

DONNA AKERLEY

*Town Clerk, Registrar
Tax Collector
and Marriage Officer*

www.townoffallsburg.com



TOWN CLERK'S OFFICE
TOWN OF FALLSBURG

P.O. Box 2019
19 Railroad Plaza
South Fallsburg, New York 12779
Phone: (845) 434-8810 Ext. 1
Fax: (845) 434-8809

Monday, June 19, 2017

The Town of Fallsburg Town Board Conducted a
Public Hearing/Work Session
at the Fallsburg Jr/Sr. High School, Brickman Road, Fallsburg, New York
6:00 pm

PRESENT:

Supervisor, Steven Vegliante
Councilman, Arnold Seletsky
Councilman, Nathan Steingart
Councilman, Joe Levner

Deputy Town Clerk, Elizabeth M. Santos
Supervisor's Secretary, Linda Ingber
Comptroller, Scott DuBois
Code Enforcement Officer, Mollie Messenger
Attorney for the Town, Paula E. Kay
Sull. County Legislator, Ira Steingart
Sull. County Legislator, Joe Perrello
Jonathan T. Lockman, Principal Environmental Planner

ABSENT:

Town Clerk, Donna Akerley
Councilman, Mike Weiner

*** Note: Citizens comments have been paraphrased and attached to the official filing of these meeting minutes are written comments received from various citizens.*

Sullivan County Democrat
5 Lower Main St., PO Box 308
Callicoon, NY 12723-0308
845-887-5200 Fax: 845-887-5386

Affidavit of Publication

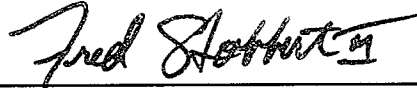
State of New York

SS:

County of Sullivan

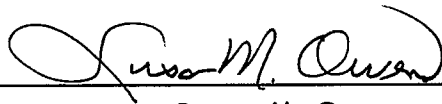
Legal Notice Ad

I, Fred W. Stabbert, III, being duly sworn,
Depose and say: That I am the Publisher of
Sullivan County Democrat, a twice weekly
newspaper of general circulation published in
Callicoon, County of Sullivan, State of New
York; and that a notice, of which the annexed
is a printed copy, was duly published in
Sullivan County Democrat 6/9/17



Fred W. Stabbert, III

Sworn to before me this 9th day of June, 2017



Susan M. Owens

Notary Public, State of New York

No. #010W8025547

Qualified in Sullivan County

My commission expires on June 1, 2019

**LEGAL NOTICE
TOWN OF
FALLSBURG
Meeting
Cancellation**

Notice is hereby given: The Town of Fallsburg Town Board Public Hearing relative to the Updated Comprehensive Plan and Amendments to the Town Zoning Code for Monday, June 12, 2017 @ 5:50 p.m. at the Fallsburg High School, Brickman Road, Fallsburg, NY, 6:00 pm - HAS BEEN CANCELLED and has been re-scheduled for Monday, June 19, 2017 @ 5:50 pm - LOCATION YET TO BE ANNOUNCED.

The regular Town Board Legislative Meeting for Monday, June 12, 2017 will be conducted at the Town Hall, 19 Railroad Plaza,

South Fallsburg, NY @ 6:00 pm

BY ORDER OF THE TOWN OF FALLSBURG TOWN BOARD

Dated: Friday, June 9, 2017

Donna Akerley
Town of Fallsburg
Town Clerk, Tax

Collector,
Registrar, Marriage

Officer, RMO,
FOIL Officer &

Notary Public
PO Box 2019

19 Railroad Plaza
South Fallsburg, NY

12779
(845) 434-8810 Ext.

1 p
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www.townoffalls-
burg.com

donna@falls-
burgny.com

52057

5:50 pm – Public Hearing relative to the Updated Comprehensive Plan and Amendments to the Town Zoning Code

Motion by Councilman Seletsky, Seconded by Councilman Levner to open Public Hearing

Jonathan Lockman of Nelson, Pope & Voorhis, LLC: provided a power point presentation to the audience in regard to the Comprehensive Plan and updated Zoning amendments. The Planning Board will meet June 21st, 2017 to go through SEQR then the Town Board can vote on it.”

