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**Town of Shandaken Zoning Board of Appeals
 March 18, 2026
 Public Hearing Minutes
 Marante/Garcia – Area Variance – 13.4-1-14**

The Public Hearing was called to order at 6:32pm.

Roll Call

Allen Vella, Chair	Present
Gary Guglielmetti	Present
Frank Cuevas	Absent
Ruby Huber	Present

Roll Call Summary: 3 Present, 1 Absent

Others Present

ZEO Grace Grant
 Jesus Marante & Dianelys Garcia
 Daniel Casey
 John Michelotti Jr
 Kimberly Snyder
 Robert Brown

Legal Notice was read for the record.

Applicants are requesting a 63-foot Area Variance in order to construct a single-family residence. This exact variance was approved for the prior owners in 2016; however, the house was never constructed, but the septic was installed.

Applicants have explored alternative sites for the proposed home, but given the parcels slope and irregular shape those alternate locations are not possible.

Concerns regarding the tree canopies that would be over the proposed house but are located on the neighboring parcel have been addressed by Grand Arbor Tree Service who has informed the applicant that any tree canopies that could potentially fall toward the proposed home are in healthy standing condition, posing no imminent hazard.

Robert Brown, abutting parcel owner, is present to speak about the application.

Mr. Brown began by referring to the meeting minutes from the previous month when this application was before the Board. He stated that the minutes indicated that he and his wife were not in favor of pursuing a lot

line adjustment to eliminate the need for a variance due to cost. Mr. Brown clarified that this characterization was inaccurate.

Mr. Brown explained that he and his wife, Ginger Brown, had in fact proposed the lot line adjustment. He stated that, due to the steep slope on the property, they offered to convey a portion of their land to the applicant, with the understanding that the applicant would assume responsibility for maintaining the trees in that area.

Mr. Brown further stated that while they are not opposed to the granting of a variance or to the construction of a house on the parcel, they do object to the proposed location of the house being 12 feet from their property line.

Mr. Brown also referenced discussions from the December meeting, noting that there had been a conversation between himself and the applicants regarding conducting a survey and sharing the associated costs. He emphasized that cost had not been a point of contention and indicated that he has text message correspondence supporting this claim.

Mr. Brown stated that there remains a disagreement between the parties regarding the proposed lot line adjustment. He expressed concern that ownership of the steep slope area behind their parcel would have implications for health and safety, particularly in relation to tree maintenance. He reiterated that he does not wish to be responsible for trees located adjacent to a proposed house.

Chair Vella asked Mr. Brown whether a new survey had been completed. Mr. Brown responded that a new survey had, in fact, been conducted.

Applicant stated that when the survey and potential lot line adjustment were discussed, it was understood that a full survey of both the applicants and Mr. Browns properties would be required. She explained that this was presented to Ginger Brown, who indicated that they were not prepared to take on the expense of surveying their property. The applicant stated that this position was expressed multiple times, which led to the understanding that the Browns were not willing to proceed with a lot line adjustment due to cost.

Dianet further stated that while moving the proposed house forward had been considered, it was not a simple or feasible solution. She reiterated that the lot line adjustment was not pursued because of the Browns stated unwillingness to share in the associated survey costs.

She added that, even if a lot line adjustment were completed, the typical height of trees in the Catskills—ranging from approximately 40 to 80 feet—would still present a concern. Dianet explained that even if the house were moved back by 20 feet, trees located along the property line could still pose a risk of falling onto the house.

Chair Vella noted that several months had been provided for the neighbors to discuss their concerns, and observed that little progress appeared to have been made. Dianet responded that discussions had taken place over the past two months, a survey had been completed, and that there was no further discussion to be had. She stated that they were not open to additional negotiations.

Chair Vella stated that both parties had been given sufficient time to resolve the matter independently, and that the Board did not wish to prolong the process further.

Mr. Brown stated that he and his wife would like to continue exploring alternative solutions, but that the applicants were not interested in doing so. Dianet clarified that they were not unwilling to consider alternatives, but that they had not been presented with any option that would meaningfully change the situation.

A discussion then followed between Mr. Brown and the applicants regarding concerns about trees located on and near their respective properties.

A motion to close the Public Hearing was made by Chair Vella, seconded by Board Member Guglielmetti; all in favor.

