



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

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**Town of Shandaken Planning Board
Minutes for Regular Monthly Meeting/Workshop
August 27th, 2025**

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

Roll called by Secretary to the Planning Board Olivia Amantia, and attendance was recorded as follows:

Cliff Rabuffo, Chair	Present
Joanne Kalb	Present
Allen Shiner	Present
Sam Spata	Present
Vivian Welton	Present
Juan Rosales	Present
John Horn	Absent

Roll Call Summary: 6 Present, 1 Absent

Others Present: ZEO Grace Grant, Alan Dumas, Jan Jaffee, Scott Olson, Don Brewer, Paul Hilton, Kevin O' Connor, Dennis Doyle, Robert Drake, Supervisor Disclafani

Minutes:

Chair Rabuffo made a motion to accept the minutes from the previous month's meeting, with one correction made by Board Member Spata regarding a motion. With that correction noted, Board Member Spata made a motion to approve the minutes, seconded by Board Member Kalb, all in favor.

Communications:

Chair Rabuffo states that the Board received a letter from ZBA Member Williams regarding the Leeway motel. Each Planning Board Member has a copy of the letter. There is a

discussion amongst the Board whether or not the Planning Board requested for the Leeway to go to the ZBA. ZBA Member Williams states they did not receive a formal request to send the applicant to the ZBA. Chair Rabuffo states they would like to formally request the Leeway to go before the ZBA. ZBA Member Williams states that Leeway’s lawyer felt it was not necessary to be before them. There is a discussion amongst the Planning Board and ZBA Member Williams about what they intend for the applicant to do moving forward. Chair Rabuffo states they would like the ZBA to interpret the code pertaining to this particular matter. The Board decided to table the matter for this evening, and will be further discussed at next month’s meeting.

Old Business:

Wellington Blueberry LLC 4.46-1-32.110 Special Use Permit/Site Plan Review

The next order of business is the Wellington Blueberry LLC. Jan Jaffee, Alan Dumas, and Kevin O’Connor of Rupco are all here to represent. At this time this is a final Site Plan and Special Use Permit approval for the project. The Board looks over Wellington Blueberry’s draft resolution. Chair Rabuffo ask’s if everyone has had time to look over the paperwork. The only change made to the most recent document are some typos. The Board Members do not have the most recent updated resolution with the typos corrected. Mr. Dumas shows Chair Rabuffo & the Board Members the most updated document to review. With no further questions or comments for the applicant or from the Board, Board Member Spata makes a motion to approve the application, seconded by Board Member Welton, roll call vote as follows;

Cliff Rabuffo, Chair	Yes
Joanne Kalb	Yes
John Horn	Absent
Allen Shiner	Yes
Sam Spata	Yes
Vivian Welton	Yes
Juan Rosales	Yes

New Business:

Paul Hilton 5.4-1-45.200 Special Use Permit/Site Plan Review

The next order of business is Paul Hilton for a special use permit/site plan review. Mr. Hilton attended a previous Planning Board workshop. He would like to convert his existing garage into a guest cottage. Chair Rabuffo ask’s if Mr. Hilton’s property is in the floodplain? Yes, the property is, but the proposed structure is not in the floodplain. Mr. Hilton has large copies of his property map that he shows to the Board to look over. Board

Member Shiner asks about the septic? There is a new holding tank not connected to any waste lines. The Board looks over the SEAF and notes that number fourteen on the list should be checked yes. Chair Rabuffo states the approval will be conditional on the septic approval. With no further questions or comments a public hearing is set on the 10th of September at 6:45, motion made by Board Member Spata, seconded by Board Member Welton, all in favor.

Eckert/Campbell Lot line revision 13.7-1-24

The next order of business on the agenda is a lot line revision. Don Brewer is here this evening to represent the applicant. Mr. Eckert's property lines are quite close to his structures, & his house, and he'd like to improve his septic system, and in order to do so he needed some more property. Mr. Campbell agreed to sell him a triangular piece of property at the base, which is shown on the maps presented. The smaller piece of property is Mr. Eckert's, and you can see how close the property line was to his house. He would like to purchase that 0.46 acres from Mr. Campbell which he agreed to do, so he can put a better septic in. The new parcel will be 2.194, Mr. Campbell owns 10 acres and he's selling off 0.46 to Mr. Eckert so he can put a septic system in. With no further questions or comments, a motion was made by Board Member Spata to approve the lot line revision, seconded by Board Member Welton, roll call vote as follows;

Cliff Rabuffo, Chair	Yes
Joanne Kalb	Yes
John Horn	Absent
Allen Shiner	Yes
Sam Spata	Yes
Vivian Welton	Yes
Juan Rosales	Yes

