

In The Matter Of:
Town of Mamakating
Planning Board

Camp Echo
March 22, 2016

Jeric Corporation
Court Reporting Services
P.O. Box 385
Narrowsburg, NY 12764
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COUNTY OF SULLIVAN : TOWN OF MAMAKATING
PLANNING BOARD

----- X

CAMP ECHO AMENDED SITE PLAN
Tax Map Section 10; Block 1; Lot 50.1
Burlingham Residential Zone

----- X

Town Hall
Town of Mamakating
March 22, 2016
7:37 P.M.

PLANNING BOARD MEMBERS:

- MORT STAROBIN, Acting Chairman
- ALEX GOODMAN, Board Member
- RICHARD GLISSON, Board Member
- LORRENCE GREEN, Board Member
- ERIK COLLIER, Board Member
- LINDA FRANCK, Secretary
- JOHN CAPPELLO, ESQ., Attorney
- STU TURNER, AICP, Planner
- LAWRENCE PAGGI, P.E., Engineer
- MARY GRASS, Building Inspector/Code Enforcement

Also Present: Matthew Dudley, Esq., on behalf
of Applicant

Jeric Corporation
Court Reporting Services
Post Office Box 385

Narrowsburg, New York 12764
Reported by: Rosemary A. Meyer

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2 ACTING CHAIRMAN STAROBIN: Okay. The next one is Camp
3 Echo, Amended Site Plan.

4 MR. DUDLEY: Good evening, everyone. My name is
5 Matthew Dudley from the law firm of Wilson, Elser. I'm
6 here on behalf of our client, Shab Holdings, LLC, which
7 owns and operates the camp, Camp Echo. I'm also here
8 tonight with Camp Echo's engineer, Mr. Ramuney.

9 I would just like to respectfully request that the
10 Board, in addition to moving to declare itself Lead Agency
11 tonight, also move that the public hearing for the Amended
12 Site Plan approval be scheduled for next month's meeting,
13 April 26th. The camp is trying to get up and running for
14 the summer 2016 season which I believe begins on June 26th.
15 In order to help facilitate that, we would appreciate if
16 Board would move tonight to set the public hearing on the
17 site plan approval for the April 26th meeting. Thank you.

18 ACTING CHAIRMAN STAROBIN: Larry, do you have
19 comments?

20 MR. PAGGI: I do. I have a minor comment letter, but
21 the only reason that the comments are minor is because
22 we've really just been addressing, up onto this point, the
23 status of the site: What the current status of approvals
24 are for existing buildings; what's the status of approvals
25 for structures that have not been approved by the Planning

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2 Board; and what is being proposed in addition. So nothing
3 has really been submitted other than documentation of
4 what's there and what's being asked for. There's been no
5 real design. But what I can do is just bring the Planning
6 Board up to speed with some of the discussions that
7 occurred at our workshop meeting.

8 The last meeting on February 16, 2016, we determined
9 that the next logical step for this project was for the
10 Applicant to prepare designs of the proposed improvements
11 and the existing non-approved items relative to storm,
12 water supply and sewage disposal. So in other words, we
13 would need grading plans, we would need to know how the
14 water was going to be supplied to these facilities, we
15 would need to know how stormwater was going to be handled,
16 we need to know how sewage disposal was going to be
17 accommodated.

18 The EAF indicates that they're anticipating less than
19 one acre of total disturbance. That would need to be
20 demonstrated. I don't believe that that's have going to be
21 the case because there are some significant improvements
22 being planned, and above and beyond that, they will need to
23 design stormwater features for those existing structures,
24 existing facilities, that are not approved. So in other
25 words, like the existing buildings, the existing parking

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2 areas, whatever they may be, they appeared on a map without
3 this Planning Board approving them so we need to know that
4 they're going to meet the requirements of this Board, to
5 demonstrate no additional site runoff, no additional impact
6 to stormwater management. I believe that when all that
7 happens we're going to see over an acre of disturbance and
8 they're going to be required to prepare a SWPPP which means
9 that they're going to have gain coverage under the general
10 permit.

11 We've also, and I know -- well, let me just take a
12 step back relative to water and sewer. I know the project
13 engineer is working on doing the same thing for the sewage
14 disposal systems that he did for the buildings and
15 features, determining what's out there, determining the
16 capacities, determine the status of approvals. So I think
17 that's a work in progress.

18 As the Board may remember, there was an issue early on
19 relative to work being performed in conjunction with the
20 dam. There was some work being performed out there that we
21 didn't know whether it was permitted. Certainly wasn't
22 something that had been brought before this board and
23 reviewed or approved. We've just asked the Applicant to
24 document to us that any of that work has been officially
25 closed out with the DEC by providing documentation from the

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2 DEC to this board. As of yet, we have not seen that.

