

**Planning Board
Town of Keene
Keene, New York 12942**

Date: Tuesday, May 11, 2021

Kind: Regular Planning Board Meeting

Place: Held Remotely Over Zoom

Board Present: Tom Hickey, Larry House, Linda LaBarge, Brian Crowl, Ron Hall, and Mike Hartson

Board Absent: Travis Gagnon

Others Present: Jesse Schwartzberg, Adam Zawistowski, Scotty McClelland, Joe Pete Wilson, Supervisor and Katelyn Magnan

Call to Order:
Tom Hickey called this meeting to order at 9:02 AM.

Approval of Minutes:

A motion was made by Ron Hall, seconded by Larry House, to approve the Minutes of the Planning Board Meeting held Tuesday, April 13. Motion – CARRIED, 6 Yes

New Business:

K-21-16 Scotty McClelland - KVCC Tennis Courts
Scotty McClelland presented the Board with a project for the Keene Valley Country Club at Neville Way, Keene Valley, Tax Map #62.12-5-54.000. It was explained that it was for two new paddle tennis courts, and the demolition of the old one. Mr. Hickey and Mr. House looked at the site, and said it looked fine to them. Mr. Crowl asked if they would need to sign a waiver due to it being so close to the river, and it was decided that, since it was off the ground by 4 feet and the old court never flooded, it would be fine. Larry House offered a motion to approve this project, seconded by Mike Hartson. Motion – CARRIED, 6. Yes.

K-21-17 Brian Crowl/Robjent - Single Family Dwelling
A project was presented to the Board for a Single Family Dwelling for the Robjents at 87 Owls Head Lane, Keene, Tax Map #53.6-1-5.320. Mr. Hickey stated that he, Mr. Crowl, Mr. House,

and Ms. LaBarge had all visited the site, and saw no problems with it. The home would be 1438 square feet, with a brown roof and siding and green trim. He said the site had been cleared by the previous owner as well. Brian Crowl recused himself from voting on the project due to his involvement in it. Ron Hall offered a motion to approve this project, seconded by Linda LaBarge. Motion – CARRIED, 5, Yes, 1 Abstained.

Old Business:

K-21-9 Brian Crowl/Schlenker - Single Family Dwelling

Mr. Hickey revisited the project for the Schlenkers, presented by Brian Crowl, for a Single Family Dwelling on their property on Hurricane Rd, Keene, Tax Map# 54.1-1-64.111. It was pending due to no site visit, and Mr. Hickey and Mr. Crowl both visited the site right after last month's meeting to look at it. Mr. Hickey said that it was very far away from the road, and that visibility would not be an issue, so he had no problem with the site. Mr. House agreed with Mr. Hickey. Mr. Crowl agreed he would recuse himself from the vote as he was involved with the project. Everyone was in agreement that there was nothing wrong with the project. Larry House offered a motion to approve this project, seconded by Ron Hall. Motion – CARRIED 5, Yes, 1 Abstained.

K-21-12 Kevin Hall/Manookian - Single Family Dwelling

Mr. Hickey said they were still waiting for further instruction and information from Kevin Hall on the Manookian project at 21 Green Meadow Way, Keene, Tax Map# 54.1-1-64.111. It was mentioned that they were waiting on a new letter of nonjurisdiction from the APA before the project would be able to move ahead.

Correspondence:

None

Discussion:

Mr. Hickey said that he had been contacted by Brian Fallon. He explained that Dr. Kluwe was splitting a parcel beside Mr. Fallon in two, and that he would be selling one piece to him. He said that they were still working on the paperwork and nothing had happened yet, but he wanted to bring it up. Mr. Wilson said that he had also heard from Mr. Fallon first and that he had told him to contact the Planning Board and the Code Officer. He explained that he had wanted to set up a camper as an Air BnB, and that he had gotten another request for a similar situation from someone else right after

