

**TOWN OF SHANDAKEN PLANNING BOARD**  
***MINUTES FOR PUBLIC HEARING & REGULAR MONTHLY MEETING 2/13/13***

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The regular meeting was opened by Chair Joanne Kalb at 7:00 PM with the Pledge of Allegiance to the Flag. The Secretary called the roll, advised that a quorum was present and that the meeting could commence.

**ROLL CALL:**

Don Brewer	Present-Late
Art Christie	Present
John Horn	Present
Joanne Kalb	Present
Joan Munster	Present
Faye Storms	Present
Cliff Rabuffo	Present

*Roll Call Summary:* 7 present 0 Absent

*Others Present: Rod Futerfas, Kurt Boyer, David Walsh, Liz Potter, Beth Waterman*

- 1. New Business:** 2013-01 David Walsh 377 Rector Pl #19F New York, NY, Requesting a lot line adjustment for property located at Cinder Rd. and Silver Hollow Rd. SBL# 14.1-2-6.13 to 14.1-2-6.14, transferring approximately 5 acres, Zoned R1.5 & R5.

Mr. Walsh explained the reason for his request for the lot line adjustment. He indicates that the new configuration makes the lot more regular with both lots having stream access and there is some interest by one of his neighbors in purchasing this lot and he believes it will make it easier to sell. Member Storms asked about the septic system. Mr. Walsh indicated that the perk tests have been done and the paperwork has been submitted to the Ulster County Health Dept. A discussion was held on the details of the stream remediation and the size of the lots.

Motion was made by member Joan Munster to approve the lot line adjustment. Seconded by member John Horn, all members present in favor.
- 2. Case 2012-10 The Phoenicia Library PO Box 555 Phoenicia, NY.** They are seeking site plan review for property located at 48 Main St. Phoenicia, NY SBL# 14.13-3-4, Zoned HC

Kurt Boyer is here representing the library. They have indicated that the injunction preventing the Planning Board from acting on the application will be lifted. Attorney Rod Futerfas indicated that he has spoken with the Judges secretary and that the stay will be lifted. The secretary indicated that the attorney's representing the town in the Article 78 hearing that the Planning Board may proceed with this case. Chair Joanne Kalb said that she would prefer to wait on taking action until the stay has been lifted. Attorney Futerfas indicates that the town code allows for the Planning Board to continue in the process while the Article 78 proceeds. Member Joan Munster asked what will happen if the courts decide to overturn the variances granted. Mr. Futerfas indicated that the library would have to take down whatever work has been done. The library would like to continue to move the process forward. Member Faye Storms made a motion to send this case to public hearing contingent upon receipt of the stay being lifted. Seconded by member Art Christie seconded with all members present in favor.

*Other Business:* Member Art Christie made a motion to accept January's minutes as presented. Seconded by member Joan Munster, all members present in favor.

*Resolution 2013-01 is a resolution to hire attorneys Jacobowitz & Gubits to represent the Town of Shandaken Planning Board in the Article 78 filed by Hoffmeister & Nolte.*

*Motion made by member John Horn to hire the above named attorneys. Seconded by member Joan Munster,*

*Roll call vote:*

*Don Brewer-Absent*

*Art Christie- Yes*

*Joan Munster-Yes*

*Joanne Kalb-Yes*

*Faye Storms-Yes*

*Cliff Rabuffo-Yes*

*John Horn-Yes*

*There being no further business a motion was made by member Joan Munster to adjourn the meeting. Seconded by Art Christie, all members present in favor.*

*There being no further business a motion was made by member Art Christie to adjourn the meeting. Seconded by Chair Joanne Kalb, all members present in favor.*