



www.shandaken.us

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

Supervisor: (845) 688-7165
Police: (845) 688-9902
Town Clerk: (845) 688-5004
Justice Court: (845) 688-5005
Assessor: (845) 688-5003
ZBA/ZEO/Planning: (845) 688-5008
Highway: (845) 688-9901
Fax: (845) 688-9863

Town of Shandaken Zoning Board of Appeals

MINUTES FOR REGULAR MONTHLY MEETING

June 15, 2016

The regular monthly meeting was opened by Vice-chair Reiss at 7:31 PM with the pledge of allegiance.

Roll called by ZBA secretary Anne Ricciardella, and attendance was recorded as follows.

Keith Johnson, Chair	Present
Rolf Reiss	Present
Joseph Michaels	Present
Gary Guglielmetti	Present
Mark Loete	Absent

Roll call summary: 4 present, 1 absent

Others present: Warren Tutt, Anique Taylor, Kathy Nolan, Sue Hasher, Derek Stapleton, Don Brewer

Minutes:

Board reviewed previous meeting minutes, and a motion was made to accept minutes as written by Board Member Reiss, seconded by Board Member Guglielmetti. All in favor.

Public Hearing:

Stapleton-

Public Hearing still open for Derek Stapleton's mobile home for 8222 Route 28. The application was resubmitted to the County with no impact confirmed by Mr. Leibowitz from the UCPB, and got in touch with the DOT about the right of way and he's farther than the 45ft. Again he's requested 3 variances to put his mobile home on his property in the same spot, front 5 ft., side 21ft., and a 2% increase in maximum structure coverage. Sue Hasher was present again to voice her concerns about the shed that's on her property. She had someone go out and check the property but without a property survey there's no way to tell exactly where the shed falls on whose property. Mr. Stapleton agreed to compromise by moving the shed 10ft. from the property line. States he has a survey in his possession but wasn't brought to the meeting. He will also have the property line marked clearly to avoid any further issues. Board Member Reiss would like to make this a condition included in his variance which is at the Board's discretion. There were no other neighbors present to speak on this application. Board Member Reiss made a motion to close the public hearing, seconded by Board Member Guglielmetti. All in favor. Board

Member Reiss then made a motion to accept the application as submitted. Finding it a Type II action under the SEQR review, requiring no additional environmental review and conditioned that it doesn't go into effect until the accessory structure is brought into compliance with the Town Codes, seconded by Board Member Guglielmetti.

Roll Call Vote:

Keith Johnson, Chair	Yes
Rolf Reiss, V. Chair	Yes
Mark Loete	Absent
Joseph Michaels	Yes
Gary Guglielmetti	Yes

Roll Call Summary: 4 yes, 1 absent

Old Business:

Anique Taylor present to address the Board about the Empire State Railway Museum doing work on their property on Station Rd. in Phoenicia. Since there's no application before the Board at this time they can't speak on it. Her issues should be brought to the ZEO during office hours in the building dept. to discuss it any further. Anything mentioned in the paper did not come from the building dept., which has in fact been in contact with the ESRM and they're aware that anything they proceed to do must go through the department first. The CMRR has withdrawn their application and it will remain as such until they decide to reapply which as of now hasn't happened.

New Business:

Don Brewer presented an area variance application on behalf of Mr. Zirinsky for 794 Route 214. This application was referred to the ZBA by the Planning Board for a lot line adjustment. His neighbor, Mr. Mcleod is selling his property and would like to give the strip of land containing the bridge that leads to the Homeowner's Association to Mr. Zirinsky because he'd like to take responsibility for getting it properly fixed. HOA members are currently parking just before the bridge and walking over it because they're afraid the weight capacity is lacking. Mr. Zirinsky will be taking 0.075 acre from Mr. Mcleod leaving him with 1.984 acres making his substandard lot smaller, which is why the variance is needed. There is a right of way, but right of ways goes with the property and it will not be affected. The Town Code states that you cannot make a substandard lot smaller which is why he'll first need a variance for his lot line adjustment. Board discussed and had no issues. The application will need to be sent to the UCPB because it's within 500 ft. of State route 214. Motion was made by Board Member Reiss to send the application to Public Hearing next month July 20th, seconded by Board Member Michaels. All in favor.

Correspondence:

Summer programs available for credit hours for Board Members this summer. Brent Gotsch would like to hold a training session on flood maps, wants to know best time for Board Members.

Adjournment:

There being nothing further before the Board, a motion was made by Board Member Reiss to adjourn, seconded by Board Member Guglielmetti. All in favor. The Zoning Board of Appeals meeting adjourned at approximately 8:30PM.