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**Town of Shandaken Planning Board  
 Public Hearing – Parker Lane Ventures LLC/Graham & Co – Site Plan Review  
 March 13, 2023 6:45pm**

Public Hearing was called to order at 6:45pm with the Pledge of Allegiance.

Roll called by Secretary to the Planning Board Olivia Amantia; attendance recorded as follows:

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

Roll Call Summary: 7 present, 0 absent

Others Present: ZEO Grace Grant, James Brooks, Jean Schofield, Denise Ricciardella, Sophie Grant, Karina Heffernan, Martin Torres & Joe DiThomas (owners Graham and Co), Matt Townes (project engineer)

Planning Board Secretary reads the legal notice.

The owners of the parcel and their engineer are present to give a brief overview of the proposed project as it has been presented to the Board. Meeting is opened to the public for comment:

James Brooks owns a home that abuts the Graham & Co parcel, there is a line of trees between the properties, but he can still see the property through the trees. In the evenings they sometimes have a DJ and he is concerned about more noise as a result of the proposed project. He would like a fence constructed between the two lots to decrease the impact of activity at the Graham & Co.

Jean Schofield owns a home that abuts the Graham & Co parcel, and has a good view of the property. While she is supportive of the business she is concerned about increased noise should the proposed plan be approved. She would like them to adhere to the 9:00pm noise ordinance, and is wondering if the new construction will redirect water into any of the abutting properties.

Denise Ricciardella owns a home that abuts the Graham & Co parcel and is concerned about noise and water runoff. She is concerned that if they will be digging a foundation it will impact water drainage on her property.

Sophie Grant is not an abutter to the property, she did use to work for them and is currently a member of the Phoenicia Business Association, and the Phoenicia Farmers Market. She is speaking in support of the proposed project and feels that we need to do whatever we can to allow business

owners to maximize the space that they have available to them. She feels that STR's are impacting this type of business, so in order to see healthy growth for their business the proposed communal space for corporate gatherings or small weddings lessens that impact and would be positive for the local businesses and the community. Also states that moving some of the "events" indoors will lessen the noise that abutting parcel holders hear.

Karina Heffernan owns a home that abuts the Graham & Co and is concerned about how close the proposed building is to her property. The projects engineer shows her the location of the proposed landscaping that will block her view of the new structure.

Comments submitted via email:

"To: Shandaken Planning Board and Shandaken Town Representatives,

We are not able to be present at the 3/13/24 meeting where the potential of new construction at the Graham & Co. will be discussed. We were not aware of the meeting in December. If we had been we would have submitted a statement then as well. We're writing to voice our strong objection to any new construction.

We bought our house, close to the dead end of Newton Ave, in 2004 after having stayed on the same street as guests for a few years. We knew it to be a quiet street. However, for a number of years now, there have been too many instances of loud music, including a thumping bass, coming from Graham & Co. lasting late into the night, disturbing the peace and interfering with our quality of life. We expect that building a new structure is meant to make this location more attractive as a destination, including for parties and weddings. We don't trust the owners to treat their neighbors responsibly when it comes to noise control. Please vote no on this project.

Chris Griffin and Monika Kurschatke  
118 Newton Ave"

"Hello,

My name is Perri Lawrie and my husband and I own 19 Romer St., the backyard of which borders the Graham and Co. We are very concerned about the plans for the expansion of the Graham and Co. Currently, weddings held there have been loud, disruptive and have taken place past 11pm, and we can not see how adding a 2,050 square foot structure with a 2,300 square foot deck to accommodate more guests would change this for the better.

We bought our home in Phoenicia to enjoy the peaceful mountain hamlet, and are deeply concerned that if these plans were to go through, they would have the direct opposite effect. We urge you to think of the neighborhood and the people within it when making your decisions on the matter.

Thank you,  
Perri Lawrie and Matt Tyson"

“To whom It may concern:

I bought my home at 20 Romer St., in 1999 and raised two children who attended the Onteora School District. I met the owners of the then Cobblestone Motel when I first arrived. The motel was always a quiet business, nestled in, almost unnoticed, amongst the surrounding homes. When the business was bought by the Graham and Company, many renovations were made and as a result of their advertising/publicity background, it drew a lot of people in from the city. I had no problem with this, because it brought business to the town and it continued to remain a quiet spot in the village. At some point however, either the original owners of the Graham or the current owners began to have weddings. This certainly continued into the current owners. The ones that I experienced were overwhelmingly loud to where you could feel the vibration of the music. My first reaction was the pity I felt for the people who lived directly next to them since I had a row of homes in between me and the motel. Even my teenage daughter was annoyed by the sound level and thought it was insensitive to the surrounding neighbors. One time we called the police to ask them to turn the volume down which I don't recall happened. When the music extended well beyond 11 PM, we asked the police to return, and have them stop playing since it was our understanding that there was a noise ordinance. I remember one time the police did arrive and asked them, but then it continued, and the police had to return again before it stopped.