3 So there's a little bit of information that we really
4 need -- well, there's some significant information that
5 needs to come forward at this point in time. And quite
6 frankly, while we're willing to work as fast as they're
7 willing to work, getting these thing done sooner than later
8 it's going to be a challenge. The purpose of them coming
9 to this meeting was to initiate the SEQRA process, to try
10 to at least get the ball rolling.

11 An EAF was submitted. It was reviewed preliminarily.
12 There were some, I think verbal comments back and forth and
13 a revised EAF was submitted this afternoon. I took a quick
14 look at it. I think there's still some significant issues
15 in there relative to stormwater. As I said, they mention
16 that they don't believe that there's going to be an acre of
17 disturbance; I believe that there's going to be more than
18 an acre of disturbance. Frankly, there's a lot of
19 inconsistencies in there. Are they project impacting?
20 Maybe yes, maybe no. The one about the one acre of
21 disturbance is going to determine whether they need a SWPPP
22 or not so that really needs to be qualified.

23 There's some boxes checked that say that they don't
24 have a public water supply. I believe they do have a
25 public water supply. I believe it's probably a

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2 noncommunity public water supply. In other words, it's not
3 a municipal supply but it's classified as a public water
4 supply by the DOH. So there's those kinds of things that
5 need to be taken into consideration.

6 Relative to the soils that are indicated on the site,
7 we're looking for documentation as to a specific soil
8 survey, classifications of the soils that come right off
9 the maps, because that'll lend the credence to your other
10 statements relative to depth to groundwater, depth to
11 bedrock, because those will be classified in those soils.
12 So there are some things that need to be cleaned up in the
13 EAF at this point. I'm going to kind of throw that monkey
14 on John's and Stu's back, whether they feel like the EAF is
15 ready to be able to at least allow circulation or whether
16 we've got to another revision in here.

17 That was a lot of information. Before we move on to
18 any other comments, do you guys have any questions on any
19 of that?

20 ACTING CHAIRMAN STAROBIN: Tell them what SWPPP is and
21 an EAF is, what the acronym stands for.

22 MR. PAGGI: SWPPP, Stormwater Pollution Prevention
23 Plan. It involves a drainage study, but it's also a report
24 that identifies how they're complying with the current New
25 York State DEC Phase 2 stormwater regulations.

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2 The EAF is the Environmental Assessment Form. It's
3 what you folks base all of your reviews on as far as
4 potential environmental impacts for projects.

5 MR. TURNER: Environmental Assessment Form, EAF.
6 There's a long one. I mean there's a long one and a short
7 one. This is a long one because we asked for it.

8 MR. PAGGI: Did I say anything that is --

9 MR. RAMUNEY: No, no.

10 MR. PAGGI: I got to tell you, these guys are great to
11 work with. They've been very responsive. All the
12 information they've given us so far has been good, high
13 quality information and very easy to read. But I think
14 there's still a lot of rope to pull here.

15 MR. TURNER: Well, we started with a difficult
16 situation. There was a lot on the site that was not
17 previously reviewed or approved. They did, as Larry, said,
18 a fantastic job of sort of sifting through and giving you
19 and us maps to start with. But that's where we are, is
20 starting.

21 The issue with the EAF, and he punted to me, I'm going
22 to punt to John, but the Environmental Assessment Form,
23 they came to the Board, they provided one that really was
24 not correct. It is, as Larry says, a document that the
25 Board can start the process with. It's a lot of basic

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2 information about the project. It can't be perfect because
3 information may change as we go forward. But we know
4 enough about what's going on that we know that some of the
5 answers probably need revision. Now, they came back, as
6 requested, with a revised form. They did modify a number
7 of things and add a number of things from the last round.
8 We had suggested to the Board that if we had a revised EAF
9 we could start, the Board, not we, but the Board could
10 start the environmental review process by declaring intent
11 to be Lead Agency and distributing to any other involved
12 agency. We could use this form with some modification. As
13 Larry said, there are some answers that we think need to be
14 corrected, some answers we know need to be corrected, and
15 we can work with the Applicant in doing that. It's not
16 like a major overhaul, but it's something that maybe we
17 need to sit down for a half hour together outside of a
18 meeting. It's sort of mechanical. One thing the Board
19 could do is indicate their willingness to start the process
20 if your consultants find that the form is acceptable. That
21 can be done in a shorter term rather than waiting for
22 another meeting. That's the main thing. I mean Larry
23 pointed out, it's the same issue as we talked about other
24 camps, that we need a plan and we need to know if they're
25 going to expand the camp, are they going to add five bunks.

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2 I think five bunks is what you said.

