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**Town of Shandaken Zoning Board of Appeals
 Minutes for Public Hearings
 January 21st 2026**

Public Hearing was opened at 6:45

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

Mark Loete, Chair	Absent
Gary Guglielmetti	Present
Allen Vella	Present
Christian Lynch	Present
Frank Cuevas ,alt	Present
Ruby Huber , alt	Present

Roll Call Summary: 5 Present, 1 Absent

Others Present: Zoning Enforcement Officer Grace Grant, David Giangreco, John Michelotti jr, Hank Williams, Board Member VanBlarcum, Board Member Steen, Board Member Kneissl, Supervisor Mansfield

Linda Pattie & Carol Estey Area Variance 13.16-2-48

Acting Chair Vella made a motion to open the public hearing, seconded by Board Member Lynch, all in favor. Following the legal notice being read, Mr. Giangreco is here to represent the applicant. There are two letters of support for the variance, the variance is needed due to the size of the property. The variance is for a proposed studio, 7 feet in the front and 4 feet in the back. With no further questions Board Member Gugliemetti made a motion to close the public hearing, seconded by Board Member Lynch, all in favor.

**Town of Shandaken Zoning Board of Appeals
Minutes for Regular Monthly Meeting
January 21st 2026**

Minutes:

The regular monthly meeting was called to order at 7:00 pm with the pledge of allegiance. Acting Chair Vella 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, Board Member Gugliemetti makes a motion to approve the minutes, seconded by Board Member Lynch, all in favor.

The first order of business on the agenda is Linda Pattie & Carol Estey 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	Absent
Gary Guglielmetti	Yes
Allen Vella	Yes
Christian Lynch	Yes

3 yes 1 absent

John Michelotti 12.-1-27 Use Variance

The next order of business on the agenda is John Michelotti for a Use Variance. Mr. Michelotti's son is here this evening to represent. The variance is needed to create an efficiency apartment on the second floor of an existing garage space. The building next to the structure is also a rental, and the variance is needed for a second accessory dwelling. Board Member Lynch ask's if there is a floor plan, Mr. Michelotti states no there is not at this time, there are drawings but not with him. ZEO Grant states this application will need to be referred to the Ulster County Planning Board, since it is within 500 ft of a county road. With no further questions or comments for the applicant, Board Member Gugliemetti made a

motion to set a public hearing for the applicant at next month's meeting, seconded by Board Member Lynch, at 6:45 all in favor.

Communications:

The next order of business is communications, regarding a letter that was submitted by Wade Baker, resident of Firehouse Rd. Mr. Baker is here regarding a variance that was granted to the Big Indian Olivera Fire dept for a led informational sign. Mr. Baker attended the Zoning Board of Appeals meeting/public hearing when the application was first before the Board. Mr. Baker had concerns about the proposed sign initially, and did a site visit with the Chief of Big Indian Olivera Fire Dept to look at where the proposed sign would be. Following the site visit Mr. Baker said he did not have an issue with the sign, and the variance was granted. Mr. Baker states now that he's had some time to think about the sign, he is opposed to a potentially bright flashing sign in his backyard, and felt pressured to say yes to the sign. He's supportive of our local fire department, and knows the importance of our local volunteer firefighters, but does not want an intrusive sign in his back yard. Acting Chair Vella asked if Mr. Baker had spoken to the Fire Department about this? Mr. Baker states yes, he has, but they did not want to speak about it. ZEO Grant states it's been over thirty days since this variance was granted; therefore, they unfortunately cannot do something about it. The Board wishes Mr. Baker the best of luck resolving this matter with the Fire Department. Acting Chair Vella adds that he understands Mr. Baker's concerns, but it's important to have signage, they're also programable so they can be less bright.

Old Business:

Other Business:

The next order of business is interviews for the Zoning Board of Appeals open spot. Town Board Member VanBlarcum states that the interviews for the open spot on the Zoning Board of Appeals were not held in December, typically interviews are held behind closed doors. Board Member VanBlarcum states that this is for transparency & a courtesy for the public. Due to the amount of pushback regarding Board Member Williams being removed from the Board, with out his knowledge, these interviews are being held this evening, since it was not done in December. There will be five questions asked to Mr. Williams, and Mr. Cuevas as part of the interview process for the open position on the Zoning Board of Appeals.

