

## **Town of Denning Planning Board Meeting Minutes October 19, 2023**

The Public Hearing for Honzo Haven proposed Wellness Center at Greenville Road. Owner Ken Kobayashi

The Public Hearing is called to Order at 6:03 pm.

Present: Chairman Joseph Sibiga

Board Members Present: Chris McInerny, Travis Coddington, Katherine Parr, Anthony Carminati

Absent: Shelly Curry and Steve Bobick

Public Present: Steve Bernabe from Mazzarelli Architects for Honzo Haven (Kobayashi) in Sundown, NY. Councilman Kevin Smith, Aldora Farfalla, Samim Yaquby, Ed Mues, Deborah Zagari and Rocky Zagari.

Steve Bernabe gives the Public Hearing Attendees a description of the Project. It is noted that the current project proposal is very scaled down from the previous proposal of a few years ago.

Chairman Sibiga asks for a description of what will be taking place in this proposed building. Steve Bernabe states that Dr. Kobayashi does acupuncture, massage, and Japanese meditation. That is what will be taking place there. Chairman Sibiga also asks if the building will be used year-round or will it be a more 3-season venture? Steve Bernabe states that he believes that the building will be used year-round. Mr. Bernabe does state that it will only be weekend usage – 8 to 10 people at a time. Mr. Bernabe will confirm these statements with Dr. Kobayashi.

Chairman Sibiga states that there are concerns from neighbors regarding this proposal. Steve Bernabe confirms that he just left the site before coming to the meeting and he did meet with Robert Totten. Mr. Bernabe confirmed he did have a meeting with Mr. Totten and did walk the site with him while he was there. Mr. Totten's concern is storm water runoff that crosses the road and fouls the spring of the house he owns there. Mr. Bernabe confirmed that steps would be taken to divert that runoff and protect that spring. Mr. Bernabe confirms the addition of the necessary plant screening as the Totten property is directly next door. He feels Dr. Kobayashi will agree to more trees if they are needed.

Chairman Sibiga states he received several emails and a phone call from neighbors with questions regarding the proposal. Steven Manganaro telephoned stating he and his father were notified of the meeting and gave a flat out "No" to the proposal as reported by Chairman Sibiga. The Graziani's who are two separate owners of property above adjacent to the proposed site, and they emailed their response to the Public Hearing Notice. They too are not in favor of the proposal. Siting they are weekenders escaping the City who value the rural nature of the

property and a commercial business in the area bringing people in from the City is not welcome. Chairman Sibiga reads their email.

Chairman Sibiga opens the floor to the Public Hearing Attendees for their responses:

Ed Mues states that he has a lot of concerns. He has known Ken casually for many years since he bought the property. Mr. Mues states that there is no mention of staffing in the proposal, and the parking is questionable. Mr. Bernabe states that there are six (6) parking spaces in the proposal. Mr. Mues states that is an issue if there will be additional staff. Mr. Bernabe states that Dr. Kobayashi and his wife are the staff. Chairman Sibiga agrees that is what he assumed as well. Chairman Sibiga asks Mr. Bernabe to also confirm that fact with Dr. Kobayashi.

A question from the Zagaris is how big is the building? Mr. Bernabe states that the building would be just over 1,200 square feet – 2-story. The public hearing attendees are invited up to view the plans and renderings to see where on the property the building will be situated. The building will sit 180 feet from the road. This attendee is from the other side of Pidgeon Brook. Their main concern is the integrity of the rural area as they are now weekenders but are definitely planning to build here and retire here. Discussion follows regarding the types of clients that would be seen here, will there be people with mental health issues, etc. Mr. Bernabe states that the clients coming here will be the same as the clients going to his Manhattan office for the class sessions, etc. This attendee also states that the visitors looking for the Kobayashi address now come up Pidgeon Brook Road, so there is a problem with GPS and the location of the property and directions given. It is again reiterated that the services will be weekends only, 8-10 people a day and there are no overnight accommodations in this proposal.

Discussion follows with many of the attendees and Chairman Sibiga and Mr. Bernabe regarding clients using Pidgeon Brook Road which is a private road. There is no sign proposed for the business because it is a residential area. It is hoped that the clients of the proposed business will be able to find it.

Ed Mues states that Dr. Kobayashi has been fund raising for this Wellness Center for 15 years and he hasn't done anything yet. Now he wants to put up a much smaller structure. The steps that are already in place on the property are not going to be usable in the Winter. Mr. Bernabe states that the steps are "abandoned" and are not being used for this proposal. The building will be situated much lower on the property closer to the road. (180 feet from the road). Mr. Mues is seriously concerned that there will be other staff and wants to know about licensed medical staff. Mr. Mues also wants to know if Dr. Kobayashi is licensed and does he have a business license? Chairman Sibiga states that is not the business of the Planning Board.

Discussion follows regarding structure and plan specifics – size, materials used, siding, shingle color, etc. It is confirmed that the parking plan is one accessible parking space and five regular parking spaces. There will be a primary and secondary septic system installed. The primary is a 1,000-gallon septic tank in a raised bed system.

Chairman Sibiga asks if anyone else has any specific questions or concerns regarding the proposal. No further comments.

Chairman Sibiga will submit the proposal to the Ulster County Planning Department for their approval.

Steve will confirm with Dr. Ken Kobayashi the questions and concerns put forth in the Public Hearing.