Rimondi Subdivision 14.1-2-29

The next order of business on the agenda is Rimondi for a subdivision. Don Brewer is here this evening to represent the applicant. Mr. Rimondi owns 58 acres on Silver Hollow Rd. in Chichester. The property has always been divided by the road. There's a house on both sides of the road. He just simply wants to make them separate parcels. The parcel on the north side of the road is 17.9 acres, basically 18 acres, the parcel on the south side is 40 acres. Each lot currently has an existing house, septic, and well. Board Member Shiner ask's what was one lot, will now be two lots? Mr. Brewer states yes. Board Member Spata ask's if either of the lots will be bridging across the zoning district? One lot is R3, and one is R5. With no further questions or comments, Board Member Spata makes a motion to set a public hearing for the applicant, seconded by Board Member Welton, all in favor. The public

hearing will be on September 10th 2025, at 7:00. It is noted the SEAF for each project will need to be approved at next month's meeting.

Verizon Wireless Special Use Permit/Site Plan Review 14.13-3-32

The next order of business is Verizon Wireless; Scott Olson is representing the applicant this evening.

Following the ZBA's denial of the requested height variance, Verizon has resubmitted their application for a Special Use Permit to construct the tower in the same location. Verizon is asking the Planning Board for a Special Use Permit to erect a 175' tower with a 4' lightening rod. At that height a variance would not be required.

Verizon informs the Board that the tower at 175' will not accommodate Ulster County's needs for radio communications in support of emergency service providers in the Town. As such, Ulster County will be requesting permission to erect their antennas at a height of 195' for radio communications by implementing the County of Monroe balancing test.

Mr. Olson states if the Planning Board were to grant approvals for the Verizon tower, then they could consider that an approved tower, and then consider the county's request to go higher. And clearly the county has a public purpose. They're trying to upgrade their emergency services radio system.

Following consultation with the town's attorney, Chair Rabuffo states the Town Board would do the balancing test, not the Planning Board. Mr. Olson feels that the Planning Board can do the test.

Mr. Umhey who lives directly next to the proposed cell tower site, is here to express his opposition regarding the tower. Umhey states the survey/map lines are incorrect, they're too close to his property line, and Verizon wants to use his power lines. Board Member Kalb asks Mr. Umhey the tower itself is on your property? Mr. Umhey states no they want to use my power line, and that the survey needs to be re-done, because it is not accurate. Mr. Umhey feels the ZBA should also be involved in this process. There is a discussion amongst the Board, and Mr. Olson and the PB review the map of the site for the proposed tower.

Hank Williams, acting Chair of the ZBA, submitted a letter ratifying the ZBA's denial of the variance for the Planning Board to review. Said letter has not yet been adopted by the ZBA.

Mr. Umhey states he is completely opposed to the tower as it will be in his back yard. Chair Rabuffo states they need to know if the property lines are accurate. Mr. Olson states he will go back to the surveyor for clarification.

There is a discussion amongst the Board, and Mr. Olson regarding the necessary height needed for cell service, and for the County to put their antennas on the tower for emergency

services. There is a discussion regarding the fall zone, setbacks, and the zoning district. Mr. Olson states they did not decide what zoning districts are permitted for these, the town board did. If someone doesn't like the zone that it's in, it's completely irrelevant. Because it's already been decided that it's an appropriate zoning district.

Dennis Doyle, Ulster County Planning Board is here this evening with some paperwork for the Board to review regarding the tower. The relief that the county is requesting, is the relief from the variance provision for the height. The telecommunications statute doesn't define public safety and radio. Mr. Doyle adds that 95 percent of all 911 calls are made by cellular communication. Mr. Doyle hands the Board members paperwork detailing why this specific site was chosen for the proposed tower.

Supervisor Disclafani states that the cell tower is needed in our area, and unfortunately will always affect someone. Supervisor Disclafani adds that we need better service, but does anyone want to drive up route 28 and see the cell tower? Probably not. The Monroe County test is brought up, and Supervisor Disclafani states either the Town Board or the Planning Board will decide the next steps for that. Town Board Member Drake states he has spent over three years trying to bring cell service to our town. He adds he has spent hundreds of hours working on this, and has looked at one to two dozen parcels including this proposed location. Mr. Drake states that there are several obstacles at the additional locations that have been looked at for the tower, such as deed restrictions and being too close to a water supply. Mr. Drake states that cell service is deeply important, and emergency radios are also very important. The Pine Hill Fire Dept has many challenges due to the lack of service. Mr. Drake states he understands Mr. Umhey's opposition, but it is the only usable site. Mr. Drake adds that if this doesn't happen, cell service will not be improved in our area for another 15-20 years. Mr. Drake also feels that the Planning Board should continue to handle this, not the Town Board.