Town of Shandaken Zoning Board of Appeals
March 18, 2026
Public Hearing Minutes
John & Ann Carol Michelotti – Use Variance – 12.-1-27

The Public Hearing was called to order at 6:50pm.

Roll Call

Allen Vella, Chair	Present
Gary Guglielmetti	Present
Frank Cuevas	Absent
Ruby Huber	Present

Roll Call Summary: 3 Present, 1 Absent

Others Present

ZEO Grace Grant
Jesus Marante & Dianelys Garcia
Daniel Casey
John Michelotti Jr
Kimberly Snyder
Robert Brown

Legal Notice was read for the record.

Applicant is seeking a Use Variance in order to convert an existing garage to a second Accessory Dwelling Unit (ADU). Zoning Code (116-40P.4) does not allow more than one ADU on any lot.

Mr. Michelotti stated that, in response to the Board's request at a previous meeting, he has submitted a floor plan of the proposed apartment. He explained that the unit is intended for long-term rental use. Mr. Michelotti further noted that the project has been awarded a grant through RUPCO, which is specifically designated to support long-term rental housing.

There were no members of the public present to speak on the application, and no questions were raised by the Board.

Chair Vella stated that correspondence had been received from the Ulster County Planning Board, which included several recommendations. These recommendations specified that short-term rentals should not be permitted and suggested that an Area Variance, rather than a Use Variance, may be more appropriate for the application.

Chair Vella further noted that the Zoning Enforcement Officer (ZEO) had provided clarification regarding the type of variance required. ZEO Grant explained that an Area Variance provides relief from dimensional or physical requirements of the zoning code, such as setbacks, height restrictions, and lot coverage. She stated that where a proposed use is not permitted under the zoning code, relief must be sought through a Use Variance, which is the type of application submitted in this case.

A motion to close the Public Hearing was made by Board Member Guglielmetti, seconded by Board Member Huber; all in favor.

Town of Shandaken Zoning Board of Appeals
March 18, 2026
Public Hearing Minutes
Julia Roding – Area Variance – 25.11-1-22.311

The Public Hearing was called to order at 7:00pm.

Roll Call

Allen Vella, Chair Present

Gary Guglielmetti Present

Frank Cuevas Absent

Ruby Huber Present

Roll Call Summary: 3 Present, 1 Absent

Others Present

ZEO Grace Grant

Jesus Marante & Dianelys Garcia

Daniel Casey

John Michelotti Jr

Kimberly Snyder

Robert Brown

Legal Notice was read for the record.

Kimberly Snyder from North Engineers is here to represent the applicant this evening.

Applicant is seeking approvals to erect a free-standing sign.

With no questions from the Board, comments from the audience, or correspondence Board Member Huber made a motion to close the Public Hearing, seconded by Board Member Guglielmetti; all in favor.



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**Town of Shandaken Zoning Board of Appeals
 March 18, 2026
 Minutes for the Regular Monthly Meeting**

Call to Order

The regular monthly meeting of the Town of Shandaken Zoning Board of Appeals was called to order at 7:03pm by Chair Allen Vella, followed by the Pledge of Allegiance.

Roll Call

Allen Vella, Chair	Present
Gary Guglielmetti	Present
Frank Cuevas	Absent
Ruby Huber	Present

Roll Call Summary: 3 Present, 1 Absent

Others Present

ZEO Grace Grant
 Jesus Marante & Dianelys Garcia
 Daniel Casey
 John Michelotti Jr
 Kimberly Snyder
 Robert Brown

Approval of Minutes

Board Members reviewed the February 18, 2026 meeting minutes.
 Motion by: Chair Vella – Approve minutes
 Second by: Huber
 Vote: All in favor – motion carried

Old Business

**Marante – Area Variance
 Tax Map No. – 13.4-1-14**

With no questions or comments from the Board, Chair Vella makes a motion to approve the Area Variance, seconded by Board Member Guglielmetti; roll call vote:

Other Business

Board Member Lynch resigned from the Zoning Board of Appeals leaving a vacancy on the Board. The Town Clerk has since advertised the open position.

The Zoning Board of Appeals will conduct interviews for the position during their April 15, 2026 meeting. Any interested party should contact the Town Supervisor for more information.

Adjournment

Motion by: Vella to Adjourn the Meeting

Seconded by: Huber

Vote: All in favor – Motion Carried

Meeting adjourned at 7:11pm.

Prepared by:

Olivia Amantia

Zoning Board of Appeals Secretary