



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

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P.O. Box 134, 7209 Rte. 28, Shandaken, NY 12480

**Town of Shandaken Planning Board  
Public Hearing  
September 11<sup>th</sup>, 2024**

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

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

**Roll Call Summary:** 6 Present, 1 Absent

**Others Present:** Zoning Enforcement Officer Grace Grant, Don Brewer, Mark Loete Chair of the ZBA, Hank Williams

**Jon Ritter & Becky Hubbert Special Use Permit 24.15-1-20 – Public Hearing**

Chair Rabuffo opens the public hearing at 6:45 for Jon Ritter & Becky Hubbert for a special use permit. Becky Hubbert is here this evening to represent them. Following the legal notice being read, Chair Rabuffo ask's the applicant to give a brief rundown of the project for the benefit of the public. The applicant states their garage burned down in a fire in November, and they would like to replace it. The new building will have a bathroom, and be 24' x 24'. They will be using the same footprint, and there is one letter of support regarding the project. Chair Rabuffo ask's the Board if they have any questions for the applicant? With no questions or comments, Board Member Spata made a motion to close the public hearing, seconded by Board Member Welton, all in favor. The public hearing was closed at 6:51.

**Town of Shandaken Planning Board  
Minutes for Regular Monthly Meeting  
September 11<sup>th</sup> ,2024**

Chair Rabuffo calls the regular monthly meeting to order with the pledge of allegiance at 7:00 pm.

**Minutes:**

Chair Rabuffo reviews the previous month's minutes, and asks if anyone has any comments. With no questions or comments, Board Member Welton makes a motion to approve the minutes, seconded by Board Member Spata, all in favor.

**Old Business:**

**Jon Ritter & Becky Hubbert – Special Use Permit – 24.15-1-20**

The Board has reviewed the S.E.A.F. regarding this project, with no further questions or comments regarding the project, Board Member Welton made a motion to approve the application, seconded by Board Member Kalb. Roll call vote as follows;

Cliff Rabuffo Chair	Yes
Art Christie	Yes
Joanne Kalb	Yes
John Horn	Yes
Allen Shiner	Absent
Sam Spata	Yes
Vivian Welton	Yes

**APFU LLC 13.-2.112 Special Use Permit/Site Plan Review**

The next order of business is APFU LLC, Howard Widensky is here to represent. Chair Rabuffo ask's the applicant if he has the updated site plan with what they asked for since the last meeting. The applicant does not have the updated site plan this evening but will provide it at the next meeting. The applicant has DOT approval as well as DOH. Chair Rabuffo ask's the applicant that the existing vegetation remain on the site, and that the proposed building will not be a short-term rental, only for long term housing. Chair Rabuffo states the application was sent to the Ulster County Planning Board, but they did not achieve a proper quorum therefore they were unable to review or make a recommendation at this time. At the meeting next month, the Board will know their final recommendation pertaining to the project. Chair Rabuffo ask's the applicant to have an updated site plan at the following meeting, that should reflect what they've asked for. At this time Board Member Spata made a motion to set a public hearing for APFU LLC, on October 9<sup>th</sup> at 6:45 seconded by Board Member Kalb, all in favor.

## **New Business:**

### **Alfred Heitkonig - 25.11-1-22.310 - Subdivision**

Don Brewer is here this evening to represent the applicant. The applicant would like to subdivide his 21.73-acre lot into 2 lots, one being 5 acres, and the other 16.73. Chair Rabuffo ask's Mr. Brewer if there is an existing house on the lot? Mr. Brewer states there is not, but there is an existing driveway. Board Member Kalb ask's what the zoning is? It is R3 and R 1.5. Mr. Brewer states the road will be part of the larger lot, and the smaller lot will have a right-of-way. Mr. Brewer adds he will get it in writing from a fire dept official that a firetruck and EMS vehicles can get by. Chair Rabuffo mentions a perk test and that the septic is okay as well for the site. Board Member Spata mentions the SEAF and if the Board should review it at this time. Chair Rabuffo states at this time they'll review the SEAF. Board Member Spata mentions a typo on the survey & map regarding the applicants last name, Mr. Brewer states he'll take care of it. There are a few corrections on the SEAF, Board Member Welton points out number 5 should be corrected. And Board Member Spata mentions the question about being near a commercial business since it is adjacent to the Pines, should be corrected as well. Chair Rabuffo states he doesn't see any issues with the SEAF, the Board will double check it. There are a few questions on the form blank 17-20, but they are all nos. With no further questions from the Board, Board Member Spata made a motion for a public hearing on October 9<sup>th</sup> at 7:00, seconded by Board Member Welton, all in favor.

