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**Town of Shandaken Zoning Board of Appeals
Minutes for Regular Monthly Meeting
May 21st 2025**

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

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

Mark Loete Chair	Present
Gary Guglielmetti	Absent
Allen Vella	Present
Christian Lynch	Present
Henry Williams	Present

Roll Call Summary: 4 Present, 1 Absent

Others Present: Code Enforcement Officer Donna LeMoine, Jan Jaffee, Mike Moriello, Alan Dumas

Minutes: Chair Mark Loete begins the regular monthly meeting, with the first order of business being the approval of last month's minutes. With no corrections, Board Member Vella makes a motion to accept the previous month's minutes, seconded by Chair Loete, all in favor.

Wellington Blueberry LLC 4.46-1-32.110

The first order of business is the Wellington Blueberry LLC. The Board ask's the representatives for the project to give an update on the progress and changes that have been made. Jan Jaffee states the parking has changed, they did want 12 parking spots, but they will have 11, plus 14 spots to be bought from the Town of Shandaken. Board Member Lynch asks where did they loose one parking spot on site? Mr. Dumas states in the front of the building, it was not good for usability, the goal is for each apartment to have 1 spot, plus an accessible spot. There is a discussion amongst the Board pertaining to which variances the project will need. Board Member Williams states they want to be consistent, and for

everyone to be on the same page, and to be comfortable. With no further discussion regarding the project at this time, Board Member Williams makes a motion to set a public hearing for the Wellington, seconded by Chair Loete, all in favor. The public hearing will be on June 19th at 6:45.

Deborah Mack 5.4-1-33 Area Variance

The next order of business is Deborah Mack for a use variance. William Dearden is here this evening to represent the applicant. The applicant is seeking a 44 ft area variance in relief of the required side-yard setback in order to construct an addition on the existing home. The septic and a ledge on the side of the house are preventing the applicant from building the addition elsewhere, therefore the variance is needed. They will be adding a family room, and an extension to the existing bathroom, adding 134 sq ft. With no further questions from the Board or for the applicant, Chair Loete makes a motion to set a public hearing at June's meeting at 6:30, seconded by Board Member Lynch, all in favor.

Verizon Wireless 14.13-3-32 Area/Height Variance

The next order of business on the agenda is Verizon Wireless. Scott Olson of Verizon is here this evening to represent the applicant. Mr. Olson states that Verizon is proposing two new telecommunications towers, one on Wittenberg Rd. in Mt Tremper that's already been approved, and this additional one on State Route 28, that requires a height and an area variance. The towers are meant to bridge the gap of the no service areas, and for there to be blanket coverage. Mr. Olson ask's the Board Members to look at the booklet that Verizon has provided, that shows the map of the town, and where the proposed coverage areas are.

Board Member Williams expresses to Mr. Olson that the website where the application is on, is not easy to access, nor is the large book that was provided. Mr. Olson apologies for any inconvenience navigating the website, or the booklet, but it is protocol, with a project as big as this. Board Member Vella adds that he likes the book, it is very detailed and informative. Chair Loete points out that this is a very good thing for our area, and it is a safety issue. Mr. Olson states that the service that this tower will provide will support the emergency radio system and will be co-located with Ulster County 911 on this particular tower. The Board ask's the height of this proposed tower? It will be 160 ft. Board Member Williams ask's if there will be a generator? Mr. Olson states that the FCC requires a backup generator, it will be a 250-gallon generator that will last about a week for a 200-amp service. Board Member Lynch ask's why the 55 ft is needed? Mr. Olson states the topography and access drive is sloped. Topography is the main reason; the site's engineer determined the site needed to be where it is proposed. Chair Loete ask if the proposed tower is near a water course? Mr. Olson states they've been doing extensive work including 3 or 4 stormwater basins, and they'll redirect surface water for areas. Mr. Olson adds their site disturbance is greater than an acre, so a SWIPP is required, and the DEC will review that. With no further questions or comments, Board Member Williams makes a motion to set a public hearing for Verizon at the June 18th meeting, at 7:00, seconded by Board Member Lynch, all in favor.

Other Business:

The next order of business on the agenda is a matter involving a homeowner who is very unhappy due to the fact that his neighbor has chickens, and roosters that are very noisy, and keep him up at all hours. Chair Loete states that the Town's attorney has been already contacted about this matter. Board Member Williams states that if the neighbor's property (with the chickens/roosters) was sold with the chickens, then the property is not grandfathered in", and the property was subdivided, and they do not have enough land. The neighbor once did have enough land, but since the subdivision and according to code, the neighbor no longer has enough land to have the chickens and roosters. Board Member Williams states he reviewed the video; from the previous time the neighbor was before the Board. In the video there is an agreement stating that the chickens were okay on the property, but not roosters. Chair Loete ask's the neighbor before the Board if the roosters were removed would that solve the problem? The neighbor states yes it would. Chair Loete points out that the Town of Olive does not allow roosters, and is unsure if they are allowed in the Town of Shandaken. ZEO Grant needs to issue a violation to the homeowner, then the homeowner needs to remedy the violation. The homeowner would also need to apply for a variance in order to keep the chickens, or the matter will have to go to court.

The last order of business is Patrick McGann regarding his sauna next to the creek, and A-frame structures on his property. This has been an ongoing issue, the homeowner has not done anything to fix the issues. The sauna he currently has is less than 100 ft from the property, and there are 3 A- frame accessory structures on the property. The property is also in the floodplain, and if the frames are anchored, they'd be considered permanent structures. Board Member Lynch states that if the A- frames can be moved they aren't considered structures. CEO LaMoine states that the A- frames have their own decks. CEO LeMoine states that the sauna is a major concern since it is so close to the creek. Mr. McGann was issued a violation, and needs to come before the ZBA and the Planning Board for a special use permit to remedy the situation.

Adjournment:

There being no further business Chair Loete made a motion to adjourn the meeting, Board Member Vella seconded the motion, all in favor. Meeting adjourned at 8:10 pm.

These minutes were prepared by the Zoning Board Secretary Olivia Amantia.

