

Town of Highland
Planning Board Minutes
September 25, 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 (absent)
Doreen Sweeney (absent)
Chris Tambini (alternate)

Board Secretary: Monica McGill

Town Attorney: Michael Davidoff

Motion to approve the August 28, 2019 Meeting Minutes:

Motion: Jeffrey Spitz Second: Chris Tambini

All in favor.

Application #3-2018 Floating Farmhouse/Tom Givone Special Use Permit

Appearing on behalf of the applicant is his Attorney Barbara Garigliano and Attorney Richard Baum. Tom Ward the Engineer for the applicant could not be present.

Berry Hafkin: The correspondence is building up. We received a letter from Derfner and Gillete on September 12, 2019. All letters will become part of the official record and will not be read tonight. If anyone needs a copy, speak with the Secretary and she will supply you with one.

We have the response letter back from Ken Ellsworth of Keystone Associates in reply to the changes made to the Site Plan. Ken Ellsworth was unable to be here this evening, but Mark Parker of Keystone Associates will be sitting in for him.

Barbara Garigliano: I would like to go over each point on Keystones report.

Point #2: Regarding the One-way and signage

Mark Parker: Ken tries to match up with the original report.

Barbara Garigliano: I believe Ken was okay with the additional signage. I want to point out that on the Site Plan we had a reference under general notes as to the option of valet parking. He has not addressed that.

Mark Parker: Ken did not mention anything to me about valet parking.

Barbara Garigliano: We were not here in July, we were here in June, and that is when it was suggested. It is on the Site Plan, so I would like him to comment on that.

Mark Parker: I will talk with him.

Point #3: Regarding the Free-Standing Sign

(No comments on point #3)

Point #4: Regarding Parking Spaces

The sentence stated in Point #4 “The Planning Board will determine if the grass parking is acceptable for the use of the facility.”

Barbara Garigliano: Does the Board want to address this now or continue going through the letter?

Berry Hafkin: We will continue going through the letter.

Chris Tambini: Is this parking? (referring to the map)

Barbara Garigliano: No, that was mentioned in Point #2, parking and signage. We discussed last time that there were two options. One was to keep it a one-way and the other option was to cut down the large gorgeous trees. Ken was in favor of not cutting down the trees. Tom Ward is not here tonight to give his estimate. We discussed it with him this afternoon and he will show it on the map. In reference to the Screening. Apparently, there is existing screening. There are tall and short trees. Tom did not show this on the plan, he will show this on the plan. Where it states “The Planning Board may want to consider screening for the gravel driveway leading to these spaces.” I am not sure that I understand completely what he has in mind there. Why would you do that? Wouldn't it interfere with blind site.

Mark Parker: I believe it would.

Barbara Garigliano: Blind site visually, putting trees along the driveway I don't understand.

Berry Hafkin: I am not sure if you want trees or just bushes that are full.

Barbara Garigliano: Screening to me means that you are visually impairing sight. I wasn't sure what he meant, but screening to me doesn't make sense.

Point #5: Regarding accessible route from the spaces to the Temporary Tent or Bathhouse

Barbara Garigliano: I believe that Tom was going to show that, correct?

Tom Givone: Yes

Barbara Garigliano: Okay, so that is to be shown.

Point #6: Regarding the dumpster

Barbara Garigliano: The dumpsters are not permanently positioned at the property. They are brought onto the property for an event. They have been placed at the edge of the driveway preventing use of the circular driveway. Half is on the applicant's property and half is on the neighbor's property. So, the applicant has to park the dumpster on the boundary line so that people will not go on the neighbor's property. The driveway is a solid surface, so we don't want to enclose them because they are not permanent.

Norm Sutherland: What size dumpster?

Tom Givone: They are a small dumpster.

Barbara Garigliano: So, we would like them to reconsider the dumpster issue.

Point #7: Regarding Lighting

Barbara Garigliano points out the lighting on the map. The lighting is not labeled and the board is requesting that it be labeled.

Point #8: Regarding water and septic

The number that the DEC has is for the rebuilding of the spillway. It has nothing to do with sewer or septic. We are well less than the jurisdiction, and I am not sure why we would go to the DEC.

Mark Parker: I guess to verify the water usage.

Barbara Garigliano: We are less than one thousand gallons per day.

Norm Sutherland: Is the permit still open?

