



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

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P.O. Box 134, 7209 Rte. 28, Shandaken, NY 12480

**Town of Shandaken Zoning Board of Appeals
Minutes for Public Hearings
November 20th, 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, Don Brewer, Christopher Bick, Leah Perloff, Chandra Valianti

Christopher Bick Area Variance 25.11-1-1

Chair Loete made a motion to open the public hearing, seconded by Board Member Lynch, all in favor. Chair Loete opens the Public Hearing at 6:50 for Christopher Bick, following the legal notice being read. No one was in attendance regarding this public hearing, and no correspondence was received regarding this public hearing. Chair Loete made a motion to close the public hearing, seconded by Board Member Vella.

Alfred Heitkonig Area Variance 25.11-1-22.310

Chair Loete made a motion to open the second public hearing for Alfred Heitkonig. There is one individual here this evening to speak about the application. Nolan Wilder, resident of 5309 route 212, lives directly below the lot adjacent to where the applicant would like to build. Mr. Wilder has some concerns about how the electric will be provided to the applicant's parcel, he states the electrical would cut across his and his neighbors property. He is also concerned about the water run-off, & the drainage ditches. Mr. Wilder states the water run-off could overwhelm the drainage ditch, he's concerned about flooding, and the road washing away. He asks for the Board to please consider his concerns, he is not "against the project, but would like his concerns addressed. With no further questions or comments, Chair Loete makes a motion to close the public hearing, seconded by Board Member Vella.

**Town of Shandaken Zoning Board of Appeals
Minutes for Regular Monthly Meeting
November 20th ,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 Vella, all in favor.

The first order of business on the agenda is Christopher Bick for an Area Variance. With no further questions or comments from the Board, or for the applicant, Chair Loete makes a motion to grant the Variance, seconded by Board Member Gugliemetti, roll call vote as follows:

Mark Loete- Chair	Yes
Gary Guglielmetti	Yes
Allen Vella	Yes
Christian Lynch	Yes
Henry Williams	Yes

The next order of business on the agenda is Alfred Heitkonig. Don Brewer is here this evening to represent the applicant. The applicant was referred to the ZBA by the Planning Board. The applicant would like to subdivide his 5 acres off of route 212 and needs 50 ft of

frontage, according to the code section 116-19. Mr. Brewer states code states the minimum lot frontage is 50 ft from a town, county, or state highway. ZEO Grant states the parcel's legal access is on a state road. There is a discussion amongst the Board pertaining to code, and lot/subdivision regulations. The zoning is r1.5 and r 1.3, Chair Loete adds, it's an unusual property. There is a further discussion amongst the Board, ZEO Grant, and Mr. Brewer, regarding the variance. There is further discussion amongst the Board pertaining to the hardship" and 116-19 being applied for this subdivision. Board Member Williams points out that this has never been applied to applications in the past. The lot is pre-existing non-conforming. With no further questions or comments, Chair Loete made a motion to approve the variance, seconded by Board Member Vella, roll call vote as follows:

Mark Loete- Chair	Yes
Gary Guglielmetti	Yes
Allen Vella	Yes
Christian Lynch	Yes
Henry Williams	Yes

The next order of business on the agenda is Leah Perloff. The applicant currently has one ADU on her property, along with several other buildings that she would like to renovate and rent out. She had tried to get a building permit to add a bathroom, and a kitchen, but was told she need's Board approval first in order to do so, since she has two existing residences on her property. The applicant has already been before the Planning Board, and was referred to the ZBA. Her property is residential/commercial. There is also an auto body shop on her parcel, but has no plans for it as of right now. But in the future perhaps a community space/lounge, open to the public or for her guests. There is an existing shed on the property, as well as a cottage, she'd like to make the shed a tiny house. She'd like to make all the structures str's and have a "bungalow colony" She currently has one STR license and if the variance is granted then she will not have to keep coming back to the Board. There is a 1,000 sq ft multi use space, a 2-story garage, and a 15 by 15 shed. The septic already exists on the parcel. Board Member Vella ask's if the applicant can develop by the creek? It is noted that the applicant is changing the use" and not building any new structures. The Board states there is plenty of parking on the parcel as well. With no further questions or comments, Board Member Williams makes a motion to set a public hearing for the applicant at next month's meeting, at 6:45, seconded by Chair Loete, all in favor.

Communications:

Old Business:

The last order of business this evening is Wellington Blueberry LLC. Chair Loete states they have extended their public hearing, and at this time the Board has no plans in front of them. Chandra Valianti is here this evening to represent the Wellington Blueberry. They have

requested to keep the Public Hearing open for an additional month, Mrs. Valianti states they have been working with Alan Dumas, and Mike Moriello, to have a full submission for the following month, and are getting all of their ducks in a row. They will have a full application and plans for next month's meeting, and they appreciate and thank the Board for their understanding, and for extending the Public Hearing. Chair Loete makes a motion to extend the public hearing for another thirty days for next month's meeting at 6:30, seconded by Board Member Vella, all in favor.

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 7:52 pm. These minutes were prepared by the Zoning Board of Appeals Secretary Olivia Amantia