The interest in building the structure on their property is an indication that they want to pursue having more weddings. At this point, they have lost the trust in their neighbors that they would be considerate to the neighboring residents. For those who have second homes here or who have Airbnbs, the expectation of coming to the Catskills is to get away from the noise of the city and have a peaceful quiet weekend or extended stay. That would definitely be impacted negatively if weddings were to be held regularly.

In addition, having a motel-

which is what the original property was zoned for is very different than what the current owners I imagine hope to do. Other area venues that have weddings are not within villages or hamlets.

There are times when an activity might be loud but serves the public, this is an example of a private event that negatively impacts many.

Thank you for taking the time to consider how this future construction might impact the quality of life of other surrounding residents.

Respectively,

Tania Barricklo, Ron Van Beek, Sophia Barricklo Reynolds”

Owner addresses the concerns:

He is disappointed to hear people wouldn't trust them to do the right thing. He did misunderstand the noise ordinance and thought that he had to keep the noise down after 11:00pm, but now knows that it is supposed to be 9:00pm and will adhere to that.

He knows that the business is located in a neighborhood, and does his best to be respectful to the neighbors. They do not intend to have any more weddings than they typically do in a season should the project be approved, and have no intention of opening a restaurant. States they would not be doing more than 3 weddings each year which is what they are doing now.

Project engineer states that one of the intentions of the new building was to dampen the noise, and that the owners are working with the architect to ensure that the new structure will be soundproofed.

There being no further comment from the Board, the applicant, or the audience a motion to close the Public Hearing was made by Board Member Spata, seconded by Board Member Kalb; all in favor.

Public Hearing was closed at 7:17pm.



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**Town of Shandaken Planning Board  
 Public Hearing – Bernstein/DeRosa – Resubdivision  
 March 13, 2023**

Public Hearing was called to order at 7:18pm.

Roll called by Secretary to the Planning Board Olivia Amantia; attendance recorded as follows:

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

Roll Call Summary: 7 present, 0 absent

Others Present: ZEO Grace Grant, Rob Allison (surveyor), Ben DeRosa

Planning Board Secretary reads the legal notice.

Rob Allison is present to give a brief overview of the proposed lot line revision.

No one is in attendance to make comment regarding this application.

One email was received:

"To: Town of Shandaken Planning Board  
 Planning Board Secretary

Re: Public Hearing on March 13, 2024

Subject: 14.6-2-36.110 & 14.6.-2-35.113

Dear Olivia,

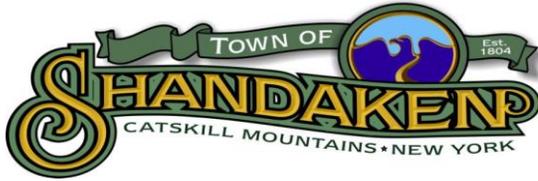
We have received the Public Hearing Notification for the public hearing scheduled for March 13, 2024. As the owners of the neighboring parcel lot that has the joined property lines with two subject lots, we'd like to express our support of above mentioned application for Lot Line Adjustment/Resubdivision submitted to the Planning Board by Catskill Region Surveying Services PC on behalf Jeremy Bernstein, Ben DeRosa and Doris Cheng for the approval of a plat adjusting the boundary lines between two existing parcels 14.6-2-36.110 & 14.6.-2-35.113. We strongly believe

that the proposed adjustment/resubdivision is in the interest of the Stoney Clove Lane residents and hope that the Board grants the approval.

Best regards,  
Andrey Zhukov-Khovanskiy  
Tatiana Alexa  
199 Stoney Clove Lane  
Chichester''

There being no further comment from the Board, the applicant, or the audience a motion to close the Public Hearing was made by Board Member Spata, seconded by Board Member Kalb; all in favor.

Public Hearing was closed at 7:21pm.



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**Town of Shandaken Planning Board  
Public Hearing – Fichtner – Resubdivision  
March 13, 2023**

Public Hearing was called to order at 7:22pm.

Roll called by Secretary to the Planning Board Olivia Amantia; attendance recorded as follows:

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

Roll Call Summary: 7 present, 0 absent

Others Present: ZEO Grace Grant, Rick Brooks (surveyor), William Fichtner

Planning Board Secretary reads the legal notice.

Rick Brooks is present to give a brief overview of the proposed lot line revision.

No one is in attendance to make comment regarding this application.

No correspondence was received regarding this Public Hearing.

There being no further comment from the Board, the applicant, or the audience a motion to close the Public Hearing was made by Board Member Spata, seconded by Board Member Welton; all in favor.