Tom Givone: Yes, it does not have an expiration date for the dam.

Mark Parker: Could you submit something stating the system is adequate?

Barbara Garigliano: Okay, we will give more details in our note. Richard Baum is here to discuss the DOH (Department of Health).

Richard Baum: I believe I sent copies to Michael Davidoff in July. I investigated what the requirements were with the DOH for occupancy. If there was a temporary residence permit required, and we are not. The threshold for that is eleven (11) or more. This is ten (10) or less in the house, so you don't need a temporary residence permit and the DOH do not get involved.

The second question with the DOH was catering. If the catering is to take place on site, so there is a kitchen and so on, there needs to be a DOH permit. However, if the catering is off site by licensed caterers, the license of the caterer covers events on a remote location.

Berry Hafkin: So, there is no catering on site?

Richard Baum: The catering is brought in. There is no cooking on site.

Barbara Garigliano: There is heating and prep and general set up with minimal cooking.

Richard Baum: I had an email that I passed along from Andrew Kalter, who is a Sanitarian. It gave the thresholds of the temporary residence permit and also talked about the catering licensing issue. If that is adequate, I have it, if not I can go back and get something else if the board requires.

Barbara Garigliano: Perhaps you can get that information to Ken at Keystone if it has not been provided to him to see if it is satisfactory.

Richard Baum: Okay

Michael Davidoff: The information that Richard forwarded to me I will get to the Chairman and I will send a copy to the Secretary to go into the file.

Barbara Garigliano: Mark maybe you can ask Ken to review those emails to see if they are sufficient to satisfy the comment.

Michael Davidoff: Who were the emails from?

Richard Baum: They were from Andrew Kalter and I believe one of his superiors. And I am sure we can add the thresholds to the note. All the mass gathering thresholds are much bigger.

Point #12: Regarding Peak Hour traffic count

Barbara Garigliano: We will have to get that to you.

Point #14: Regarding a stamped copy of the survey

Barbara Garigliano: Okay.

And those are our comments.

Berry Hafkin: What is the breakdown of the lights?

Barbara Garigliano: Two (2) Flood Lights are shown on the existing dwelling and fourteen (14) landscape lights are shown on the south of the event space and west of the existing barn.

Tom Givone: The pathway lights point up from the ground.

Chris Tambini: For a large event how long before the event does the set up begin?

Tom Givone: The tent people come the day before or the morning of the event, usually once the family takes occupancy of the house. The vendors come at noon the day of the event and catering, makeup, and hair people come around 2PM. All guests leave the day of the event. The rental (tent people) come back on Sunday.

Chris Tambini: How many vendor vehicles come on the site?

Tom Givone: About five (5).

Chris Tambini: Are there provisions for the vendors?

Barbara Garigliano: Those vehicles were also included in the original calculation.

Chris Tambini: Are there any provisions from the DOH concerning the hand washing stations?

Richard Baum: They do not regulate events this small.

Berry Hafkin: The next step is to schedule a Public Hearing.

Chris Tambini: Is there any further action that has to be taken regarding the fuel oil spill that happened on the applicant's property back in 2012?

Barbara Garigliano: The applicant will produce the necessary paperwork in regards to that.

The Secretary will prepare letters to be sent to all adjacent properties. She will contact the applicant when they are ready to be mailed.

Michael Davidoff: Do we need to do a Form 239?

Berry Hafkin: It is not a county road, so we don't have to do one.

Secretary: Did we complete SECRA?

Michael Davidoff: No, SECRA still has to be done. We will wait and do the SECRA at the Public Hearing.

Jeff Spitz: We should reach out to the Fire Department to get their input.

Michael Davidoff: Who can we get to reach out to the Fire Department and Emergency personnel?

Norm Sutherland: I will reach out.

Michael Davidoff: If they have any problems ask them to attend the Public Hearing.

Barbara Garigliano: Or have them send a letter.

Berry Hafkin: I would like to ask of all attorneys, that when sending letters that you copy to all attorneys on the other side.

Motion to schedule a Public Hearing on Application #3-2019 Floating Farmhouse Special Use Permit to be held October 23, 2019 at six o'clock PM:

Motion: Chris Tambini

Second: Norm Sutherland

All in favor

Motion to close the meeting:

Motion: Jeffrey Spitz

Second: Chris Tambini

All in favor