The first question asked by Board Member VanBlarcum is, what is the purpose of the Zoning Board of Appeals? And as a Member how would you enforce that?

Mr. Williams states that the ZBA is a quasi-judicial court that is a safety valve between current zoning codes that might be restricted and residents with land use problems. Being a part of the ZBA gives the Board and the town an opportunity to relax a lot of those regulations to allow residents or land owners/property owners to do things that are prohibited by the zoning code. This includes use variances, area variances, or administration issues or

interpretations. The next question asked is by Acting Chair Vella, he states that Hank has been on this Board for a long time, and why he wishes to continue? Mr. Williams states that in the past five years there have been several important issues that have come before the ZBA, in regards of the future of the town, and also the residents of the town , which has been an issue between the community growing in a way that might benefit the residents, but also growing in a way that can also be determinantal to the residents. These issues include the proposed cell tower in the middle of residential housing. From the work that was done, and the research conducted, Verizon wireless was able to find an alternative site that was better for the town, and the family whom reside to the potential cell tower that was proposed. The Leeway motel was another project with a lot of concerns, and potential problem for residents and homeowners, and there are bound to be more issues going forward. Mr. Williams states that the ZBA has to regulate between the town legislative body, and the ZBA as an administrative body and the rigid zoning code. So, you need a good strong Zoning Board to be able to do this, it takes research, community input, and a lot of input from the Town Board. Mr. Williams adds that at all of the ZBA meetings in the past, there is rarely any one from the Town Board at the meetings. Supervisor Mansfield ask's what would be an instance that would be okay to ignore legal counsel? Supervisor Manfield states that there was legal council present at the November meeting and advice was given that Mr. Williams pointedly ignored.

Supervisor Mansfield states that the town's legal council advised the ZBA to table the public hearing that was before them at the time, and the ZBA chose not to. Board Member Lynch asks if the Supervisor can be more specific regarding that issue. Supervisor Manfield states the Town's attorney advised the ZBA to close the public hearing, but to leave the matter open to comment from anyone for 14 days, and then to revisit the issue at the next meeting. Mr. Williams states that the issue with the Leeway went on for almost a year, there were many issues with the Leeway interpreting what the code actually meant and how it is applied. Based on many years prior to Grace Grant being the ZEO, which she does a great job at it. There were many issues regarding the tents in other facilities, and the proposed event tent that the Leeway wanted to put up. Mr. Williams states in August he had sent a letter to former Supervisor Disclafani regarding the other venues putting on weddings and events, and asked that the permits for event tents should be stopped until this issue with the Leeway was worked out. It took a very long time for the ZEO to make the decision which was not an easy decision to make, and she made a decision on what she thought was right. The application for the proposed event tent for the Leeway motel came before the ZBA bad was very difficult for the ZBA to make the decision, the issue had been ongoing for months. Mr. Williams states he believes it was in the best interest of the town, and it was heard that the town would be sued if they did not grant the Leeway the approvals for the tent, but the town would have been sued regardless, if the Leeway had been granted approvals, or if they we're not.

The next question asked by the ZBA is from ZBA Chair Mark Loete, who unfortunately due to his health could not be in attendance this evening. Board Member Lynch reads, past ZBA

preceding's have been governed by two overarching principles. The first one is preservation of the unique character of our community, and two enabling economic development. Usually these two principles compliment each other, if you should encounter a ruling whereby, they contradict each other, in your judgment which would take precedent, A or B? Mr. Williams states that's a very difficult question, because both of those statements are very important to the town either way. Economic development is crucial to the town, but what people don't realize in this town is that only 22 percent of the land is owned by private individuals. The rest is protected property, or land. To squeeze in economic development on the small 22 percent is very difficult, when you do that, you're hurting the residents that live here. So, I believe in my heart that both of them are very important, but if I had to choose one or the other, I would choose A, preservation of the unique character of our community.

