

# TOWN OF DENNING PLANNING BOARD MEETING

## October 17, 2024

Start Time 6:03 pm

Present: Chris McInerney, Amanda Geelan, Katherine Parr, Steve Bobik and Tony Carminati

Absent: Travis Coddington

Public Present: Councilman Kevin Smith – Town Board Liaison, Savannah and Willy Mendez and Tony Sicilano

### Old Business:

- SBL: 42.-1-36.1 365.5 acres. After subdivision Lot 1 will be 92 acres and Lot 2 will be 277+/- . Tony Sicilano is present regarding the Brock-Smith Subdivision Application on the Frost Valley Road. Tony Sicilano, Land Surveyor submits final map for subdivision approval. Katherine Parr asks if there are now entrance/exists for each parcel. Mr. Sicilano explains that after review of documentation regarding entrance from way up on top of Taylor Road that there is a legal issue with the Whitetail Hunting Lodge which Mr. Sicilano was advised that Brock-Smith is not pursuing at the present time as research revealed two other points of access. Discussion follows regarding presented Agreement made between Brock, Winton Waters, Wellington and Auchincloss and Karl Connell with a grant of Right of Way and Easement. Agreement then modified with a specific hand-drawn map which makes it more clear where the right of way is on an old logging road starting near the bridge in Sullivan County. All 3 parties have the right to improve the logging road. Mr. Sicilano believes that Karl Connell is Laura Brock's grandfather. In addition there is a 2001 Agreement between Connell, Laura Brock and Goya Brock with Winton Waters giving permission to build a road (including bridges) across the creek at their expense. Also gives temporary easements for temporary logging roads. The Planning Board agrees that there is evidence of access to all the properties. A pending contract between Brock-Smith and Winton Waters also states there is a right of way across Winton Waters property which will be finalized when the subdivision is approved. Discussion follows. The Board expresses satisfaction with the documentation presented.
- Chairman Sibiga requests a motion to approve the Brock-Smith Subdivision Application as described. Motion to approve made by Chris McInerney and seconded by Katherine Parr. All in Favor. None opposed. Motion Passed.

- Savannah and Willy Mendez are present representing Tomina LLC - Frank Nicoletti's Short Term Rental (STR) Special Use Permit Application for 16 Kawlija Road SBL: 43.3-2-24. Chairman Sibiga spoke to Mr. Nicoletti recently discussing the property and its readiness for rental. Willy and Savannah as managers of Mr. Nicoletti will be the overseers and contact persons for the STR. Chairman Sibiga asks if the owner will have a Rules and Regulations booklet prepared regarding the requirements for the property rented. Property lines must be noted regarding trespassing, etc. and once approved, every neighbor within a certain radius has to be provided with the contact information of the managers so that the neighbors can advise if there are issues or have questions regarding the STR. There are other requirements listed in the Town of Denning Zoning Law that have to be followed once STR is approved. As Chairman Sibiga explained to Mr. Nicoletti, the process for this STR special use permit application was done "out of order" and the Building Inspector / Code Enforcement Officer, Karl Von Hassel, will make an initial inspection visit shortly. Chairman Sibiga asks if the Planning Board Members have any further questions regarding the application. Katherine Parr mentions that during the Public Hearing on this matter a neighbor on Kawlija Road asked if the STR was going to be used as an extension of Mr. Nicoletti's other business in Town. Chairman Sibiga states that he did discuss the matter with Mr. Nicoletti and is informing Savannah and Willy of the comments at the Public Hearing. Savannah states that the property has recently been remodeled, etc. and will be used as a regular STR for people looking to visit the area for a few days and stay in a nice place. Savannah confirms that the renters are required to sign waivers, etc. regarding use of the property so there is no expectation of any issues. Chairman Sibiga asks if there are any other Board Member questions or comments. There are none.
- Chairman Sibiga requests a motion to approve Tomina LLC/Frank Nicoletti Short Term Rental Special Use Permit Application for 16 Kawlija Road. Motion to approve made by Tony Carminati and seconded by Steve Bobik. All in Favor. None Opposed. Motion Passed. Chairman Sibiga advised that Karl Von Hassel will be notified to perform inspection.

#### New Business:

- Savannah and Willy Mendez request information regarding a second Tomina/Nicoletti property for STR Special Use Permit Application for 53 Kawlija Road. That matter was forwarded to Karl Von Hassel for the initial contact and inspection. Discussion follows.

#### Chairman Comments:

He advises the Board that he spoke with Karl Von Hassel regarding the STR application for McGarity at 24 Woodfield Road. Ms. McGarity paid the initial inspection fee for the Building

Dept. He advised that the property passed inspection and now the Planning Board has scheduled the Public Hearing for McGarity on November 21, 2024.

Chris McInerney advises Chairman Sibiga that he and probably Travis Coddington will not be in attendance for the November meeting. Discussion follows.

Chairman Sibiga reads the Minutes from the September 2024 Planning Board Meeting and requests a motion to approve the minutes as read. Tony Carminati makes the motion to approve and Katherine Parr seconds it. All in Favor. None Opposed.

Correspondence:

There is no correspondence for review.

Chairman Sibiga asks if Councilman Smith has any questions or comments. He has none.

Chairman Sibiga requests Board Member Comments: There are none.

Chairman Sibiga requests a motion to adjourn the meeting at 6:58 pm. Motion by Steve Bobik and seconded by Chris McInerney. All In Favor. Meeting Adjourned.

The next meeting of the Town of Denning Planning Board will be held on Thursday, November 21<sup>st</sup>, 2024 at 6:00 pm at the Town of Denning Town Hall, 1567 Denning Road, Claryville, NY. The McGarity Public Hearing for STR at 24 Woodfield Road will proceed the meeting.

