



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

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**Town of Shandaken Planning Board
Minutes for Regular Monthly Meeting
January 13, 2021**

PUBLIC HEARING:

Copperhood Properties LLC/Branches:

Public Hearing was opened at 6:48pm. Hearing was open only to the applicant and their representatives, notified abutters and/or their representatives due to COVID restrictions. Present were Martin Schmidt (project manager) and Stephen Sanchez (managing member of Branches) both representing BRANCHES. Also present was Faye Storms (notified abutter.) Consultants Ellen Hart, Mark Carabetta, and attorney Michael Moriello attended the hearing remotely via Microsoft Teams.

A letter from Hilary Smith was read regarding the project. She questioned the legality of the ZBA's area variance for parking, as the public hearing notice for the ZBA's meeting regarding the variance was never legally posted. Michael Moriello stated that the variance was legally granted and named existing documents. Other questions in the letter were addressed: Protection of waters permit has been obtained. Mark Carabetta and Ellen Hart stated that the variance was for 50 feet outside of the flood zone.

Vivian Welton reported a site visit with Stephen Sanchez after the December 24, 2021 flood showed no change in topography from the existing map, and flooding did not occur in the proposed parking area, or any existing or proposed building areas. Signage will be submitted when finalized and will conform to the 24 square-foot maximum size.

Martin Schmidt and Stephen Sanchez presented an overview of the Branches Project with maps. Approvals are pending for: DOT approval for new entrance location; water supply for "island location." Approvals were received for: DOH for septic; DEP for stormwater and flood plain development. They expect to have all approvals in 3 months, and plan to start construction after Labor Day 2021 for an opening in the Fall of 2022.

Public Comment was opened via phone by Joyce Grant; no one called for comment. Public Hearing was closed at 7:25pm.

REGULAR MONTHLY MEETING:

The regular monthly meeting was called to order by Chair Rabuffo at 7:28pm with the pledge of allegiance.

Roll Called by Joyce Grant, and attendance was recorded as follows:

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

Roll Call Summary: 5 Present, 2 Absent

Others Present: Martin Schmidt and Stephen Sanchez for Branches along with consultants Ellen Hart, Mark Carabetta, and attorney Michael Moriello for Branches. Audrey Malloy and Daniel Hochberg for Sparkwood.

Old Business:

Copperhood Properties LLC/Branches

Motion made by Board Member Shiner to approve conditional Special Use Permit/Site Plan Review, seconded by Board Member Christie. Conditions as follows; signed Flood Plain Development Permit be completed, and a resolution/Final Action from the ZBA be completed for the parking variance. Will refer to Ulster County when the conditions are met.

Firelight

Cabin over the edge of the Esopus has been moved away from the edge. Erosion of streambed, paths, roads, and inland flooded areas will require changes in the Site Plan. Board members Christie, Welton, and Rabuffo made a site visit after the flood on December 24, 2020 to view the damaged areas.

Aurum

The board is waiting for more information from the applicant on the final plan. Applicant is changing the site plan and will resubmit.

Sparkwood

Board Chair Rabuffo and Board Member Christie are recused from the project. Applicants Daniel Hochberg and Audrey Malloy were present. Ulster County Planning Board has asked the applicant to submit a complete Site Plan and to then resubmit the referral to County. Potential conditions for approval were discussed. Audrey Malloy stated that she wants to

extend the business hours to “daylight hours,” and questioned the need for applicants to live on the premises being a condition of approval.

Copies of letters and petitions received from the community objecting the project have been given to each Board member.

Due to lack of quorum, further discussion and vote on Sparkwood were tabled until the February 10th meeting. Full attendance will be solicited, with options for remote attendance made to Board Members.

Adjournment:

There being no further business before the Board, a motion was made to adjourn the meeting by Board Chair Rabuffo and seconded by Board Member Welton. All in favor. Meeting adjourned at 8:15pm.