking as well with one parallel spot. The applicant is currently working with the town on a possible parking lot for payment in lieu of parking spaces. There will be 12 spots total for parking on site. There was a question from the applicants attorney regarding making the size of the parking spaces smaller in order to accommodate more parking on site. There is a discussion amongst the Board and the applicant for the spots to be 9 by 18 instead of 9 by 20.

Alan Dumas states being right on the creek is a challenge, they are 5 ft from the stream. They are working on the landscaping and stormwater, and ideally would like to have one parking spot for each apartment. There will also be a retaining wall, a sidewalk, and a fence. The Board is looking over the map the applicants provided, there is a 3-season porch proposed as well, existing deck to be redone in back. The parcel is in the floodway and the floodplain, they are not proposing any work near the creek, they are aware they cannot work by the creek. Don Brewer did the survey and the survey shows that the project is far away from the creek. DOH will be involved when they are at that stage in the project. Jan Jaffe states the goal is to get a market in the space, there is an existing bar, perhaps a café or coffee shop with light food, and a lounge space. Board Member Kalb asks if there will be cooking on site? The answer is no, there will be ready made items, not a commercial kitchen in use.

Mike Moriello the attorney for the project did SEQR, there are 7 agencies and 16 agencies interested that are affiliated with the town and the county. Ben Gailey the Town of Shandaken's attorney believes it will be a type one action. Mr. Moriello would like the project to be expedited and would like the Board to sign off on the Notice of Intent to serve as Lead Agency so it can be mailed in. It's up to the Board to determine if they would like to hire a consultant to assist during the review process, or if they do not feel that's necessary.

Parking is an issue and Board Member Kalb states that it will be addressed when the applicant is before the Zoning Board of Appeals. Board Member Kalb asks if there will be a loading dock for deliveries? And how will trucks get in and out of the property? As well as garbage and recycling? There will be a lane and a half wide for truck access, the facility has been there since the 1800's. Acting Chair Spata asks why not put parking out front? Mr. Dumas states they do not want the parking to be in front of the building, they will just have a few "place holders" in front. Mr. Dumas also says there is going to be a "rain garden" as well so there will not be parking available in the front of the building, due to the stormwater.

Jan Jaffe states the hotel is the only parcel on Main St. that has landscaping, and they are trying to restore historical pine hill. Board Member Spata asks if there is a grade change? Alan Dumas states grading has not been decided, elevations have been taken into consideration, there is no grading plan, lighting, or landscaping yet. Board Member Horn asks if the project will effect on street parking? Jan states they will not be taking any parking away from Pine Hill. Board Member Spata states we need to know if the site is buildable before we commit. Mr. Dumas states they will have a grading plan at the next meeting. The retaining wall that is being proposed will be made from local native stone, and perhaps bluestone.

The applicant is already on the ZBA agenda to attend a meeting next week to address the parking, etc. At this time with no further discussion, questions or comments, there is a motion for a coordinated review. Board Member Kalb makes a motion to declare the action as type 1, seconded by Board Member Welton, all in favor.

#### Robin Cornish 14.1-2-28.200 Special Use Permit/Site Plan Review

Mr. Cornish was previously at a Planning Board workshop; he currently has vacant land in Chichester on Silver Hollow Rd. and would like to build a new home within 100 feet of a creek requiring Site Plan approval. Mr. Cornish has spoken to the DEC, and has been in contact with Grace our ZEO. The property is 81% in the floodplain, and the amount of buildable land on the property is 10 %. The parcel is 6.6 acres, and what is buildable is less than 1 percent of the total acreage. Mr. Cornish would like to live in the house full time, he has children in college as well, and they would reside there as well. It is a proposed 3-bedroom home. Mr. Cornish is in contact with the DEP, and DEC and has spoken with our Highway Superintendent. Mr. Cornish understands the building that he is proposing is not

“traditional,” and he’ll need a variance from the ZBA for the setbacks. There will be a walkway, and a garage, the building was relocated 200 ft so a 4-car garage could be achieved. The building will be below the road and site line, in a heavily wooded area. The building will be 5ft above the 100-yr floodplain, and set back 30 ft from the creek. The construction will be no way in the floodplain or floodway.