Paula E. Kay, Attorney: “The Planning Board will be reviewing the documents they will not be holding a public hearing.”

Supervisor Steve Vegliante asked for any questions or comments from the Public.

Henry Blech: “Good Evening, I own a detached family home in Loch Sheldrake, I noticed as I walk around the neighborhood there are many abandoned homes with the grass very high. Nothing is being done. I have seen the new bungalows that were built they are beautiful. I don’t know why the Town would restrict all this building when it makes it look beautiful.”

Allen Frishman: “The secondary kitchen will it be reviewed case by case? I also saw that R-1 district went from \$3,491 to \$1,800 where did it get absorbed? I am also happy to see the allowance of the building department to be able to make a decision about on site changes in site plan when appropriate.”

Jonathan Lockman: “Yes, it will be looked at case by case. It got absorbed into the AG district.”

Moishe Grunhut: “My name is Moishe Grunhut, a homeowner in Fallsburg, New York. As you realize this zoning plan has just been released, where we did not have a chance to review it. But as we all realize, this whole plan is to limit the growth of our community. I would not accuse anyone of you of being an anti-Semite. However, knowingly or unknowingly, consciously or subconsciously, it’s all designed against our community. I am the president of the JCC of Sullivan County representing thousands of homeowners, thousands upon thousands of children in our religious camps. Our future is in beautiful Fallsburg New York. We have hundreds of millions of dollars invested in this town. We have thousands and thousands acres of land. Our future is right here in Fallsburg. And we are the real “Future Fallsburg.” And let me tell you this; I am the second-generation of Holocaust survivors. I grew up listening to the horror stories that my parents have suffered under the German regime. Although there was no social networking in those days, they did have radio transistors and newspapers where it was all about the growth and success of the Jews, and how they must limit their growth, and we all know the rest of the story. Tonight I beg of you all, please find room in your heart, your emotions, and soul, to stop this nonsense in its tracks. We as a community are very grateful to the United States of America for giving us a safe haven – a place to live and the opportunity to prosper and grow a right to raise our voices and concerns and to be heard. We have a growing community and we have outgrown Brooklyn. We need space to live in the Catskills. Remember, we are never victims. We are survivors. And believe me; we will survive this too. Please let’s work this through together. Let’s not have to go through the court system and through all the agony of a legal battle. We can work together in harmony. We are abiding citizens. We obey the law of the land. We deserve better. Before you move ahead with this plan, please let’s work this through together. Thank you.

Eli Brazel: “A big emphasis was on agricultural. I see it was presented before but didn’t succeed.”

Joel Kohn: “You should keep this Public Hearing open for a few weeks since it was only released the same day, no one really had a chance to think of any comments they would make. Also can the presentation be made public on the town’s website?”

Supervisor Vegliante: “The majority of this Board has not had a chance to review this plan.”

Paula E. Kay, Attorney: “We are going to be accepting written comments & public comments at our next meeting.

“Supervisor Vegliante called this Public Hearing to remain open until June 26th at which time more public and written comments will be accepted. Another Public Hearing will be held July 10, 2017 at the Town Board meeting in the court room at 6:00PM.”

Motion by Councilman Seletsky, seconded by Councilman Steingart to open Work Session Meeting.

Motion #136

Motion to set time and date for a 2nd Public Hearing relative to Updated Comprehensive Plan and Amendments to the Town Zoning Code for July 10, 2017 at 6:00 pm Location to be announced.

Motioned by Councilman Seletsky, seconded by Councilman Steingart

Motion Carried 4 Ayes

Motion # 137

Motion to refer the Comprehensive Plan and Zoning Amendments to the Planning Board for its review and recommendations.

