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**Town of Shandaken Planning Board
 Minutes for Public Hearing
 January 11, 2023**

Vivian Welton Special Use Permit 6:30

Public Hearing was opened at 6:32 with the pledge of allegiance

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

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

Roll Call Summary: 6 Present, 1 Absent

Others Present: Zoning Enforcement- Officer Grace Grant, Building Inspector- Donna Lamoine Supervisor- Peter Disclafani, Don Brewer, , Henry Stout, , Ted Reynolds, Geof Harden

Vivian Welton being the applicant for this Public Hearing was recused. Mrs. Welton is here for a Special Use Permit to convert an existing studio into a Guest Cottage. The legal notice is read by the Planning Board Secretary. The board ask's the applicant to explain why she needs this special use permit. She states it will be used for family, her husband is one of eleven children, and they have a lot of family. One of the applicant's neighbors wrote an email in support of this project. Chair Rabuffo ask's if anyone who is here tonight, would like to comment on this project, there was no comment. Board Member Spata made a motion to close the Public Hearing for Vivian Welton. Board Member Shiner seconded the motion, all in favor.

APFU LLC Subdivision 6:45

Don Brewer is here to represent APFU LLC, for tonight's second Public Hearing. The legal notice is read by the Planning Board Secretary. Chair Rabuffo ask's Mr. Brewer if he would explain the project. There is one email from a neighbor of the applicant, expressing her concern, about the work that will be done, & if any water or any elements would be near or harm her horses.

Mr. Brewer assures the Board that will not be the case, and the work being done, will not harm or affect the animals, or her property in any way. Mr. Brewer states the lot's being subdivided make up lot 1 being 4.5 acres, and lot 2 is 4.292 acres. The lot is in the r1.5 zoning district. The applicant Mr. Widensky is looking to build a two family house, using the same entrance as the driveway to his existing house on lot 1. The septic has been approved by Ulster County Health Dept, and the DEP.

There are a few members of the audience, who signed up to speak on this Public Hearing. The first is Brian Batista, resident of 6287 Route 28. Mr. Batista has some concerns about this project. He ask's what the size of the new house on the property will be, and what are the intentions for this new house. He states himself and his neighbors who neighbor the applicant, are concerned about this new property becoming an Airbnb, since we already have such a large influx of Airbnb's, and STR'S. He states noise is a concern, and they're worried about another property becoming one, and the late nights and number of cars, along with the noise.

He ask's is the property zoned for an Airbnb, and if there are restrictions. Mr. Brewer states the applicant's intention is to build a two-family home, to rent to a family. ZEO Grant states the issue before this Board, is the Sub-division. the construction of the two-family home isn't going to require approvals from this Board. Anna of 6288 Route 28, signed up to speak about this project as well. She states her concerns are the same as her neighbor who just spoke. She did say she is concerned about the construction that will take place, and whether or not their will be "blasting" and disruptive work happening. The overall concern of the neighbors, is that this new home the applicant is building will turn into an Airbnb.

Chair Rabuffo states the Airbnb license is a separate process, the Town has met their cap of nonresident owners operating str's, but for full time residents there is still availability. Chair Rabuffo states he understands & appreciates the concerns, everyone on the Board, are locals, & this is a volunteer board. He states we can only speak to the veracity as it accords to the code. They can't speculate what the applicant might do, if they apply and it falls within the parameters, and the requirements are met, then things move forward. Building Inspector Lamoine, states this is the first year, the town has implemented the new STR law, & they are working hard to ensure things don't fall through the cracks, and are staying on top of Str's

who are not operating according to code. Chair Rabuffo adds that the Town spent years working on the Str law to address these problems. Member Spata makes a motion to close the public hearing, seconded by Board Member Horn, all in favor.

Henry Stout Site Plan Review 7:00

Henry Stout of Full Moon is here for a Site Plan Review, regarding his maintenance barn/shed and pool house. The legal notice is read by the Planning Board Secretary. Board Member Spata notes, the last time Mr. Stout was before the board in December, they had extensively discussed the project, Chair Rabuffo agrees, and has no additional questions. Board Member Welton notes that Ulster County had some additional questions, regarding the proposed lighting on the barn, the sign, and landscape grade. Chair Rabuffo states we can discuss those details in the regular meeting. Board Member Spata makes a motion to close the public hearing, seconded by Board Member Shiner, all in favor.

John Heidecker Subdivision 7:15

The legal notice is read by the Planning Board Secretary. Chair Rabuffo ask's if there are any questions or communications regarding this application, there are none. The representative here states they would be splitting the lot in half, & there will be two separate driveways, sharing the entrance to limit disturbance. They have approval from the DEC, and the Health Dept. Board Member Spata makes a motion to close the public hearing, seconded by Board Member Shiner, all in favor.

Mago Watanabe Special Use Permit 7:30

The legal notice is read by the Planning Board Secretary. The representative here for this application goes through the project. He states there is an existing half garage, & pool house, that has a loft above it. They would like to add a kitchen, and turn it into an accessory dwelling. He states the family has no plans on short-term renting the space, this is for their family. Chair Rabuffo ask's if there are any communications regarding this project, and if anyone would like to comment on it. Board Member Spata makes a motion to close the public hearing, seconded by Board Member Christie, all in favor.

Regular Monthly Meeting was preceded by PUBLIC HEARING'S as follows:

Town of Shandaken Planning Board Minutes for Monthly Meeting January 11, 2023

The regular monthly meeting was called to order at 7:35 pm.

Chair Rabuffo ask's the Board if they've had a chance to look over the previous month's meeting minutes. Chair Rabuffo points out there was one correction, a typo. Board Member Spata makes a motion to approve the minutes, seconded by Board Member Welton, all in favor.