Mr. Fallon. Mr. Wilson said he was worried renting campers out in a residents front yard may become a trend, and he wanted the Planning Board to have a heads up. He said that he was unsure of how the Site Plan Review Law was structured to handle this sort of thing. Mr. Hickey said that he didn't think there was anything like that in the Law, and Mr. Crowl had agreed. He also added that he couldn't remember anyone coming to the Planning Board for a Change of Use about Air BnB's. He also mentioned that some deeds have covenants in them to not allow anyone to have mobile homes on their property. Mr. Hickey mentioned that he had gotten permission from the Planning Board when he turned his property on Market Street into an Air BnB. Mr. Wilson said that one of the requests was also right in the hamlet as well, and agreed that they needed to get people to comply with the Site Plan Review Law and that the Town Board needed to create some direction about how the Town would proceed. Mr. Crowl said that they had the authority to inquire about a deed, and they could at least double check that there were no deed covenants prohibiting this. Mr. House stated that anyone contacting Mr. Wilson about this sort of matter would need to submit an application, and that if they needed "more teeth" in the law, that was something that would have to be dealt with. He said that they still had some jurisdiction with on-street parking. Mr. Wilson said that anyone that ever contacted him about this sort of inquiry were always going to be directed to the Code Officer and Planning Board. Mr. Crowl asked if someone running an Air BnB had to have the same requirements that someone running a bed and breakfast would, and Mr. Wilson said that the only thing they had to do was pay occupancy tax and register with the county, and that they did not have to comply to anything else. Ms. LaBarge asked if they would be able to ask for proof of insurance if someone was changing to an Air BnB, and Mr. Hickey said that they would be allowed to do that, and that the Town's attorney told him they were allowed to ask for anything they felt was relevant to the project.

Mr. Crowl then had some questions about vacant houses in Keene Valley. He asked if anyone on the Board knew about the brown house beside Mr. House's mother's old home. Mr. House said they were allegedly going to be tearing it down, but he wasn't sure what the status of it was. He mentioned he could contact the owner to ask. Mr. Wilson then brought up the house that burned down behind the hardware, and he said that Mr. Martineau had followed up since the last meeting with a warning, and they were cited. He said that it would then be in the hands of the court, and the Town would have done everything it could from there. Mr. House said that Mr. Martineau stated the State had stepped in with an absestos

abatement, which would be very expensive to complete, and that was the hold-up. Mr. Wilson said that he had been under the impression that private ownership exempted someone from an asbestos abatement. Mr. House said that the way he had it explained to him was that if asbestos was found after they brought in someone to tear it down, that the contractor would be liable. Mr. Crowl said that the proper protocol was for a lab to go in and make the assessment, which was meant to fill in the demolition report. He said that if the report found there to be asbestos, that would be when the asbestos abatement would come into play. Mr. Wilson said that there should be insurance coverage for demolition, but that he felt the family would be abandoning the home and the Town would be on the hook for removing it instead.

Mr. Crowl then said that he noticed that it looked like someone was putting power in just south of John Ferebee's home on 9N. Mr. Hickey and Mr. House said they were unaware of any projects in that area. Mr. Wilson asked if Mr. Crowl wanted to send an email to Mr. Martineau to investigate. He said that he wasn't sure if there were any issues, but that he would get in touch with Mr. Martineau regardless.

Tom Hickey and Ron Hall met previously to sign the following resolutions from last month's meeting: Duane Stutzman, Single Family Dwelling; James Perry, Renovation; Matt Dumas/Raker, Garage; Charlie Segard/Feller, Log Cabin; Charlie Segard/Wilkerson, Car Port with Studio.

Adjournment:

Motion to adjourn was offered by Mike Hartson, seconded by Brian Crowl. Motion – CARRIED, 6 Yes.

The meeting was adjourned at 9:28 AM.

Respectfully submitted,
Katelyn Magnan

Next meeting – **Tuesday, June 8 @ 9:00 AM**, to again held remotely.