

## **REGULAR MEETING**

**DECEMBER 1, 2022**

Minutes of a Regular Meeting held by the Town of Shawangunk Town Board, County of Ulster, State of New York, at the Town Office Building at 14 Central Avenue, Walkkill, NY on the **1st of December 2022 at 7:00 P.M.**

PRESENT were Supervisor John Valk, Councilman Robert Miller, Councilman Adrian DeWitt, Councilman Alex Danon, and Town Clerk Jane Rascoe. Councilman Brian Amthor was absent. Also, present were Building Inspector Robert Wallner, Zoning Board Member Ryan Reid, and several members of the public.

The meeting was called to order at 7:00 p.m. Supervisor Valk led the Town Board in a moment of silence and the pledge to the flag.

### **APPROVAL OF MINUTES**

A motion was made by Councilman Miller and seconded by Councilman Danon to approve the minutes of the Regular Meeting held on November 17, 2022.

**VOTE: Councilman Danon, aye, Councilman DeWitt, aye, Councilman Miller, aye, Supervisor Valk, aye. Councilman Amthor was absent.**

### **CORRESPONDENCE**

A letter dated November 10, 2022 from Ulster County Department of Finance regarding a \$500,000 award for the Route 208 Sewer Extension was received.

### **PRIVILEGE OF THE FLOOR**

#### **Short Term Rentals**

Mr. Dyer Halpern explained to the Town Board that he is representing a corporation who was arrested for allegedly running an Air B&B. He further explained that a criminal complaint was filed. His client was renting out his house to visitors who are coming to our Town and supporting this county. Mr. Halpern inquired how the Town can arrest people when the Town Zoning is not available. He explained that the Town has not consolidated the Zoning Law. One cannot go to the Clerk's Office or go online and get a copy. Councilman Miller inquired if Mr. Halpern had researched the laws and understood the process with the Planning Board. Mr. Halpern stated that there is nothing in the Zoning Law that prohibits renting out your home. Councilman Miller stated he would have to check with the Building Inspector to inquire if that is the case. Supervisor Valk explained when the Town Board considered Short Term Rentals people came out in support of them. Since the Public Hearing, many residents have voiced concerns with various issues in their neighborhoods. Mr. Valk further explained that the Town Board does the best they can. Councilman Danon inquired if the corporation was notified that they needed to stop renting the house out. Mr. Halpern stated that this matter could have been worked out

without the arrest and the Judge didn't have to handle this criminally. Mr. Danon stated that the Town has the authority and this needs to be dealt with in court.

Mr. Halper discussed a possible agreement on the Short-Term Rental law. He explained that they employ people and money is spent in the area. Supervisor Valk stated that there is not a lot of revenue that is spent in our Town. Councilman Miller pointed out that the money is not spent in our Town, but in neighboring Towns. Mr. Halpern stated that he buys wine and fruit and spends hundreds of dollars at places within the Town of Shawangunk for his guests. He requested that the Town Board work with the owners of short-term rentals as there would be a mutual gain. He inquired why the Town Board has not enacted the law. Mr. Halpern concluded that the Town should consolidate the laws. Supervisor Valk explained that the Town does have a consultant working on the consolidation and will be completed after the next zoning law is adopted.

Mr. Joseph Oakes addressed the Town Board. He stated he purchased a house on Bert McCord Drive. He stated that there is an Air B & B in his neighborhood. Mr. Oakes explained that there are strangers walking around their block. There are unknown cars driving around, and uninvited guests in their loop. He stated that people did not move there to worry about the safety of their children and property. His, concern and the concern of the residents in their neighborhood is for the safety of their children and the quality of life they thought they would have when moving there. The residents in his development strongly oppose Air B&B's in residential areas and would like the Town Board to consider the homeowners who pay the taxes when passing zoning laws. Supervisor Valk explained that the law was drafted, public hearings were held, this is an issue that municipalities all over the state is dealing with. The Re-zoning Committee is considering everyone involved and looking for a happy medium prior to adopting an Air B&B law.

#### **Knolls Road Driveway**

Supervisor Valk explained that the driveway issue for the Sorice's on Knolls Road had previously been discussed by the Town Board. The matter was sent to the Town Attorney for an opinion. The matter was tabled at the last meeting for clarification from the Highway Superintendent. Regulations changed in 2006 which required notes to be placed for locations of improvements on approved subdivision maps. Prior to that, locations were proposed. A letter from Engineer Larry Marshall dated 12/1/22 was reviewed along with the maps and driveway locations. Highway Superintendent Rich Blazeski discussed and clarified the locations and dates of maps. Councilman DeWitt stated he would go along with what the Highway Superintendent approves but needs to make sure he is comfortable with the site distance. Supervisor Valk stated that a permit was granted for the location of the driveway, which was staked out. The property owner was given a certificate of occupancy. When there was a complaint from a neighbor about the location of the driveway, it was discovered that the driveway permit was never closed out. There are three houses on Knolls Road. Councilman Miller clarified the history of this issue. He stated that the current Highway Superintendent has nothing to do with this. Decisions were made by a prior Highway Superintendent and Building Inspector. He feels the Town needs to stand by the decisions that were made by former representatives who made those decisions to the best of their ability at that time. Councilman Danon inquired if any further action is required from the Town. Mr. Blazeski stated the owner needs to blacktop the apron, there is nothing additional to sign by the Building Inspector or himself. His concern is the site distance, he is not convinced that kids on a bike can be seen looking to