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

Town of Shandaken Planning Board  
MINUTES FOR REGULAR MONTHLY MEETING  
September 14, 2016

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

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

Don Brewer, Chair	Present
Kath 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, Gael Alba, Rick Ricciardella, Randy Ostrander, Jean Druffner, Tina Rice, Grace Ann Louis, Christina

**Minutes of previous meeting:**

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

**Communications:**

End of term for Board Members is upon us. There will be an ad placed in October for someone for the Planning Board. Interviews will take place at the November Meeting and then a recommendation will be sent to the Town Board in December. The new or reinstated member will start term in January 2017.

**Old Business:**

**Zirinsky Lot Line Adjustment- 794 Rte. 214**

This application is still in front of the Board to be determined. Chair Brewer recused himself because he's the Land Surveyor for the project. Again, Mr. Zirinsky is asking to take the bridge that leads to the Homeowner's Association that currently lies on Mr. McLeod's property, into to his property so he can properly maintain it. This will make his property 1.238 acres total. The Planning Board previously sent this application to the ZBA for a variance to make this substandard lot smaller, which was granted. Need a vote from the Board to move the application forward. Because we're starting with two properties, and ending with two properties, a public hearing is not required. Motion was made by Board Member Horn to accept the application as submitted, seconded by Vice Chair Jordan.

**Roll Call Vote:**

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

Roll Call Summary: 7 Yes

**Air B&B**

Board Member Shiner has put together a list of regulations as a guideline for the Board to go over and discuss. The Planning Board does not want to stop these short term rentals, they simply would like to set some guidelines to be followed so the newcomers don't disturb the Town residents who are here all year round. They'd like to make them as simple as possible as not to deter people from renting out their homes. Their main concern is protecting the residents and neighborhood. General ideas are obtaining permits that are to be renewed annually, posting the rules and regulations on site, for short term rentals only, no more than 30 days. Month to month rentals do not apply. A local phone number is to be provided in case of emergencies, everyone within 200 ft. of the rental property will be notified so they're made aware. This is just a rough draft because the Board would like to send them to the town lawyer to help with the correct terminology. Motion was made by Vice Chair Kathy Jordan to send the list to the town lawyer for review, seconded by Board Member Rabuffo. All in Favor.

**New Business:**

**Ragnhild Arp – Subdivision – 56-60 Grandview Acres Rd.**

Mrs. Arp is applying for a subdivision to re-divide her lots that were previously combined to house her son on the same property. She's no longer in need of this second house so she'd like to subdivide the property and sell the one she's not using. This application was sent to the ZBA for a variance to make a substandard lot smaller, which was granted. Currently there is only one well on the property, Mrs. Arp has already agreed to dig her own well when the property is sold, but the approval will be contingent on that. Some discussion brought up by Board Member Kalb is that continuing to make substandard lots smaller is setting a dangerous precedent for the Town, as previous applications of similar stature were reviewed and denied by the Board. This particular case is conforming to all other surrounding lots. A motion was made by Board Member Horn to move the application to public hearing,

seconded by Board Member Rabuffo. All in Favor. Public hearing is scheduled for Wednesday October 12, 2016 at 6:30PM.

**Grace Ann Louis – Special Permit- Phoenicia Plaza**

Mrs. Louis is applying for a special permit to run a school conducted for profit in the Phoenicia Plaza on Route 28, zoned CLI. She's previously been running her group child care it from her home on Hummingbird Lane, but needs to expand due to high demand. This project actually consists of three businesses. The first is the school conducted for profit, i.e. yoga classes for children, which requires the Special Permit. Second, will be the nursery school, which requires a use variance because it's not permitted in that location. And lastly, will be retail of some sort which is permitted. We're trying to run them concurrently to speed the process along for the applicant because once everything is granted from the Town, they'll have to wait 90 days for the State to approve them as well. In this case, the use variance is not required to grant the Special Permit. A question was brought up about needing a Site Plan for this because it's required when applying for a SP. In this case, it already exists, they're not building a new building, it's a modification of an existing site. After some discussion from the Board, a motion was made to move the application to public hearing for next month's meeting on October 12, 2016 at 6:30PM. All in favor.

**Tony Athanasakes- Yard Sales-8572 Route 28**

Mr. Athanasakes originally came to the Board to apply for a Special Permit for yard sales he is currently having on his property along Route 28 in Pine Hill. He'd like to operate them only in the summer months on the weekends. At this time, there are no codes or rules about yard sales in the Town Code Book. He has two tents sitting at the edge of the front of his property, 45 ft. from the center of Route 28. One is 60 ft. and the other is 77 ft. He has a Special Permit to sell antiques out of his home, not outside of it. It's not permitted to have structures further out then the primary structure, or to sell items that aren't from your personal belongings, that you already own. Buying things elsewhere to sell from your property is technically not a yard sale, it's a business, which requires a Site Plan and survey to apply for a Special Permit. Mr. Athanasakes informed the Board that since there is no rules on "yard sales" he's going to continue doing them on the weekends in the summer, about 5 or 6 regardless of the Boards recommendations.

**County Liaison Report:**

Keith Holmquist not present

**Adjournment:**

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