Chairman Sibiga requests a motion to close the Public Hearing at 6:40 pm. Motion to end the Public Hearing made by Chris McInerney and seconded by Katherine Parr. All in Favor.

## Town of Denning Planning Board Meeting Minutes October 19, 2023

The Planning Board Meeting is called to Order at 6:46 pm.

Present: Chairman Joseph Sibiga

Board Members Present: Chris McNerny, Travis Coddington, Katherine Parr, Anthony Carminati

Absent: Shelly Curry and Steve Bobick

Public Present: Councilman Kevin Smith, Aldora Farfalla, and Samim Yaquby

Old Business:

- Aldora Farfalla is present regarding her Bed and Breakfast at 71 Taylor Road, Claryville, NY for an update. Chairman Sibiga received a letter from the Ulster County Planning Board which states that there is no County impact so the proposal can proceed as planned. Katherine Parr requests to review the inside and outside site plans prepared by Ms. Farfalla and her husband. Chairman Sibiga confirms that the site plans were also submitted to the Ulster County Planning Board. Chairman Sibiga recaps the proposal, the Public Hearing, and all the specific requests made regarding notation of property boundaries for guests, noise concerns for neighbors, etc. Travis Coddington suggests issuing an annual special use permit to confirm that all Town zoning and codes are being followed correctly. Chairman Sibiga states this is not necessary as the Building Inspector / Code Enforcement Officer will be doing a yearly inspection and if there are any complaints received by the Town the matter will be reviewed and if any issues are substantiated the Planning Board can review the matter and demand compliance, with the option to revoke the Permit for non-compliance if necessary.

Chairman Sibiga requests a Motion to Approve a Special Use Permit for a Bed and Breakfast for Aldora Farfalla at 71 Taylor Road, Claryville, NY. Motion to Approve made by Kathrine Parr and seconded by Anthony Carminati. All in Favor.

Chairman Sibiga will notify Karl Von Hassel, Building Inspector / Code Enforcement Officer that the initial inspection of the premises needs to be completed.

New Business:

- Samim Yaquby is present to submit his proposal for an AirBnB of his residence at 4 Woodfield Road. Chairman Sibiga confirms he received an email from Sam requesting information on the process of setting up his AirBnB and he was provided with links and information from the Town Zoning Law. Mr. Yaquby confirms he received the information and read through it. And he is now asking how he proceeds. Chairman Sibiga states that a Special Permit is required to establish an AirBnB in Denning so the

Planning Board will follow the Special Use Permit protocol. (similar to what Ms. Farfalla just did with her Bed and Breakfast Special Use Permit). The difference being while Ms. Farfalla must be present for guests at her Bed and Breakfast, the owner cannot be present when there are guests at his AirBnB.

Chairman Sibiga confirms that Mr. Yaquby will be provided with an application for the Special Use Permit for him to fill out. General questions are asked about the residence. Mr. Yaquby confirms that it is a 3-bedroom house but he will keep the upstairs area with 1 bedroom locked and unavailable; and guests will only be able to use the downstairs area which has all the amenities and 2 bedrooms.

Discussion continues regarding Ulster County approval of AirBnB rental with specific taxes applied by the County through the AirBnB rental company, a portion of which the County then pays to the Town of Denning. Mr. Yaquby is advised that once the application is submitted and reviewed by the Denning Planning Board and the Ulster County Planning Board, then the Town of Denning Building Inspector / Code Enforcement Officer (Karl Von Hassel) will do an inspection of the premises and grant an approval for the use. Mr. Yaquby is also notified that he will have to have the proper fire and smoke detectors, exit signs, etc. to ensure his guests safety. He will also have to post the boundaries of his property to make his guests aware of them. Chairman Sibiga also makes Mr. Yaquby aware that his AirBnB guests will need to present a R&R Permit each and every time if they are going to be taking their garbage to the Denning R&R Center. Mr. Yaquby states that he will be in residence every Friday, Saturday and Sunday after any rental and he will be taking care of the garbage issue personally between guests as he will be cleaning between guest stays.

Chairman Sibiga confirms that after the completed application is received there will be a Public Hearing held and the same protocol will be followed as in Ms. Farfalla's Bed and Breakfast application. Then Mr. Van Hassel will be notified regarding the initial inspection and a yearly inspection thereafter.

Discussion continues regarding zoning and code requirements for AirBnB with Mr. Yaquby. He is advised that the Zoning Law and application documents can be found on the denning website at [www.denningny.gov](http://www.denningny.gov). Mr. Yaquby is advised to email Karl Von Hassel regarding what would be required for the inspection. Once the application is received the Public Hearing will be scheduled and the mailing to notify the neighbors for the Public Hearing will be completed. Mr. Yaquby states he has been trying to contact Mr. Von Hassel for about a month with no response yet. He has been advised that Mr. Von Hassel has been ill.

Discussion continues regarding the process.

Correspondence:

- There is no correspondence.

Chairman Sibiga reads the Minutes from the previous meeting. Chairman Sibiga requests a Motion to approve the Minutes as read. Motion to approve the Minutes is made by Katherine Parr and seconded by Anthony Carminati. All in favor.

Chairman Sibiga asks for Board Member Comments:

- There are no additional Board Member Comments.
- Councilman Smith has no additional comments.

Chairman Sibiga asks if there are any Public Comments. There are none.

Motion to adjourn the Meeting at 7:26 pm made by Chris McInerney and seconded by Travis Coddington.

The next Town of Denning Planning Board meeting will be held at 6:00 pm on November 16, 2023.