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**Town of Shandaken Planning Board
Minutes for Workshop
August 26th, 2026**

The workshop 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:

Joanne Kalb, Chair	Present
Sam Spata	Absent
Vivian Welton	Present
Juan Rosales	Absent
Chandra Valianti	Present
Tania Stapelton	Present
Phillip Mones	Present
Matthew Frisch, alt	Present

Roll Call Summary: 5 Present, 2 Absent

Others Present: ZEO Grace Grant,

Following roll call and the pledge, Chair Kalb asks if the Board Members have reviewed the previous month's workshop meeting minutes. With no questions, or corrections, Board Member Valianti makes a motion to approve the minutes, seconded by Board Member Welton, all in favor.

J Anthony Group LLC 13.16-2-42.200

Colin Houston with Don Brewer surveying is here this evening to represent the applicant. The J Anthony Group owns the Phoenicia Lodge; the Phoenicia Lodge is currently comprised of two separate tax parcels. There is another parcel directly adjacent to them that is for sale. The entire block is in the HC zone according to the Town's zoning map. The J Anthony Group

would like to purchase the parcel for sale and convert it into three additional lodging units.

There's currently a relatively recent septic system that was installed there, and are in the process of obtaining a letter from the DEP since they were involved in the septic, which was rated for a 3-bedroom house. Chair Kalb asks Mr. Houston if the Phoenicia Lodge owners upon purchasing this proposed parcel, plan on making it all one parcel. Mr. Houston states no, it would benefit them from a financing standpoint to keep it as a separate parcel. Mr. Houston states the owners do not wish to combine the new proposed parcel with the existing lodge buildings, for financial/tax reasons. Mr. Houston states the proposed lot was part of a subdivision that was approved in 1988. ZEO Grant states the question is can the owners of the Phoenicia Lodge incorporate this new use of the three units as an expansion of this preexisting nonconforming use because it would be by less than 50%, can they do that? if this lot line is not removed? Chair Kalb states she sees no problem with it, and the applicant has a good reason to keep the parcels separate. Chair Kalb states when the application is complete it will be a Site Plan Review, and the Board would like to see the parking, septic, and well on the application.

Calandra Cruickshank 12.-1-21.110

Frank Cuevas, Calandra Cruickshank's husband is here this evening to represent. Mr. Cuevas is requesting a special use permit at 58 Hatchery Hollow Rd. to put up a ham radio, or amateur radio tower. It would be a 40 ft tower with a 10 ft mast, so it would go up to 50 ft, it's within the zoning guidelines but it does require a special use permit. Mr. Cuevas states in his application it provides all the details of the proposed tower placement, the tower is essentially in a wooded area, and wouldn't disturb anyone, and the owners home is 250 ft away. ZEO Grant states the public hearing could be set next month, if it's okay with the Board, following this evening's workshop presentation. ZEO Grant adds that SEQR needs to be determined as well, Chair Kalb states that it is a type two action, and the public hearing for the applicant can be set at September 9th's Planning Board meeting at 7:00.

Kackos 12.1-17-18

Colin Houston is here this evening to represent the applicant. In the 1970's Mr. Kackos entered into a written agreement with Alex Yagusitz to purchase a piece of land. Mr. Houston states money was exchanged and a building permit was obtained. Mr. Houston states that the agreement between Mr. Kackos and Mr. Yagusitz was to sell an acre of land, but nothing was ever formalized, or documented. There are documents and records of checks for the purchase of the land. Mr. Houston states that the property is bisected by a zoning district line. Part of it is in a 1.5 zoning district, the other part of it is in the R5. Mr. Houston adds, at the time the zoning did not exist, but it's not going to meet the zoning now. There is a discussion amongst the Board on what steps to take to make this an official

documented piece of property, one half owned by Mr. Kackos, and one by Mr. Yagusitz. ZEO Grant states that the Board Members should look at 105-4 per this situation. At this time Board Member Stapelton reads the section of code:

The Planning Board may waive subject to appropriate conditions, the provision of any or all such improvements and requirements not required by state law as in it's judgment of the special circumstances of a particular plat or plats are not requisite in the interest of the public health, safety and general welfare, or which in its judgment are inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the subdivision or would cause unusual hardship, provided that the public interest is protected and the development is in keeping with the general spirit and intent of these regulations, the official map, the zoning ordinance, and the town development plan, if such exists.

There is a discussion amongst the Board regarding the right of way, and possible variances that would be needed as well. Mr. Houston will come back to the Board with a completed application when it is ready. Mr. Houston states that Mr. Kackos recently had some health issues, and he'd very much like to straighten everything out, and honor the agreement that they entered into.

Plaza 28 Corp 25.1-1-3.110

Zachary Veitch is here this evening representing Plaza 28 Corp. His surveyor Patti Brooks was unable to make it this evening to present the application regarding the new proposed sign at Plaza 28. Mr. Veitch has a photo of the proposed sign rendering, but not a full size, or copies for the Board, due to Ms. Brooks absence tonight. The proposed sign is 24 feet tall and 152 square feet. A 9 ft height variance is required. There is a discussion amongst the Board regarding their SEQOR review public hearing, they're not ready for a full site plan review at this time. ZEO Grant states due to the proposed sign they are presenting exceeds the height that's allowed, the applicant needs to go the Zoning Board of Appeals. ZEO Grant states the ZBA can't make a determination on the variance, until this Board does the SEQOR review. Board Member Welton made a motion, seconded by Chair Kalb to set the SEQOR public hearing at the September 9th Planning Board meeting.

Phoenicia Trail Homes LLC

The last item on the agenda this evening is Phoenicia Trail Homes LLC. Howard Widensky owner of Phoenicia Trail Homes LLC is here to present this evening. Mr. Widensky owner of 43-51 Fichtner Terrace would like to subdivide three trailer lots, there are currently three trailers on the property, two which are occupied. There is an existing septic and pump house on the property. Mr. Widensky would like to possibly add 12 short term rental homes to the property, or four homes. The parcel is 18 acres and can be subdivided, but needs to meet subdivision requirements. Mr. Widensky states if he's able to subdivide the property the existing two tenants in the trailers will be able to stay on the property. ZEO Grant states

that it will be two separate applications the applicant needs to submit, one for the subdivision, and one for the cottage development for the proposed four homes. Chair Kalb states that the Board needs to see the new deed with the well/pump house information and new maps with all of the details of his proposed plans for the property.

Other Business:

Board Member Welton sent out an email to all of the Planning Board Members regarding training, and to discuss what days will work best for everyone to attend a training session. Chair Kalb asks the secretary to the Planning Board to send an email to all PB and ZBA members to see what day is best for everyone for training, that is not a regular meeting day.

Adjournment:

All evening's business having been discussed; the board adjourned at 8:00 pm on a Valianti/Mones motion. All in favor.