The last question is asked by Board Member Steen as follows, there is required training that has to be done by the Board Members, have you done this training, and if reappointed do you intend on continuing the training? Mr. Williams states that when it comes to training, the town has not done any for 50 years as far as he knows. The training as far as the state goes, it's required for PB and ZBA members to have it. In 2024 one hour of training was completed, as well as two hours credit from the former Supervisor Disclafani. Mr. Williams states he does a lot of studies and training on his own, as well as webinars. The training gives the town a lot of latitude in what they can do with training. It does not say you must have four hours of training or you can't be a Board Member, it gives the town latitude to either decrease the training, increase the training or say what kind of training is required. It is up to the Board Members to go out on their own and find the material that will qualify for training. If the training is so important, there should be four hours of training every year for the ZBA and the Planning Board, given at the Town of Shandaken, with clearer guidelines, of what is and what is not accepted.

The next applicant for the open ZBA position is Frank Cuevas, the first of five questions is asked by Board Member VanBlarcum, what is the purpose of the Zoning Board of Appeals, and how would you enforce it? Mr. Cuevas states it's an interpretation of the code, and it's meant to be a buffer between the ZOE and article 78. If the enforcement officer makes a determination of how to interpret the code initially and if someone disagrees with that, they come to the ZBA.

Acting Chair Vella ask's what's your motivation for wanting to be a part of the Zoning Board of Appeals? Mr. Cuevas states it's really a motivation that stems from a desire to give back to the community, and my background has been in real estate for the better part of 35 years, various capacities of real estate. Mr. Cuevas states he'd like to help the town with his experience. Mr. Cuevas states he thinks there's various ways in which he can take his experience and benefit the community.

The next question is asked by Supervisor Mansfield, she states what's an example perhaps or generally speaking, when would you ignore legal council during a meeting, if the town's

attorney was at a meeting. Mr. Cuevas states that he does not think that he would ignore legal counsel. Mr. Cuevas states he thinks legal counsel is always there to help you interpret the law, and I think it's really important as a responsibility that we understand everyone's perspective and position. Mr. Cuevas adds that he would not ignore legal counsel but I would take it into consideration and whatever is being determined.

The next question is asked by Board Member Lynch, past ZBA proceedings have been governed by two overarching principles, A preservation of the unique character of our community, and B enabling economic development. Usually, these two principles compliment each other. If you should encounter a ruling where they contradict each other, in your judgment which would take precedent, A or B?

Mr. Cuevas states, I think it really comes down to what's in the code, and not a personal preference. It comes down to what is the need of the community, and what are the laws that dictate what can and can't be done. Board Member Lynch states, that this is not usually in the code, it's usually something that they're coming here before this board, because it's actually not addressed in code. Mr. Cuevas states I think there would be a balance with exactly what the need of the community is as you think forward into the future. As you look to the community's future, you need to think about preserving the character of the community. At the same time understanding that if there isn't the focus on the proper development or the proper economic situation that it's going to become harder and harder for the community to survive the way it is. It should always be a balance and personally it would come down to trying to make the determination of how much does it impact the character of the community versus how much does it help the economic situation of the community? Board Member Lynch states so you don't want to select one or the other, of the two choices? Mr. Cuevas states he feels it would depend very much on the circumstances.

The next question is from Board Member Steen, stating there's been a question of training, and if you have completed the required training for the ZBA, given the necessary paperwork to the town clerk, and if you're appointed to the ZBA do you plan on continuing to train? Mr. Cuevas states training to him is an important aspect of any qualification, not just to be qualified but to continue to be qualified. As a licensed real estate broker, I've been doing continuing education training for a long time, so I'm used to it. Mr. Cuevas states that he's done two hours of Zoning Board training through the department of state, as well as two additional hours tomorrow for additional zoning training. The first two hours a certificate has been submitted to the town clerk.