Motioned by Councilman Seletsky, seconded by Councilman Steingart

Motion Carried 4 Ayes

FINANCE:

Motion #138

Review Warrant 06B17 dated 6/21/2017 in the amount of \$1,349,826.84

Motioned by Councilman Seletsky, seconded by Councilman Steingart

Motion Carried 4 Ayes

EXECUTIVE SESSION:

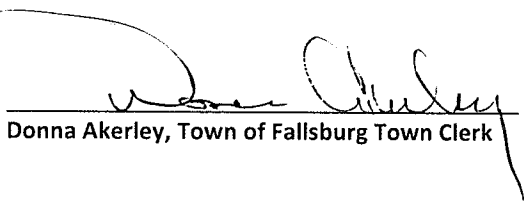
6:57 pm. Motion to enter into Executive Session as set forth in Public Officers Law Sec. 105 (1)

regarding: **Employment**

Motioned by: Councilman Steingart seconded by: Councilman Seletsky

7:45 pm. Motion to adjourn Executive Session

Motioned by: Councilman Seletsky Seconded by: Councilman Levner



Donna Akerley, Town of Fallsburg Town Clerk

Mollie Messenger (Town of Fallsburg Code Enforcement)

From: JK Expediting
Sent: Wednesday, June 21, 2017 12:44 PM
To: Mollie Messenger (Town of Fallsburg Code Enforcement)
Subject: RE: Town Board Meeting

Oops, I also asked if the presentation can be made public on the towns website.

Thanks

Joel Kohn

JK Expediting Services
63 Liberty St.
P.O. Box 369
Monticello NY 12701
845-796-9110
Joel@jkexpediting.com

From: JK Expediting
Sent: Wednesday, June 21, 2017 12:21 PM
To: Mollie Messenger (Town of Fallsburg Code Enforcement)
Subject: RE: Town Board Meeting

Good Afternoon Mollie,

I just asked that the public hearing should remain open since it was only released the same day and saw it first at Monday's public hearing and no one really had a chance to think of any comments they would make.

Thanks for adding the PH presentation to the towns website.

Thank you.

Joel Kohn

JK Expediting Services
63 Liberty St.
P.O. Box 369
Monticello NY 12701
845-796-9110
Joel@jkexpediting.com

From: Mollie Messenger (Town of Fallsburg Code Enforcement)
Sent: Wednesday, June 21, 2017 12:10 PM
To: 'Joel Kohn Ichud'
Subject: Town Board Meeting

Good Afternoon,

Mollie Messenger (Town of Fallsburg Code Enforcement)

From: Allen Frishman
Sent: Thursday, June 22, 2017 9:01 AM
To: Mollie Messenger (Town of Fallsburg Code Enforcement)
Subject: Re: Town Board Meeting

Mollie

I raised the ? about where the decrease in acreage in the r-1 zone went and it was explained that it went into the increase of the ag. district.

The ? regarding the second kitchens and it would be a case by case review, and I was happy to see the allowance of the blg. dept. to be able to make a decision about on site changes in the site plan when appropriate. I hope that helps.

Allen

On Wed, Jun 21, 2017 at 12:48 PM, Allen Frishman

OK I will send you an e mail

On Wed, Jun 21, 2017 at 12:11 PM, Mollie Messenger (Town of Fallsburg Code Enforcement)

<[redacted]@townoffallsburg.com> wrote:

Good Afternoon,

You are receiving this email because you spoke at the Public Hearing on Monday night regarding the Draft Comprehensive Plan Update. Unfortunately the Clerk's tape recorder malfunctioned and we did not get your comment on tape in order to add it to the record.

Could you please submit an email back to me or a letter regarding your concern that night, so we can add it to the minutes in order to get a proper record.

We apologize and appreciate your cooperation. Please submit your email or letter by Friday so we can have the minutes ready for the meeting on Monday June 26th.

Monday June 26th, the public hearing will be open and we will be answering additional comments.

Thank you

Mollie Messenger

Town of Fallsburg

Code Enforcement Office

5250 Main Street

6/19/17

LAW OFFICES OF MICHAEL B. MEDNICK
544 BROADWAY, SUITE 4
P.O. BOX 612
MONTICELLO, NEW YORK 12701

(845)794-5200 • FAX (845)794-7784
EMAIL: michael@michaelmednick.com

May 30, 2017

Hon. Steven Vegliante
Town of Fallsburg Supervisor
PO Box 2019
South Fallsburg, New York 12770

Re: Property owned by SD Fallsburg Corp.
Tax Map Parcel 60-1-8.2

Dear Mr. Vegliante:

My office represents SD Fallsburg Corp. which is the owner of certain property (one parcel) within the Town of Fallsburg. I am writing to you specifically in reference to tax parcel 60-1-8.2. This parcel is approximately 13 acres that is currently zoned REC-1. I have attached a copy of a map which marks in orange the parcel to which I am referring (see Exhibit 1).