It is noted that there are also no legal restrictions being in the scenic byway. Board Member Welton mentions the public interest/ balancing test that was mentioned, and ask's who would hold that, the Planning Board? or the Town Board? Board Member Spata states that cell towers are allowed in the zoning code, and ZEO Grant states that law overrules zoning code. Chair Rabuffo states that the property line needs to be verified on the application. Board Member Spata states the lowest practical height for the tower should be the minimum height that's needed. Board Member Spata adds, he'd like to see the tower lower. Board Member Rosales ask's what would that do? Board Member Spata states that it is unsightly. ZEO Grant adds that a SEQR public hearing needs to be done as well for the tower. Board Member Welton feels that we should have one hearing for this one tower, Board Member Spata disagrees and states that elected officials should weigh in on this matter. There is a discussion amongst the Board regarding the public hearing, and Board Member Shiner makes a motion to set the public hearing for Verizon for September 10th at 7:05, motion seconded by Board Member Kalb, all in favor.

Combe Lot Line Adjustment 23.1-9.210

The next order of business on the agenda is Ralph Combe for a lot line adjustment. Don Brewer is here this evening to represent the applicant. The applicant owns 17.7 acres his dad owns 3.4 acres, and they'd like to make a boundary line adjustment. This adjustment will help with the access to the trails as well. The applicant would like to take 0.91 acres off of the 3.4 acres, and add it to the 17.6 acres. The smaller lot will become smaller. With no further questions or comments, Board Member Spata makes a motion to approve the lot line adjustment, seconded by Board Member Welton, roll call vote as follows:

-	Cliff Rabuffo, Chair	Yes
	Joanne Kalb	Yes
	John Horn	Absent
	Allen Shiner	Yes
	Sam Spata	Yes
	Vivian Welton	Yes
	Juan Rosales	Yes

Other Business:

Don Brewer is here to represent the new owner of the First Spanish Baptist camp. It has been there since 1903. The camp was used as a hotel and they need determination that it is a hotel, it has 40 rooms and the new owner would like to make 2 rooms offices. The County states it is a hotel, and that the occupancy can be at 72 percent. The Church had bunkbeds in the rooms, the new owner would like to remove the bunkbeds and put in regular beds. There is a question about allowable use on the site. ZEO Grant states there are 2 cabins on the lot, and it is a 26-room hotel. They'd like to use the cabins as workforce housing. It is noted that the Planning Board issued a special use permit for this site in 2003 for a religious retreat. Board Member Spata asks what needs to be done for this to be approved? ZEO Grant states it is up to the Planning Board to decide. Chair Rabuffo states they are utilizing the existing 38 rooms, the footprint does not change, just switching of beds. Board Member Shiner ask's what the occupancy is? The County approved it for 72 people. There is a discussion amongst the Board, and it is determined that this will be a sketch plan conference, motion made by Board Member Spata, seconded by Board Member Rosales, all in favor.

Communications

The next order of business on the agenda is a letter from the Leeway's lawyer regarding the issue with the proposed temporary event tent. ZEO Grant states the letter states that the Planning Board has been holding this process up. Board Member Shiner states that to summarize this matter, the Planning Board has been listening to public outcry regarding this proposed event tent. Board Member Shiner adds that we're not listening to random outsiders, the people who have spoken out are directly, and will be directly affected by this. Board Member Shiner adds that this application is unlike any other use. ZEO Grant states that she cannot find evidence that the PB has approved wedding venues in the past, but prior and current CEO's and ZEO's have approved these types of structures and uses on commercial properties. There is a discussion amongst the Board and the ZEO regarding the definition of a tent, is it a structure? There is a discussion amongst the Board and ZEO Grant regarding use, Board Member Welton adds the dangers of the parcel being in the floodway as well, the flood danger is significant. At this time Chair Rabuffo states a letter from the PB will be sent requesting this application to go before the Zoning Board of Appeals for a formal request determination. Motion made by Board Member Spata, seconded by Board Member Rosales, all in favor.

Other Business:

At this time, Chair Rabuffo calls for an executive session to conduct Planning Board interviews, for the open position on the Board.

The executive session ended at 9:35 pm. Board Member Spata made a motion to recommend Chandra Valenti for the open Planning Board position, Board Member Rosales seconded the motion, and for Tania Stapleton to be an alternate, all in favor.

Old Business:

Adjournment: Board Member Kalb made a motion to adjourn the meeting, board Member Spata seconded, all in favor. The Meeting was adjourned at 9:37pm.

These minutes were prepared by the Planning Board Secretary Olivia Amantia