Public Hearing was closed at 7:26pm.



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**Town of Shandaken Planning Board  
Public Hearing – Chess – Special Use Permit  
March 13, 2023**

Public Hearing was called to order at 7:26pm.

Roll called by Secretary to the Planning Board Olivia Amantia; attendance recorded as follows:

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

Roll Call Summary: 7 present, 0 absent

Others Present: ZEO Grace Grant, Graydon Yearick (representative)

Planning Board Secretary reads the legal notice.

Applicant representative is present to give a brief overview of the project.

No one is in attendance to make comment regarding this application. One email was received:

“Good evening. I’m Jay Braman and I live at 1024 Woodland Valley Road, which is separated from Jasmine’s property only by a 50 foot section of State Land. I’m writing due to concern over a possible increase in storm water runoff from Jasmine’s place. Yes, I am aware that the short environmental assessment form shows the project will not create anymore storm water discharge. However, it is impossible for me to know for sure until there are more details showing the construction of the proposed septic system. Those details were unavailable as of this afternoon. Here’s the background for my concern: Several years ago, a new driveway was cut into the property which created a new drain path for storm water runoff. This greatly increased the flow of storm water in the roadside ditch that carries it past my driveway and property. Then, more recently, a complex piping system was installed near Jasmine’s main house that carries storm water from the property into that same roadside ditch. Her house sits at a high point on Woodland Valley Road where the roadside ditch flows in 2 directions, one way leading toward my property and the other heading up Woodland Valley Road in the direction of the State campsite. Before the piping was installed that water used to run in the latter direction. Now, it has all been directed into the ditch that runs past my place. Furthermore, during a recent high water event this winter, the roadside ditch failed to handle the runoff from the piping system and Woodland Valley Road flooded. The amount of storm water running past my place, which is in floodplain, during heavy rain events has become tremendous. In terms of what this all has to do with Jasmine’s current application, I would like assurances that the

new septic system not create more storm water runoff, even unintentionally. The site plan shows the septic location to be right alongside and uphill of that long drainage ditch that was created when the new driveway was cut in all those years ago. In short, the road side ditch along Jasmine's property and mine cannot handle anymore storm water.

On another note and for the sake of accuracy, I notice the site plan claims that the roadside property line is a side lot line. I believe that should be considered the front lot line.

Thank you,  
Jay Braman"

There being no further comment from the Board, the applicant, or the audience a motion to close the Public Hearing was made by Board Member Spata, seconded by Board Member Kalb; all in favor.

Public Hearing was closed at 7:32pm.



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**Town of Shandaken Planning Board  
 Minutes for Regular Monthly Meeting  
 March 13, 2023**

The regular monthly meeting was called to order at 7:32pm.

Roll Call remains the same:

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

**Roll Call Summary:** 7 present, 0 absent

**Others Present:** ZEO Grace Grant, CEO Donna LeMoine, Martin Torres, Joe DiThomas, Matt Townes, Rick Brooks, Rob Allison, Ben DeRosa, William Fichtner, Graydon Yearick, Christina Davis

**Minutes:**

Motion was made by Board Member Spata to accept the previous months meeting minutes, seconded by Board Member Welton; all in favor.

**Communications:**

Molly Holm, a resident of Andrew Ln in Mt Tremper, sent the Board a letter regarding Rail Explorers:

"3/13/24

To the Boards Members,

I decided to look into Rail Explorers schedule for the summer knowing they will be revving up soon and based on their new 5 year contract I wanted to see what mitigations they were or were not enacting. In the contract it states they will not be crossing Rte. 28 after sunset and they will be building a tunnel over the tracks in the neighborhood of Mt. Pleasant.

What I found in their schedule was the addition two whole new runs called Mount Tremper Express and Mount Tremper Lantern Express:

Mt Tremper Lantern Ride

Experience the magic of the historic Ulster & Delaware Railroad as you travel alongside the Esopus Creek to the refurbished Mount Tremper Station.

The Mount Tremper Lantern Ride is a 4 mile round trip scheduled in the evenings. Lanterns on each Explorer and lights along the way make this a magical experience.

Bring a snack and a drink to enjoy at the Mt Tremper Station turnaround.  
4 mile round trip with electric pedal assistance.

Please arrive 30 minutes before your tour.  
(Note: There is no cell service within 10 miles of the railroad station).

Tour duration: 90 minutes.

Please note their mention of lights along the way. I have a great deal of concern that this is being done without coming to the town first. A few years ago, we all remember their plan for night runs on Rte. 28 which included hoops of light, firepits, chairs and fences at the little historic building. Why are they coming back around to this plan without coming to the planning board? The same goes for the tunnel they have written into the contract.