My client would like to develop this parcel with multi-family homes, but currently that is not allowed in a REC-1 zone according to the current zoning code table of use and bulk requirements. We are requesting that some action be recommended to the Comprehensive Development Committee that would allow for a development as such to take place. We would suggest that the parcel, and possibly other contiguous parcels, be re-classified to either Business District B-1 or Hamlet Residential District (HR-1) which would allow the development of multi-family homes.

There are several equitable factors that your board and the committee need to be aware of in your consideration of this request. Initially, my client purchased this property in 2002 at which time it was zoned B-1, which would allow this type of development. I have attached as Exhibit 2 a copy of the zoning map that existed prior to the Town's last comprehensive plan revisions of 2006 which shows the parcel in question was in the B-1 district. This obviously made sense since this 13 acre parcel already had municipal water and sewer and was intended to be developed pursuant to the B-1 bulk requirements. The property is still within the Town's municipal water and sewer district. My client has been paying water and sewer charges on this property the entire time it has owned it (see Exhibit 3, tax bill).

Somehow during the previous comprehensive planning review this singular parcel was erroneously re-classified as REC-1. This re-classification significantly changed the ability to develop this parcel

Hon. Steven Vegliante
May 30, 2017
Page Two

in a viable manner for residential purposes. It should be noted that this parcel has always been part of the Town's municipal water and sewer district and that during the comprehensive revision in 2006, this parcel was rezoned as if it did not have municipal utilities attached to it. Accordingly, my client has been paying water and sewer charges for all these years although there is no viable residential development type for this property as a result of said rezoning.

Including parcel 60-1-8.2 in the re-classification during the previous comprehensive zoning review clearly was an error since it had municipal utilities. I respectfully submit that during the current comprehensive planning review it would be an appropriate opportunity to correct this error and re-classify the property as either HR-1 or B-1 again to allow for an appropriate residential development to be pursued by the owner in accordance with the Town's zoning code.

The property owner is willing to work with the Town Board and Comprehensive Development Committee to resolve this issue. If a re-classification of the zoning is not viable (although it seems the easiest and most equitable under the circumstances), we would suggest crafting an overlay district for Workforce Housing that would specifically reference and be limited by parcels that have unique characteristics, i.e. parcels greater than 10 acres that are currently within the municipal water and sewer district and requiring discretionary approval by both the Town Board and Planning Board. These specific requirements, mandating only service by municipal districts, will preclude any other such development in a REC-1 district since most, if not all other properties, will be unable to meet these conditions. Furthermore, requiring the Town Board to utilize its discretion to accept or reject such a project prior to getting to the Planning Board adds another layer of control for the Town. Accordingly, a two tier review and specific requirements certainly would make for a thoughtful and well planned out development that the developer and Town could be proud of.

Therefore, we respectfully request that your office, the Town Board, and the Comprehensive Development Committee take a hard look at the facts and circumstances of this situation and formulate a reasonable solution to allow my client to viably develop this parcel for multi-family residential use once the moratorium ends. Our thoughts are that an amicable solution here will better serve the Town and my client's interests moving forward.

We would be happy to meet with you and the Town Attorney at any time to go over the issues raised in this letter and to discuss any and all options available to resolve this matter. Please let me know a convenient time to meet to discuss this matter. Thank you for your consideration.

Very truly yours,



MICHAEL B. MEDNICK

MBM:ck

Enc.

cc: Paula E. Kay, Esq., Town Attorney (w/enc.)
SD Fallsburg Corp.

