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

Town of Shandaken Planning Board  
MINUTES FOR REGULAR MONTHLY MEETING  
February 8, 2017

**Public Hearing:** Rick Shobin – Phoenicia Plaza – Brewery

Mr. Shobin presented the Board with an application to open a microbrewery in the last spot in the Phoenicia Plaza on the right. There'll be a brewing section and a tasting section. No one present for the public hearing. Motion was made by Board Member Jordan to close the public hearing, seconded by Board Member Kalb. All in favor.

The regular monthly meeting was called to order by Chair Brewer at 7:05 pm with the pledge of allegiance.

Roll called by Planning Board secretary Anne Ricciardella, and attendance was recorded as follows:

|                        |         |
|------------------------|---------|
| Don Brewer, Chair      | Present |
| Kathy Jordan, V. Chair | Present |
| Art Christie           | Present |
| John Horn              | Present |
| Joanne Kalb            | Present |
| Allen Shiner           | Present |
| Cliff Rabuffo          | Present |

**Roll call summary:** 7 Present

**Others present:** Warren Tutt, Bob Kalb, Harry Jameson, Rod Futerfas, Tina Rice, Rick Shobin, John Wasylyk, John Boletti, Kathy Nolan, Henry Stout, Rex Sanford

**Minutes of previous meeting:**

Motion was made to accept the previous month's minutes by Board Member Horn, seconded by Board Member Kalb, all in favor.

**Communications:**

None

**Old Business:**

**Shobin – Brewery**

John Wasylyk, the engineer for the project, stated that they've sent a letter with the design basis to a DEP representative, verifying that there's capacity on site for what they're proposing, with both wastewater from the bathrooms and also method for saving and recycling other wastewater. They're waiting for a response letter stating everything was reviewed. So far, they haven't had to send anything to the DOH, but Mr. Shobin has been in contact with them and if/when he decides to put the kitchen in then he'll need the proper approvals to move forward. Mr. Tutt inquired about a permit needed for the hauling process from DEP or DEC, as far as Mr. Shobin knows one isn't required. Mr. Wasylyk made revisions to the plans submitted at last month's meeting. The site plan is next generation off a survey that was previously done so some things marked already exist. Revisions include, down lighting in the front of the building, sign detail and elevation that shows the square footage, and approximate location of the sign, Handicap parking has been delineated along with appropriate signage and now shows where the ramp will be accessible. There will be an "entrance" and an "exit" sign for the parking lot making each side a one-way. These signs are the responsibility of the property owner. The parking lot will now include marked spaces for customers to park. Angling seems to be best idea so there's enough room in between for cars to turn around but the still needs to be measured. There will be no change in parking capacity. The loading area for deliveries is still located behind the building. Trucks will enter on the West end and drive across the parking lot to access the road going behind the plaza. Hours of operation are still being finalized, will most likely be closed Mon/Tues, open from 12-8 on Wed/Thurs, 12-10 for Fri/Sat and Sundays 12- 8 or 9. With nothing further from the Board, motion was made by Board Member Rabuffo to accept the application as submitted, conditioned on proper approvals from all involved agencies, seconded by Board Member Christie.

Roll Call Vote:

|                       |     |
|-----------------------|-----|
| Art Christie          | Yes |
| Kathy Jordan, V.Chair | Yes |
| Allen Shiner          | Yes |
| Joanne Kalb           | Yes |
| John Horn             | Yes |
| Cliff Rabuffo         | Yes |
| Don Brewer, Chair     | Yes |

Roll Call Summary: 7 Yes

**CMRR – Special Permit**

Mr. Jameson present to address the Board about the special permit application still before them. Briefly overviewed CMRR's application processes. Their County lease expired in May 2016, in Feb. 2016 applied to the ZBA to lay two tracks of rail. After a couple road bumps, CMRR decided to rescind the application altogether. They then applied for a floodplain development permit to clean up their property, with the intention of storing the equipment after the County instructed them to remove all their

cars or they'd be seized. They're now before the planning board to install two tracks. According to the Shandaken Town Code they have not yet done anything not permitted as the Code doesn't include railroads, rail track, or equipment. In previous meetings the question of whether the CMRR was a public transportation entity delayed the Board's approval, they were asked to show proof. Mr. Jameson provided them with a letter from the NYS DOT stating that they are in fact a public transportation entity.

CMRR was sent a letter from the Town Board requesting more information and a schedule for the removal of the cars. Mr. Jameson said they'll be responding with that information by this coming Friday, February 10<sup>th</sup>. Board Member Shiner asked if the schedule of removal could be included in the permit. Chair Brewer stated that he'd like to send the letter from DOT and other questions about this application to their attorney for legal advice for their review at next month's meeting. Motion was made by Chair Brewer to send to attorney, seconded by Board Member Jordan. All in favor.

### **New Business:**

#### **Henry Stout – Full Moon Resort – Seasonal Cabins**

Mr. Stout is the owner of the Full Moon Resort, located off of Oliveria Rd. 9-31 Valley View Rd. He's submitted a special permit application to construct 10 seasonal cabins up across from the employee parking lot on the property. The cabins will be seasonal, to provide additional accommodations for guests that would normally leave the property instead of staying on site. There will be no heat in the cabins, water/septic is a pumping haul system. Eight (8) of them will use the pump system, and two (2) will go to the septic that already exists on the property. There's also existing water and electricity. The tanks will pump about 80 gallons per day, one half of the tank is for discharge, the other is for the storage to an alarm level, it'll go off indicating the tank needs to be pumped, approximately every three (3) days. All the cabins will be the same size, 14 x 26. Applications have been filed with the DOH and DEP already. Mr. Stout stated he's not inclined to have cars driving up to them. He'd ideally like for the guests parking in the lot and to then be driven up to the cabins in a golf cart. The road leading to the cabins already has flood lights but he'll provide additional lighting with sconces. There will not be woodstoves inside or any fire pits outside. Will be strictly for lodging and taking in the scenery, property is 55 acres. He's shooting to have all construction completed by Memorial Day of this year. Contractor that he's in touch with can have them ready in four (4) weeks. Currently has 38 rooms and for this business and the upcoming wedding season accommodations are critical. Nothing that's proposed on the site plan is in any flood zone. The Board is very accepting of the project and thinks it'd be a nice addition with beautiful views to enjoy. With no further questions, motion was made by Board Member Shiner to move the application to public hearing, seconded by Board Member Christie. All in favor. Public hearing scheduled for Wednesday March 8, 2017 at 6:45PM.

#### **APCR, LLC – Howard Widensky – Route 28 (Across from Emerson)- Site Plan Review**

Mr. Widensky owns the old Fillipelli house across from the Emerson. He was previously before the ZBA for 3 area variances to open a landscaping business but has since changed his plans. Chair Brewer, surveyor for the project, now submitting a site plan review for an office building at the same location. The two lots, 25.10-1-4 & 25.10-1-27 will be joined to make one lot. Another building will be attached to the Fillipelli house, one story 36x16 connecting to another two story 54.8x54.8 building where the offices will be. The septic system already existing can handle the additional flow. Buildings will be separate for fire protection. Not sure what kind of offices will be renting the space yet. All will be made

handicap accessible. Application needs to be sent to County. Motion was made by Board Member Rabuffo to send the application to public hearing, seconded by Board Member Shiner. All in favor.

**Adjournment:**

There being no further business before the Board, a motion was made for adjournment by Board Member Shiner, seconded by Board Member Christie. All in favor. The Town of Shandaken Planning Board meeting adjourned at approximately 8:30 PM.