## **Other Business:**

### **ZBA request for advisory comment regarding Wellington Blueberry LLC**

The next order of business is the Wellington Blueberry LLC, the applicants are not here this evening, but the Chair of the ZBA, and a Board member of the ZBA is here this evening to discuss the project. Mr. Loete Chair of the ZBA, and ZBA member Williams are here to speak to the Planning Board about an advisory recommendation for the project. The project requires both Board's approval, and several variances. The Wellington has been before the ZBA and Board Member Williams feels they need to attend a Planning Board meeting before they go back to the ZBA. Parking is an issue with the project as well, Board Member Williams would like a recommendation from the Town Board as well. The project is proposing 10 affordable housing units, and a grocery store. Board Member Kalb ask's if there is enough room in the building for 10 apartments? That is an issue that needs to be discussed due to the density, it is a three-story building. Chair Loete points out that the applicant should first go before the Planning Board with an application before coming to the ZBA, since the ZBA can only rule on permits which are denied. There is a discussion amongst the Board Members in regards to parking for the site, which there isn't much of. There is a discussion pertaining to a parking lot owned by Bottini fuel in Pine Hill, which may be "gifted" to the town for future municipal parking. Board Member Williams states they do not want to hurt

the project by any means, they want to do it right, and are here tonight looking for advice, and an advisory comment. ZBA Chair Loete also points out he hopes the LLC who owns the building doesn't sell it, once the project is complete. The Board's agree that the project will be very good for the town, but that more information and details are needed.

Board Member Christie states in regards to affordable housing, how do we make it stick? Board Member Kalb mentions in Kingston, if 50 apartments are built that 10 percent of the building must be affordable housing. ZBA Chair Loete stated that it has been said that they will be affordable units. Board Member Christie brings up past meeting minutes from a meeting attended by a local developer who currently has a project under review. From those meeting minutes, the developer stated that the housing units he was building would be affordable. ZBA Chair Loete states we can't ask a developer to build units just for affordable housing, which is an issue. Board Member Christie states his point is, the local developer mentioned several times that the proposed units would be affordable, and now he is stating he is no longer interested in doing so. ZBA Chair Loete mentions that the issue regarding affordable housing is not just an issue here, but state wide and nationwide. Board Member Christie adds that there are 20 houses sold each month in the Town of Shandaken. ZBA Chair Loete and Board Member Williams thank the Planning Board for allowing them to attend this evening and to discuss the importance of the Wellington Blueberry LLC project

#### **Jeff Strati pre application discussion with Board**

The last order of business this evening is Jeff Strati who is here for a pre application discussion with the Board. Mr. Strati was going to attend the previous Planning Board workshop, but the workshop was cancelled. Mr. Strati is a member of the Shandaken rod and gun club. Mr. Strati states there are 6 members left, and they all own the property together, and they each have their own mobile homes. Mr. Strati is currently in a camper, but plans to build a cabin for his family. He was planning on purchasing a kit from Alta log homes, it would be a 20 by 20. He wanted to double check the zoning and laws before he purchases anything, or makes any plans. The gun club is 15 acres, everyone has their own individual lot with their own water supply. Chair Rabuffo ask's if Mr. Strati is the only member of the club who wants to do this? the answer is yes. The site is at the end of Oliverrea road in Big Indian, the site has six existing trailers. Chair Rabuffo ask's if the trailers are on foundations? No, they are not. Chair Rabuffo ask's if he has a survey? Mr. Strati does not have a survey at this time. Board Member Christie ask's how the tax's work? Mr. Strati states each individual pays their own taxes. Board Member Kalb ask's who owns the property? The gun club owns the property, and all the members pay their dues. The gun club also has the deed to the property. Mr. Strati states they have meetings at the club as well, and that he has the approval from his club members to go ahead and move forward with his plan. Mr. Strati states he was waiting to get more information from the town, and to see what is possible that he can do at the property, but it won't be anything bigger than 24 by 20, it's most likely will be 20 by 20. Chair Rabuffo ask's what is there now? Currently at the site there is a 36 ft camper. What he'd like to put will be a higher square footage but it will be smaller in the

front. Chair Rabuffo states the Board will need to see a survey of the entire property. Mr. Strati states all the members pay individual school taxes, and there is one property tax that everyone splits. The Board suggests the potential applicant meet with our Zoning Enforcement officer to see what is possible and what is not. Mr. Strati states there previously was a structure on the property before all the trailers were moved in. The club used to meet in a cabin on the property at one time, but it's been demolished. The Board encourages Mr. Strati to stop in the office and speak to Grace our ZEO about what he can and cannot do on the property, and to have a survey done, before he comes back to the Board.

**Adjournment:**

There being no further business before the Board, Board Member Kalb makes a motion to adjourn, seconded by Board Member Spata, all in favor. The Board adjourned at 8:17.

These minutes were prepared by the Planning Board Secretary Olivia Amantia