

Town of Highland
Planning Board Minutes
June 5, 2019

Chairman Berry Hafkin calls the meeting to order.

Pledge to the Flag

Chairman states the minutes are being recorded.

Attendance: Berry Hafkin-Chairman
Norm Sutherland
Jeffrey Spitz
Julie Sherwood
Doreen Sweeney
Chris Tambini (absent)
Board Secretary: Monica McGill
Town Attorney: Michael Davidoff (absent)

Motion to approve the May 1, 2019 minutes: (with amendments)

Motion: Jeff Spitz Second: Doreen Sweeney

All in favor.

No Correspondence

Berry Hafkin: Michael Davidoff the Town of Highland Attorney will no longer be able to attend the Planning Board meetings due to a change in the Monticello NY schedule. I would like to have a vote from all the board members this evening to move the Planning Board meeting from the first Wednesday of every month to the last Wednesday of every month.

Julie Sherwood: How will the public be notified?

Berry Hafkin: Through the town website. The change would take place immediately, making the next meeting July 24, 2019. If we would need another meeting this month, it would be held on June 26, 2019.

Motion to change the monthly Highland Planning Board meeting day to the fourth Wednesday of every month:

Motion: Julie Sherwood Second: Norm Sutherland

All in favor

Berry Hafkin: We will submit a letter to the Highland Town Board regarding this change.

New Business:

Application #3-2019 Floating Farmhouse-Thomas Givone Special Use Permit

Barbara Garigliano, Attorney for Thomas Givone presents new maps and an affidavit pertaining to the property in question to all board members.

The Board takes a few moments to look over the new maps.

Barbara Garigliano: The affidavit sets out the criteria of your code in terms of special use permits for an "R2" zone to determine if we will need a public hearing.

Berry Hafkin: Did you send a copy to Michael Davidoff?

Barbara Garigliano: Yes.

Berry Hafkin: For a Special Use Permit a Public Hearing is required.

Barbara Garigliano: I would like the board to declare lead agency for SECRA. One question, being there would be no other agencies that could possibly be lead agencies, will the board declare it tonight, or do we have to send out thirty-day notices?

Berry Hafkin: SECRA would be completed at a Public Hearing.

Barbara Garigliano: Are you ready to do that tonight?

Berry Hafkin: No. We are going to have to hire a specialist to look over some issues that cannot be addressed tonight. Public Health issues and Septic is not adequate for the number of people that attend these events.

Barbara Garigliano: There are Porta Johns brought in for the events.

Berry Hafkin: I do not know if that is acceptable. That is why we will bring in a specialist to make sure that the Board of Health regulations are being followed.

Barbara Garigliano: Who would the board consider for the job?

Berry Hafkin: Ken Ellsworth of Keystone Associates. I will need to contact him and see if he is available. I saw the email between you and Michael Davidoff in reference to a check from your client to be held in escrow.

Barbara Garigliano: That is correct.

Berry Hafkin: Because Mr. Givone has wetlands, we will not do the SECRA now.

Barbara Garigliano: Okay.

Berry Hafkin: I would like someone other than myself to let me know if anything else becomes problematic.

Barbara Garigliano: Understood, but you will declare the board to be lead agency?

Berry Hafkin: Yes. This is going to be tough application, due to it being a residential area. Unfortunately, we do not have anything in the town laws that specifically addresses a service establishment. This application will have to go to public hearing and we have already received letters of complaint.

Barbara Garigliano: I am only aware of one letter.

Berry Hafkin: I saw a couple that came today. All the letters are in the Code Enforcement Office.

Motion to declare Town of Highland Planning Board lead agency in SECRA for Application #3-2019

Floating Farmhouse:

Motion: Jeff Spitz

Second: Julie Sherwood

All in favor

Berry Hafkin: Due to the time constraint, if all the members of the board are available, we can schedule a meeting for June 26, 2019 to resolve the issues presented at tonight's meeting. This will also depend on the availability of Ken Ellsworth.

Barbara Garigliano: What would be accomplished on the June 26, 2019 meeting?

Berry Hafkin: We would go over what would be required to continue this application. We would then schedule a regular meeting for July 24, 2019 and then a Public Hearing on August 28, 2019.