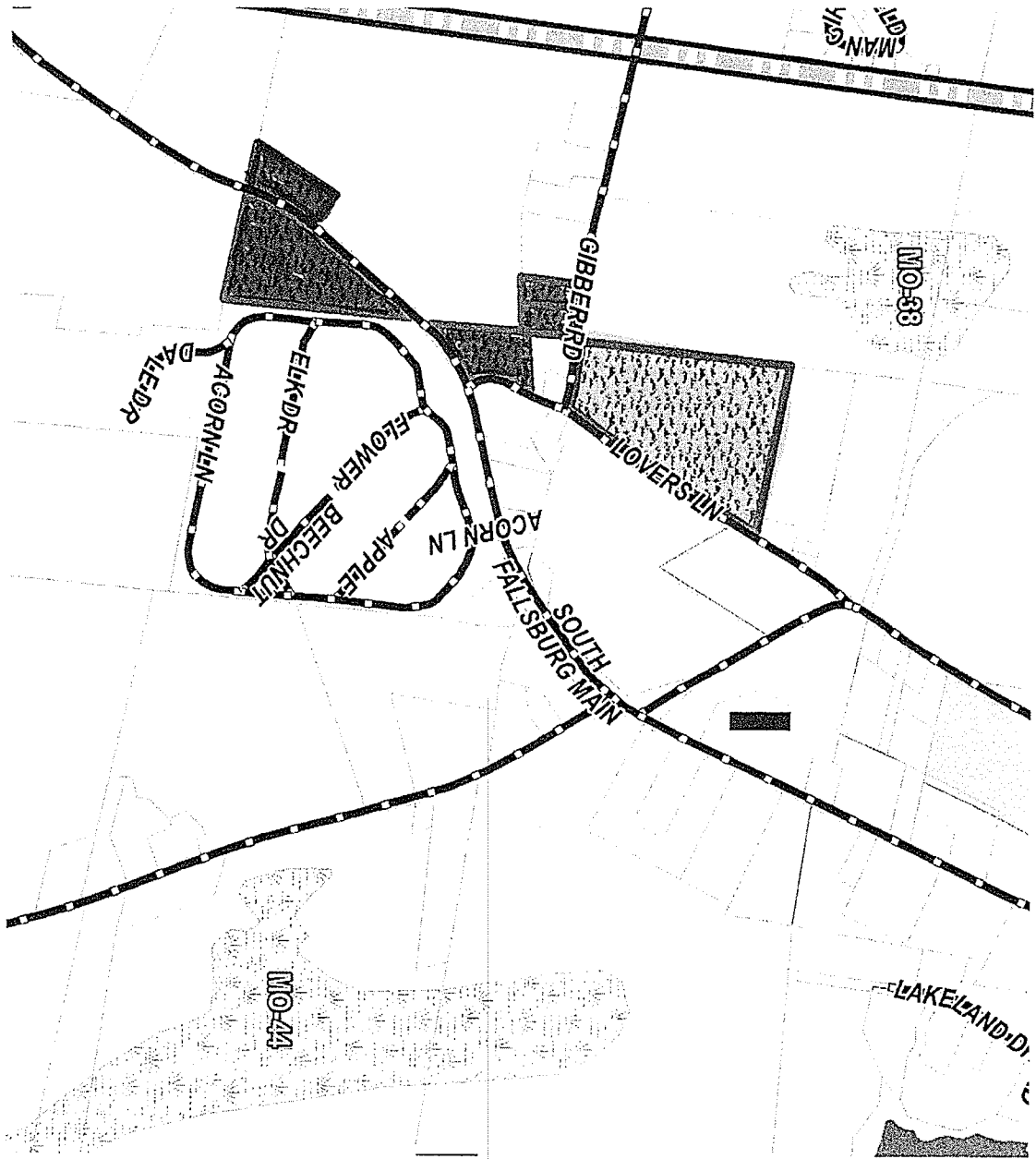


EXHIBIT 1

TOWN OF FALLSBURG SULLIVAN COUNTY, NY COMPREHENSIVE PLAN

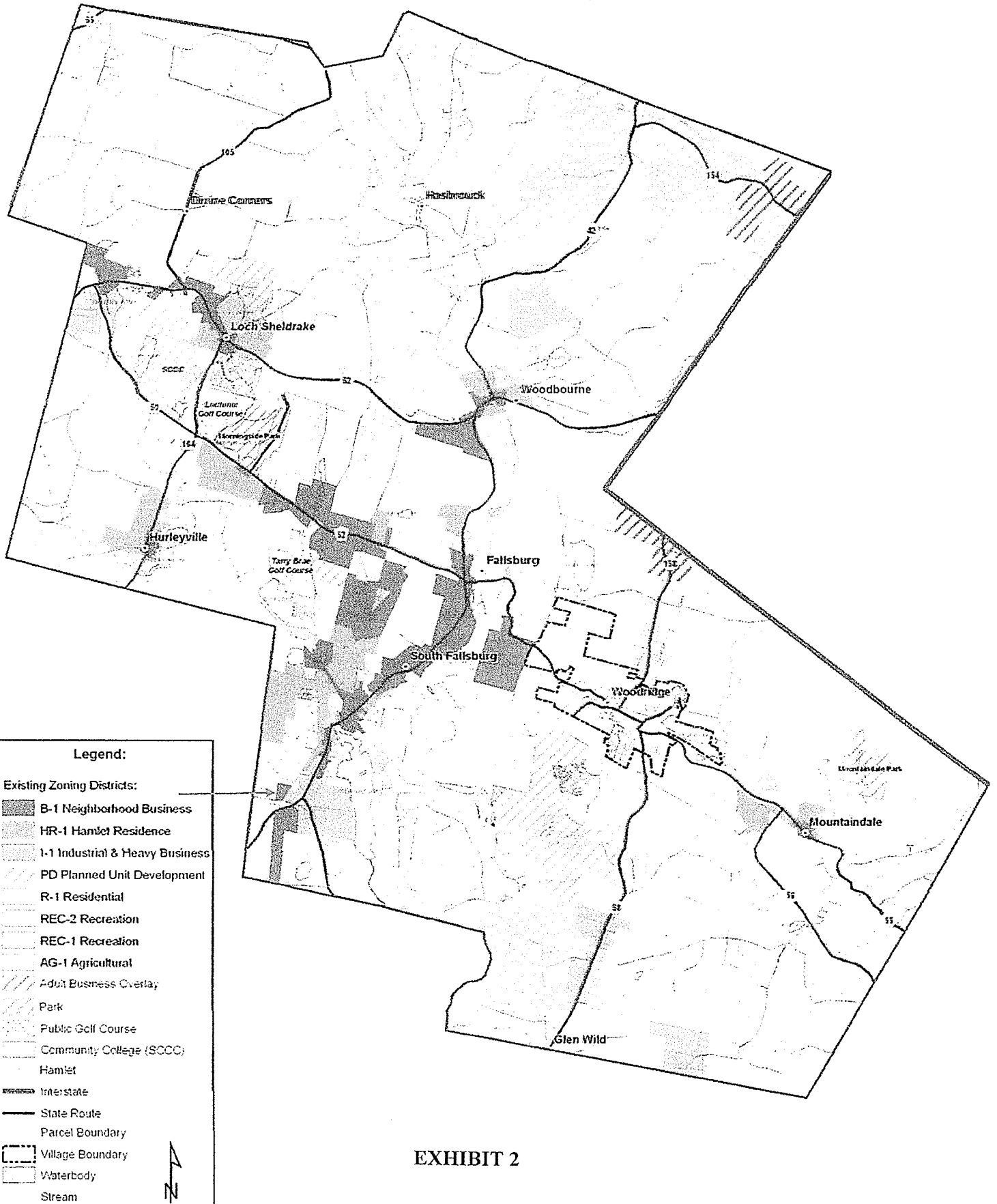


EXHIBIT 2

MAKE CHECKS PAYABLE TO:
 Donna Akerley
 Collector of Taxes
 c/o Catskill Hudson Bank
 PO Box 1070 - 4438 State Rt 42 N
 Monticello, NY 12701
 www.taxlookup.net

TO PAY IN PERSON:
 See enclosed flyer
 Catskill Hudson Bank
 4438 State Route 42 North
 Monticello, NY 12701
 845-334-0109

SWIS S/B/L ADDRESS LEGAL DESCRIPTION:
 482889 60.-1-8.2
 Address: Lovers Lane Tr 55
 Muni: Fallsburg
 School: Fallsburg1
 Class: Rural vac>10 Roll Sect 1
 Parcel Acreage: 0.00 X 0.00 13.7
 Bank Code:

Owner: 482889 60.-1-8.2
 SD Fallsburg Corp
 PO Box 269
 Kiamesha Lake, NY 12751

Exemption	Value	Tax Purpose	Est Full Value

PROPERTY TAXPAYER'S BILL OF RIGHTS

The assessor estimates the Full Market Value of this property as of July 1, 2015 was: 36,700
 The Total Assessed Value of this property is: 23,300
 The Uniform Percentage of Value used to establish assessments was: 63.50