The first order of business is Vivian Welton, who is recused. Chair Rabuffo ask's Mrs. Welton to please walk through her project once more. Mrs. Welton states the guest house is on the side of the house next to the property line. She states there is no visibility from her neighbor's house or the adjacent property, and there is a large driveway with plenty of parking. She states it's a tiny house, only suitable for a few people to stay in.

Chair Rabuffo ask's what her intentions are. She states its being as a family guest house and as a short-term rental, not back-to-back rentals, but being rented on the weekend. She states her partner is one of eleven children, so they have a big family, and intend family to stay as well as it being rented. She states she did also get a variance from the ZBA, for the distance from the guest house to the main. The distance is nine and a half feet. Chair Rabuffo ask's if there is a bathroom, the answer is yes. The dimensions are twenty by twenty.

Board Member Spata makes a motion to approve the application for Mrs. Welton special use permit, seconded by Board Member Shiner. Roll Call Vote as follows:

Cliff Rabuffo, Chair	Yes
Art Chrisite	Yes
Joanne Kalb	Absent
John Horn	Yes
Allen Shiner	Yes
Sam Spata	Yes
Vivian Welton	Recused

The next order of business is APFU LLC. Chair Rabuffo ask's if there are any additional questions regarding this application. Board Member Spata makes a motion to approve the application as written, seconded by Board Member Christie. Roll call vote as follows:

Cliff Rabuffo Chair	Yes
Art Chrisite	Yes
Joanne Kalb	Absent
John Horn	Yes
Allen Shiner	Yes
Sam Spata	Yes
Vivian Welton	Yes

The next order of business is Henry Stout of the Full Moon. Chair Rabuffo states there are some additional comments and questions from the Ulster County Planning Board, regarding the project.

Board Member Welton states they had some questions about the exact location of the barn, and lighting, the landscaping, and the grading, as well as some questions from the health Dept, regarding the pool house. Mr. Stout states if you're heading south on County route 47, just before you enter the main facility of Full Moon, on the right-hand side, there's an existing Stockade Fence in a utility area, so the barn will go in that area, before the main entrance.

Chair Rabuffo ask's how high above the road will it be. Mr.Stout says the ground floor of the building, a substantial percentage will be close to ten ft below the road. He states there's a hump in the grade right there, so there's a cup" that the building will sit in. Mr. Stout states, as he said at the last meeting he attended, Full Moon Resort, lives and dies on its aesthetic, & presentation. He states the location of this building, has to do with the assessment of what is going to be the most beautiful and look the most traditional in terms of a farm scape. He states as you come up upon the building there will only be two feet at, the highest point in that hump which is perhaps fifty percent of the building, as the grade drops off when you go back to the full size of the sidewall, but there would only be about two feet above grade. The face of the building is diminished from the point of view of its perspective as you come up the road, and that's very deliberate in the design. The grade does drop off, and they plan on building some stone retaining walls. The structure of the barn itself is a metal steel structure so its relatively economical subframe but the exterior aesthetic will be wood and cedar, with a metal roof.

The idea is for it to fit in with the Full Moon landscape. The landscaping will be finished grade, sloping off the backside, grass seed, and stone walls, keeping with the same motif Full Moon has. There is no fence but they intend to have a split rail fence, keeping with the traditional farm scape. Board Member Spata made a motion to approve the application, seconded by Board Member Christie, on the condition that the variance from the ZBA is approved.

Cliff Rabuffo Chair	Yes
Art Chrisite	Yes
Joanne Kalb	Absent
John Horn	Yes
Allen Shiner	Yes
Sam Spata	Yes
Vivian Welton	Yes

The next order of business is Henry Stout as well, for the pool house, at Full Moon Resort. The existing pool will be replaced, by a smaller pool. The pool is 20 by 40, and there is a small portion of the pool that will be covered, ski resort style, where you can swim in and out of the pool. The pool will have lights, and be dark sky compliant. Board Member Spata makes a motion to approve the application, Chair Rabuffo adds pending Dept of Health approvals. Board Member Welton, seconded the motion. Roll call vote as follows:

Cliff Rabuffo	Yes
Art Chrisite	Yes
Joanne Kalb	Absent
John Horn	Yes
Allen Shiner	Yes
Sam Spata	Yes
Vivan Welton	Yes

The next order of business on the agenda is John Heidecker. The board ask's if there are any additional comments or questions. There are no additional questions or comments. Board Member Spata made a motion to approve the application, seconded by Board Member Christie, roll call vote as follows:

Cliff Rabuffo	Yes
Art Chrisite	Yes
Joanne Kalb	Absent
John Horn	Yes
Allen Shiner	Yes
Sam Spata	Yes
Vivan Welton	Yes

The next order of business is Mago Watanabe. With no further questions or comments regarding the application, Board Member Spata makes a motion to approve the application, seconded by Board Member Welton. Roll call vote as follows:

Cliff Rabuffo	Yes
Art Chrisite	Yes
Joanne Kalb	Absent
John Horn	Yes
Allen Shiner	Yes
Sam Spata	Yes
Vivan Welton	Yes

Other Business:

Chair Rabuffo asks for the County Liason Report. Board Member Welton states each town is trying to organize a housing smart community. She states several town's have already joined, and we are being encouraged to join as well. She states these programs qualify for funding. She states there is money available for repair on nonfederal bridges. Chair Rabuffo states due to the high number of public hearing's this evening, the EAF'S were not read during the meeting, but have been reviewed as a Board, and find no issues.

Old Business:**Adjournment:**

Board Member Spata made a motion to adjourn the meeting, board Member Shiner seconded, all in favor. The Meeting was adjourned at 8:22 pm. These minutes were prepared by the Planning Board Secretary Olivia Amantia