Mr. Cornish states he has been speaking to Bobby Taylor from the Ashokan watershed regarding the site, and he is in the stream embankment program. The creek will not be impacted and they will be 30 ft from the stream. He currently has a verbal agreement with the DEP, and the DEC. They will be 5 ft above the 1 in 500 floodways. He has also been in contact with Donna our CEO and Floodplain Administrator. Acting Chair Spata ask’s if there is a septic on site? Mr. Cornish shows the Board his map he’s provided showing the package system, upon meeting with the DOH. There will also be propane, and a diesel generator on site. The applicant states because of the elevation 2 % grade are achieved and the septic will be 4 ft deep with out a holding tank. The proposed house is 2,400 sq ft. with a proposed roof garden as well. Acting Chair Spata ask’s if there is a well on the site? No there is not. Mr. Cornish states again he knows the home is not a traditional Catskill house, there will be 3 sets of stairs, and one will have to go outside to get to one section of the house. The home will be made of steel, and found timber, any tree over 12ft will be retained. Any trees that will be taken down, will be replanted. There is a discussion amongst the Board regarding setbacks, and the determination is that the applicant will need to go to the Zoning Board of Appeals for a variance for his setbacks. Board Member Kalb ask’s the applicant why he doesn’t want the building to be seen from the road? The applicant states due to the 25 ft setback, and 15 ft easement he has to stay off of the easement. At this time the Board reviews the SEAF. At this time the applicant is referred to the Zoning Board of Appeals, for his variance, and will come back to the Planning Board once he receives the variances that he needs.

#### Perpetual Space LLC 25.3-1-11 Special Use Permit/Site Plan Review

Joshua Pulver co-owner and Alan Dumas their engineer is here to represent. The property was purchased in 2021 and they would like to hold weddings and events at the Leeway Hotel, (the old Kate’s Lazy Meadow.) The applicant would like to put up a tent on the site for the events. They are currently not using the campground, and would like to use the site for weddings and events. Mr. Dumas shows the Board the map of the parcel, the Esopus creek runs through the site, there is parking and an existing roadway. The parcel is in the floodway and floodplain, most of the site is in the floodway. They are not proposing anything permanent. The site was used for camping and had several airstreams on the property when the old owner operated it. There will be parking along the lawn, and meadow along the creek. There will be a temporary kitchen for catering and there will be a bathroom. There will be no food prep on site, and they will have a licensed caterer per the DOH. The bathroom will be temporary with a sink, and a toilet. The maximum number of people on the site is 90. The DEP and the DOH have been to the site already. There is a gravel driveway

staying in the existing footprint, there will be woodchips, turf, and proposed parking tufts for parking spots. The tufts are plastic feathers for parking spots.

The proposed tent will be partially open/closed depending on the weather. There are 39 parking spots needed; 41 spots are provided. They meet all of the setbacks, and it is noted that anyone staying at the motel will most likely be attending any event held at the site. Guests of the hotel for future events, will have the entire hotel. There is a discussion about parking on the site, amongst the applicant and the Board, it is stated that valet parking will be something they will try to achieve as well. There will be a letter from the DOH provided as well. Mr. Dumas has reached out to the Fire Dept about the site, and notes there is no need for the DEC or for a SWPPP to be done since they are not disturbing wastewater. Mr. Pulver adds they are also working on a rainfall/evacuation plan, and will be mindful of the weather, and safety proofing it. Acting Chair Spata points out there isn't enough parking, and they need some additional parking. Mr. Dumas states that is something they will look into, and shuttling was also an idea for the guests.

Following the review of the submitted Short Environmental Assessment form, a motion is made by Board Member Spata that this will be considered a Type II action and does not require any further environmental review, seconded by Board Member Kalb; all in favor.

#### **Communications**

#### **Other Business:**

#### **Old Business:**

#### **Alfred Heitkonig 25.11-1-22.310 Subdivision**

The last item on the agenda is Heitkonig. Don Brewer is here this evening to represent the applicant. Mr. Brewer is here this evening following a Zoning Board of Appeals meeting that he attended for his applicant. The applicant needed a variance in order to subdivide his lot, due to the frontage. With no questions or comments, Board Member Welton made a motion to approve the subdivision, seconded by Board Member Kalb, all in favor.

**Adjournment:** Board Member Welton made a motion to adjourn the meeting, board Member Kalb seconded, all in favor. The Meeting was adjourned at 9:06pm. These minutes were prepared by the Planning Board Secretary Olivia Amantia