Acting Chair Vella ask's Mr. Cuevas to give the Board some more information about his experience, and why he would be qualified to be on this Board. Mr. Cuevas states in his youth he was a construction worker in Los Angeles. Mr. Cuevas states when he moved to New York in his early 20's he no longer wanted to work in construction, so he stated in the real estate business. Mr. Cuevas states in his mid-20's he got involved in real estate project management, so I was managing construction projects on behalf of corporations. Mr. Cuevas

states that evolved over the years, and his degree is in real estate from NYU. Mr. Cuevas states that it allowed him over the years to really progress his career from construction management to leasing transactions. As well as managing real estate development, investments, finance. Mr. Cuevas states he interacts quite closely with all legal teams, and currently is a real estate manager for a company that deals with real estate, around the world.

Board Member Lynch states he has one more question, that's been a topic of discussion, were you at all of the meetings since you were appointed as an alternate, because my understanding is, you only attended the previous meeting in December. Mr. Cuevas states that he was out of town in October, but attended November and December's ZBA meetings. Mr. Cuevas states that he was not introduced to the Board, or vice versa. Acting Chair Vella points out, he knows the other alternate, Ruby Huber, and had spoken to her when she became an alternate, but that neither Mr. Cuevas, or Ms. Huber who were appointed as alternates were ever introduced to the Zoning Board of Appeals, they were just present one day at a meeting.

There are several town residents who are here this evening in support of Hank, and who feel that he's the best candidate to continue his term on the Zoning Board of Appeals. The several residents who came to support him, express disappointment in the Supervisor and the Town Board, for the way that this situation came about, and how it's being conducted now.

Another concerned resident feels that there are two teams, one who cares more about business, and one who cares more about the community. To not consider Hank for another term, when he wants to stay seems completely wrong. Sam Umhey whose house is directly next to the proposed cell tower that Verizon wanted to erect, was very grateful and thankful to have the support of Hank Williams and the ZBA who was able to help Verizon wireless consider alternate locations, and not affect the Umhey's quality of life in a very negative way. Mr. Umhey states that he's clearly qualified, and does a great job, and thanks Hank and the ZBA for all they've done.

Molly Holm local resident states in regards to the Leeway project, three members of the Planning Board did vote against it, and for some reason there's a hyper focus on Hank, the ZBA as a whole made a decision and the Planning Board was spilt on the decision with the Leeway, so Hank should not be held responsible for all of those decisions. Mrs. Holm adds that it makes her nervous to have someone who does global real estate on the ZBA because I'm really worried about locals being protected from the growing tourism and hotels and wedding venues.

Mr. Michelotti states that he can't speak about Hank because he does not know him, but can speak for Frank since they are neighbors. He states that Frank is very fair, very well read, and very well researched and feels he wants what's best for our community.

Hilary Lightner states that the ZBA gets along wonderfully, and all work together well, it's a good strong group, and it's what the town needs, so why mix it up at this point.

Jeanne Malloney is here to support Hank, and knows that these positions are volunteers, and that they do their best. Mrs. Malloney states the town is like a big business, and why would you get rid of your most experienced personal at the drop of a hat, they keep the continuity going so that things run smoothy, and it's not done overnight. There should have been a lot more deliberation, consideration and a lot more thought and understanding into this kind of decision. To get rid of someone with a lot of experience, and who wants to do the job, to me to say change is good, does that mean that no one should be an incumbent ever? Does that mean that any Board Member should only have one term, because change is good? Change isn't good, continuity is good, especially when someone is doing a fine job, and wants to do the job, and everyone is happy with the job their doing, except for a few people.

Acting Chair Vella makes a motion to recommend Hank Williams to the Zoning Board of Appeals to another term, seconded by Board Member Gugliemetti, all in favor.

Adjournment:

There being no further business before the Board, a motion was made to adjourn the meeting by Acting Chair Vella, seconded by Board Member Gugliemetti, all in favor. Meeting adjourned at 7:54 pm. These minutes were prepared by the Zoning Board of Appeals Secretary Olivia Amantia