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

PROPERTY TAXES	Total Tax Levy	% Levy Change from Prior year	Taxable Assessed Value or Units	Rates per \$1000 or Per Unit	Tax Amount
Medicaid	22,370.012	2.1	23,300.00	4.610371	\$107.42
NYS Welfare Mandates	7,043.117	0.7	23,300.00	1.451558	\$33.82
Other NYS Mandates	19,027.712	3.6	23,300.00	3.921536	\$91.37
County Levy	12,773.277	26.2	23,300.00	2.632522	\$61.34
Town to Highway	4,011.832	-0.6	23,300.00	7.601580	\$177.12
Highway No. 1	1,113.202	4.5	23,300.00	2.311025	\$53.85
Gen Fund out of Vill	3,148.151	4.0	23,300.00	6.535610	\$152.28
Fallsburg fire TOTAL	465.383	0.4	23,300.00	3.907545	\$91.05
Fallsburg light TOTAL	84.171	5.8	23,300.00	.683043	\$15.91
So falls pub parking TOTAL	81.577	0.0	23,300.00	.724591	\$16.88
Fallsburg cons sewer UNITS C				18.00	\$266.50
Fallsburg cons water TOTAL C	612.774	4.3	23,300.00	1.431625	\$33.36

Full Payment Penalty	Taxes may be paid in three installments.			TOTAL DUE	\$1,100.90
Rec'd By	%	Amount	Penalty	Total Due	
01/31/2017		\$1,100.90	0.00	\$1,100.90	
02/28/2017	1.00	\$1,100.90	\$11.01	\$1,111.91	
03/31/2017	2.00	\$1,100.90	\$24.02	\$1,124.92	

SEND OR BRING ENTIRE BILL WITH FULL PAYMENT

RECEIVER'S STUB

TEAR OFF AND RETURN THIS PORTION WITH YOUR 3RD INSTALLMENT

TOWN OF FALLSBURG
 Muni: Fallsburg
 School: Fallsburg1
 Address: Lovers Lane Tr 55

Please circle amount enclosed

Bill No. 008382

If Paid By:	Penalty %	3rd Installment	2nd + 3rd Installment	Full Payment
03/31/2017	2.00	\$282.73	\$563.46	\$1,124.92

* Second notice fee included in March payments

Owner:
 SD Fallsburg Corp
 PO Box 269
 Kiamesha Lake, NY 12751

Please provide your phone number:

() -

Payment # 3

Tax Map No: 482889 60.-1-8.2
 Bank Code:
 Fiscal Year: 1/1/2017-12/31/2017

RECEIVER'S STUB

TEAR OFF AND RETURN THIS PORTION WITH YOUR 2ND INSTALLMENT

TOWN OF FALLSBURG
 Muni: Fallsburg
 School: Fallsburg1
 Address: Lovers Lane Tr 55

Please circle amount enclosed

Bill No. 008382

If Paid By:	Penalty %	2nd Installment	2nd + 3rd Installment	Full Payment
02/28/2017	1.00	\$277.98	\$555.95	\$1,111.91

Owner:
 SD Fallsburg Corp
 PO Box 269
 Kiamesha Lake, NY 12751

Please provide your phone number:

() -

Payment # 2

Tax Map No: 482889 60.-1-8.2
 Bank Code:
 Fiscal Year: 1/1/2017-12/31/2017

RECEIVER'S STUB

TEAR OFF AND RETURN THIS PORTION WITH YOUR 1ST INSTALLMENT

TOWN OF FALLSBURG
 Muni: Fallsburg
 School: Fallsburg1
 Address: Lovers Lane Tr 55

Please circle amount enclosed

Bill No. 008382

If Paid By:	Penalty %	1st Installment	Full Payment
01/31/2017	0.00	\$550.44	\$1,100.90

Owner:
 SD Fallsburg Corp
 PO Box 269
 Kiamesha Lake, NY 12751

Please provide your phone number:

() -

Payment # 1

Tax Map No: 482889 60.-1-8.2
 Bank Code:
 Fiscal Year: 1/1/2017-12/31/2017