

TOWN OF DENNING
PLANNING BOARD MEETING
MARCH 20, 2025
5:58 PM

Present: Board Members Chris McInerney, Amanda Geelan, Steve Bobik, Katherine Parr and Chairman Joseph Sibiga
Absent: Board Members Travis Coddington and Anthony Carminati
Public Present: Supervisor David Brooks and Councilman Kevin Smith

Chairman Sibiga welcomes Supervisor Brooks to the meeting.

New Business:

- There is no new business.

Old Business:

- Chairman Sibiga states that he and Supervisor Brooks were in discussion prior to the meeting regarding outlining and streamlining the process of the Special Use Permit Application and Approval for Short-Term Rentals. It is discussed that a checklist be drawn up which would be completed for each application so that each step is outlined regarding responsibilities of homeowners, inspections, Board review, documentation required, notification to local fire departments, etc.
- Discussion continues regarding seasonal rentals vs. year-round and if dwelling is assessed as a seasonal use residence the assessment will be updated if the STR is year-round, dog-related issues, animal-proof trash containers, among other considerations; and a cap on the number of STRs in Town.
- It is determined that as of the Town Board Public Hearing regarding the Moratorium on STRs that there are currently 27 active STRs operating in the Town of Denning at the current time according to the registration records through Ulster County.
- Discussion continues regarding County and Town liability regarding STRs. Supervisor Brooks states that all the residents currently registered with Ulster County will receive a letter from the Town of Denning stating that they must apply for a Special Use Permit for their STR to be in compliance with Town Zoning and they will then be subject to the yearly inspection for same if they started their STR post 2019 zoning update. Discussion regarding residents who were doing STRs before the zoning update in 2019 would be grandfathered in regarding a permit but they will be subject to yearly inspections and fee for same. The Ulster County registration information will help to determine specific information regarding these types of STRs. Any STR that started after the 2019 zoning

update will be required to go through the permitting process with associated fees and the yearly inspections and fee for same.

- Further discussion regarding including pre-zoning update STRs and post-zoning update STRs to determine the cap for the total number of allowed STRs operating in the Town. In determining a total number, it is discussed that only one STR Special Use Permit Application will be accepted for review per month due to the paperwork, inspection timelines, Public Hearing requirements, legal postings etc. It will take the Planning Board many months and probably years to process all of the applications.
- Kevin Smith also notes that NYS is also updating their rules and regulations regarding STRs and the Town is waiting for that information to be made public before going forward which is why the Moratorium was put into place. Discussion follows.
- Chairman Sibiga brings the discussion back to trying to determine a cap for the total number of STRs operating in Town. The percentage of total residences is dismissed as it would be difficult to keep track of. Since there are already 27 operating in Town the number 40 is being reviewed as a total on a first come first serve basis. After the total is hit, any new application would have to wait until a previously approved permit is abandoned. The Board determines that they will wait until the NYS updates are made public to determine the Town's next move. Chairman Sibiga asks if there is a time frame for the NYS updates. Supervisor Brooks states the end of April.
- Discussion continues regarding the process when and if the Town decides to make changes to the Zoning Law regarding STRs as there will be Public Hearings, etc. regarding that process.
- Steve Bobik requests clarification regarding number of people per rental. Chairman Sibiga and Katherine Parr believe it was determined at 2 persons per bedroom of each dwelling unit. Discussion follows.
- Chairman Sibiga requests any further comments or suggestions from Supervisor Brooks. Supervisor Brooks requests information regarding landowner Miguel Carrera who purchased property on Greenville Road and has been before the Planning Board regarding building a house for his parents on the property. The property in question is mud-slide prone and there were questions regarding the wisdom of placing a house in this questionable area. Chairman Sibiga states that the owner was able to get an approval from the DEP regarding a septic and has had an engineer and architect draw plans for the dwelling. Karl Von Hassel has stated that he is only involved in the building code matters regarding the structure and it is up to the Planning Board to determine if the landowner has provided enough proof of sound engineering regarding drainage and

stabilization of the banks surrounding the dwelling. The Planning Board would like to review the DEP septic plan for the property, an engineered design of the layout of the dwelling, retaining walls, drainage, etc. The Town needs to stress that all the powers that be have done what needs to be done to resolve any safety issues and that the landowner is made aware of the dangers, etc. Discussion continues regarding how to protect the Town regarding giving approval. Chairman Sibiga will contact the landowner regarding all documentation needs for review.

Correspondence:

- Ulster County Clerk notification received recording of survey map, but Chairman Sibiga is unsure of what was filed. Discussion continues as of what it could be for. Possibly Red Horse Hunting Club easement which was about a year ago. Supervisor Brooks states that the map was finally filed regarding that matter.
- Supervisor Brooks presents Chairman Sibiga with a copy of letter received by Karl Von Hassel from a Mr. Donald Fecher who states he is in the planning stages of a project to develop a small-scale wellness retreat at 56 Saw Mill Road for a year-round resort with 5 secluded cabins to start with no more than 10 reasonably spread out on a portion of the property. Wants to discuss zoning regulations, building requirements, permitting processes and in particular zoning restrictions and Short-Term Rental regulations in the provincial district, etc. Discussion follows regarding the property being out of the flood plain. Mr. Von Hassel stated that Mr. Fecher needs to go before the Planning Board before he becomes involved. The fact that Sawmill Road is NOT a Town Road is brought up and discussion follows regarding other aspects of this matter. It is determined that the parcel is approximately 223 acres. Discussion follows regarding the fact that each cabin would have to have its own septic and the grade is a factor in determining placement, etc.
- Supervisor Brooks also discusses a lot line adjustment matter (Perez) which was presented back in October of last year which will have creek and bridge issues which is in the rural district so they will need a 5-acre minimum for a dwelling. Discussion follows. Chairman Sibiga states that he told the Perez's that they should come to a Planning Board meeting to discuss the matter and he has not heard from them since.
- Supervisor Brooks also relays to the Planning Board that the emergency communication/cell tower that was slated for his property in Sundown might be revived. He has a new company now interested and a site visit is coming up. Discussion follows.

Minutes:

- Review of previous months minutes is postponed until next meeting as the correct attendants are not present.

Public Comments:

- Chairman Sibiga asks if Councilman Smith has any other comments. He thanks the Board for their hard work and states that he will bring the cap number for STRs to the Town Board for discussion.

Board Member Comments:

- Chairman Sibiga asks if there are any other Board member comments. Katherine Parr asks if anything has progressed on the Honzo Haven matter with Kobayashi on Greenville Road. Chairman Sibiga states that there has been no information and no building or anything has happened at the site. Discussion follows.

Final Comments:

- Chairman Sibiga ask for any final comments. Supervisor Brooks states that at the recent Rondout Neversink Stream Association meeting it was announced that a LFA (local Flood Analysis) will be done on the Frost Valley Road in Claryville and in Sundown. Supervisor Brooks requests that if local input is required can he rely on the Board for that. Chairman Sibiga states that the Board is willing and Supervisor Brooks should let him know when that is required.
- Supervisor Brooks also confirms that the Denning Town Board approved that review of the current Zoning Law will suffice for Town of Denning Planning Board member training. Discussion follows.
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Chairman Sibiga requests a motion to adjourn the meeting at 7:15 pm made by Katherine Parr and seconded by Steve Bobik. All in Favor. Meeting adjourned.

The next meeting of the Town of Denning Planning Board will be held on Thursday, April 17, 2025 at 6:00 pm at the Town of Denning Town Hall, 1567 Denning Road, Claryville, NY.