Barbara Garigliano: You would let me know if anything changes?

Berry Hafkin: I will let you know. At this time do any board members have issues that they would like to discuss this evening?

Norm Sutherland: How many bedrooms are located in the house?

Tom Givone: Five.

Norm Sutherland: Did Tom Ward do the plan?

Tom Givone: Yes, he is the designer.

Berry Hafkin: Is the parking on the grass only, is there parking on the road and are there signs?

Tom Givone: I was told by the town last year that I have adequate parking and there is no parking on the road.

Berry Hafkin: The town has a parking law that you can look up.

Barbara Garigliano: We have. My client bought the five acres on the other side of the property.

Tom Givone shows the board the five acres parcel on the map.

Barbara Garigliano: There is a section not owned by my client, but he is going to contact the owner of that section to see if they are willing to swap parcels to make the driveway contiguous. The current driveway shows forty feet wide on the map and my client owns five acres on the other side.

Berry Hafkin: Is that driveway a right of way?

Barbara Garigliano: No.

Berry Hafkin: Where are the events held?

Tom Givone: For a wedding the family rents the house, and the music and reception are held in the barn. They are very small events. No more than sixty (60) people. The clients may also put up a tent in front of the barn.

Jeff Spitz: Where is the music?

Tom Givone: In the barn.

Jeff Spitz: Do your clients follow the town noise ordinance of 10:00PM?

Tom Givone: I have been telling my clients no later than 10:30PM. There are also shuttle buses provided by Catskill Resorts that provide transportation for a lot of the guests. This also cuts down the number of cars and traffic.

Jeff Spitz: What kind of lighting is provided especially for the road?

Tom Givone: On the map you will see all the lighting on the property including one flood light. The property also has tall pine trees that block the light from entering any of the neighbor's houses.

Jeff Spitz: Are most of the events on the weekends or do you have them during the week also?

Tom Givone: Mostly Saturdays. On a rare occasion we may have some events that begin on a Thursday and end on Saturday.

Jeff Spitz: If you have a maximum of a hundred people, how many vehicles is that?

Tom Givone: About twenty-five (25) to thirty (30).

Jeff Spitz: Does that include the buses and catering vans?

Tom Givone: The buses drop off only, they do not stay. The catering vans park next to the barn.

Jeff Spitz: Do you provide handicap access?

Tom Givone: There is a large area in front of the house.

Barbara Garigliano: The area in front of the house can also accommodate about six cars.

Julie Sherwood: Is it well lit?

Tom Givone: Yes, and I have spoken to an electrician about installing landscape lighting.

Berry Hafkin: That should be all part of your presentation for the June meeting.

Julie Sherwood: At that meeting I would like to have a clear visual of what it will look like.

Tom Givone: Okay. Right now, a lot of the clients set up rope lighting from the house to the event area.

Norm Sutherland: Can you bring Tom Ward's Sewer Plan/Contract to the June meeting?

Tom Givone: Yes.

Jeff Spitz: How is the trash removed?

Tom Givone: The client is responsible for the dumpster and Porta Johns.

Jeff Spitz: When are the dumpsters and Porta Johns removed.

Tom Givone: The day after the event.

Berry Hafkin: You are applying for a Special Use Permit as a Service Establishment. The criteria of a Service Establishment do not say catering. Catering is the closest we could come to what you are asking for. I am not sure that will work.

Barbara Garigliano: We are the nebulas among "other things" in the town laws.

Berry Hafkin: If it is not in the town laws it is not allowed. Can it be used as a Bed & Breakfast? Maybe, but the owner would have to reside there.

Tom Givone: I reside there all week, just not on the weekends.

Barbara Garigliano: It is a Service Establishment, not a Bed & Breakfast, but it is my client's primary residence.

Berry Hafkin: In reviewing the application, Catering and Bed & Breakfast was the closest we could come. I will speak with Michael Davidoff and get together with Ken Ellsworth and depending on their schedules will try to reconvene on June 26, 2019 at 7:00PM. I will notify you of any changes.

Tom Givone remits a check to the board secretary to be placed in escrow.

Motion to close the meeting:

Motion: Jeff Spitz

Second: Norm Sutherland

All in favor