There are serious issues with their running at night along Rte. 28. It causes a potential distraction to drivers on the highway, it brings late into the evening activity and noise to properties near the station and we still don't know the scope of their plan.

We don't know because they and the County did not see fit to keep the Town of Shandaken informed.

I am hoping this Planning Board and Town Board will reach out to the company and the county for more details and keep the community in the loop.

Thank you,

Molly Holm”

The Planning Board feels that the Town should reach out to Ulster County Planning Board regarding any changes that may be made with regards to lighting and any other construction that may affect the community.

### **Old Business:**

#### William Fichtner – Resubdivision

With nothing further to discuss regarding the application, Board Member Spata makes a motion to approve the resubdivision, seconded by Board Member Kalb. Roll Call Vote:

Cliff Rabuffo, Chair	Yes
Art Christie	Yes

Joanne Kalb	Yes
John Horn	Yes
Allen Shiner	Yes
Sam Spata	Yes
Vivian Welton	Yes

Motion approved.

Bernstein/DeRosa – Resubdivision

With nothing further to discuss regarding the application, Board Member Spata makes a motion to approve the resubdivision, seconded by Board Member Kalb. Roll Call Vote:

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

Motion approved.

Chess – Special Use Permit

There is a discussion amongst the Board regarding the location of the septic, answered by applicant’s representative. The Board discusses possible impacts to the water course with the representative.

With no further questions Board Member Christie makes a motion to approve the Special Use Permit to convert an existing garage to a Guest Cottage, seconded by Board Member Kalb. Roll Call Vote:

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

Motion approved.

Parker Lane Ventures LLC – Graham and Co – Site Plan Review

ZEO Grant states the Board received the Ulster County Planning Board recommendations regarding the project. Chair Rabuffo reads aloud the letter. One of the recommendations that the UCPB made was to install electric charging stations, Mr. Torres states that is something they have already thought about doing. Chair Rabuffo states he will need department of health approvals, as well as a floodplain development permit as well. Chair Rabuffo states the main concern is the noise, he states he understands the owners were unaware of the 9pm curfew, and they apologetically state they will adhere to it, since they were unaware in the past. The new building they plan on constructing will also eliminate guests being outside creating noise spilling into the neighborhood, the new building will allow guests to gather inside. Board Member Welton asks the applicant if he plans on advertising and holding more weddings at the facility. Mr. Torres states they are not actively pursuing weddings, they do not encourage them, they only have a few a year, and they are not a “wedding venue.” CEO Lemoine asks the applicant about what type of lights the new building will have? Mr. Towne states it will all be dark sky compliant lighting. Board Member Christie states that he would like to point out to the neighbors that it is of the most important concern to us to preserve the nature of the community. Board Member Christie adds if there are complaints following this new project, then were going to reconsider what you are doing, and will bring you back before the Planning Board.

Board Member Christie makes a motion to approve the special use permit pending DOH and Floodplain Development approvals, seconded by Board Member Kalb. Roll Call Vote:

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

Motion approved.

Christina Davis - Woodland Playhouse LLC – Special Use Permit/Site Plan Review

Since the last time the project was before this Board, they have received the required variances from the Shandaken Zoning Board of Appeals, a letter of approval from DOT, and an approved Septic Permit from DOH. They have enough parking at the Site and the lighting design is dark sky compliant.

Board Member Spata asks about shared easement. Applicant states that there are two overlapping rights of way, one DEC right of way for pedestrian access to a trail, and the other for people to access Woodland Playhouses property. She has spoken with the DEC and they see no problem with her improving the right of way to allow vehicular access to her property.

The Board reviews the SEAF. Following that review the Board completes SEAF part two – impact assessment questions 1 – 11 all answers being “No, or small impact may occur.”

After review of the SEAF and SEAF Part 2, Board Member Spata makes a motion for a Negative Declaration regarding the environmental review, seconded by Board Member Welton. Roll Call Vote:

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

Motion approved.

**New Business:**

Bruce Campbell & Laura Veith – Subdivision

The applicant was before the Board last year do discuss an Accessory Dwelling Unit permit. The Boards suggestion at that time was to subdivide the parcel. The existing lot is 23.3 acres, the proposed subdivision would create one 10.7-acre lot and one 12.6 acre lot. Following the approved subdivision, they will get permits to build a house on the 12.6-acre lot. They have septic approval for the proposed house, and there is plenty of space for parking on both lots.

With nothing further to discuss, Board Member Spata makes a motion to set a public hearing for April 10, 2024 at 7:00pm, seconded by Board Member Welton; all in favor.

**Adjournment:**

There being no further business before the Board, a motion is made by Board Member Spata to adjourn the meeting, seconded by Board Member Kalb; all in favor. Meeting closed at 8:48pm.