3 MR. RUMANNEY: Five bunkhouses, yes.

4 MR. TURNER: Yes, five bunkhouses. So there is some
5 expansion to the camp. I think it's important for the
6 Board to understand how the camp functions and what its
7 capacity is or what enrollment will be.

8 So the question I think before you tonight, because I
9 think that was the intent, was are you willing to start the
10 environmental review process with some modifications. As
11 Larry said, we just got this late this afternoon. We've
12 looked at quickly and I think we'd all like to look at it
13 more closely.

14 ACTING CHAIRMAN STAROBIN: Mary, do you have comments?

15 MS. GRASS: I don't.

16 MR. RAMUNEY: What would be the reason that we
17 wouldn't start? Because the form isn't complete to your
18 satisfaction? Is that one of the reasons?

19 MR. TURNER: Yes. That's right, you don't necessarily
20 wait for us to sign off. You may be more comfortable
21 waiting for us to sign off, but that's your call.

22 MR. CAPPELLO: I think what you have to realize is
23 it's a twofold purpose, a Notice of Intent to be Lead
24 Agency. The first is to see if any other agency thinks the
25 issues here are big enough or more significant to them than

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2 to this board and they want to object to you becoming Lead
3 Agency, become Lead Agency themselves. The chance of that
4 happening in an application like this is next to zero.
5 However, the other purpose of the EAF, and probably the
6 most important, is that you're hoping that those other
7 agencies who are involved agencies will look at the
8 information and provide you some input on some of the
9 issues they have expertise on or can help you through that.
10 I think that's what Stu's and Larry's points are. While
11 the information doesn't have to be perfect, it should be
12 close enough. For instance, if a SWPPP is required for
13 some of those threshold issues, that this is correct enough
14 so we can get input from those other agencies if they deem
15 necessary.

16 So guess I'll punt it back to you.

17 MR. TURNER: Well, I think --

18 MR. CAPPELLO: And the other thing is while you're
19 waiting for a board to say yes or no on Notice of Intent
20 for Lead Agency, that doesn't mean you can't continue
21 processing the application. What it means is you cannot
22 make a SEQRA determination until you hear from them. So I
23 don't know in the scope of things if you were to say, We'll
24 would notice intent to become Lead Agency upon sign off
25 from the engineer and planner that they're satisfied with

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2 the information, it's complete enough to give everybody an
3 indication of what the process is, and then at that point
4 gets mailed out. The likelihood of that 30 days having
5 expired by our April meeting is going to be tight, but that
6 just means at the April meeting you can consider it.

7 The important aspect, I think the Applicant was asking
8 you to set a public hearing for April and what I'm hearing
9 from the consultants, it's your ultimate decision, that may
10 be a little premature because there's a lot more detail
11 that is necessary to get on the plans before the public is
12 willing speak. So I mean I would be comfortable, if you're
13 comfortable, adopting a Notice of Lead Agency and saying
14 that subject to the EAF being modified to the satisfaction
15 of the Town engineer and the planner, and then it being
16 mailed out. How I don't know how many other. One or two.

17 MR. TURNER: I hope it's clear to everyone, I'm
18 positive the Board is not going to be in a position -- it
19 really doesn't slow the process, but you're not going to be
20 in a position at the next meeting to confirm that you're
21 Lead Agency because you really won't have 30 days. Thirty
22 days has to pass, unless we hear from other agencies. This
23 won't go out for several days. Maybe we need to coordinate
24 the next few days. So it'll go out and then 30 days will
25 occur about the time of your April meeting, but maybe a

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2 little after.

3 ACTING CHAIRMAN STAROBIN: Mary, I have a question.
4 Do you have to issue COs on these projects?

5 MS. GRASS: Yes. We'll issue permits and COs on the
6 buildings that were previously issued. The engineers sign
7 off for these buildings, and then the new buildings will
8 need permits, as well.

9 ACTING CHAIRMAN STAROBIN: And as a camp, they can't
10 operate without the COs?

11 MS. GRASS: Well, we're clearing up buildings that
12 were on the site that we didn't even know were there. They
13 were not permitted, what they were doing. And the new
14 buildings, I think that they want for new campers. So I'd
15 say we need the CO for the children to sleep in them.

16 MR. RAMUNEY: That's a regular process, the new
17 buildings.

18 MS. GRASS: Yes, the new buildings.

19 MR. RAMUNEY: Right.

20 MR. RAMUNEY: What exists and what they built without
21 approvals, we've documented.

22 MS. GRASS: Right.

23 MR. RAMUNEY: And it's my intent, there's some work
24 that has to be done --

25 MS. GRASS: Right, on some of them to be brought up --

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2 MR. RAMUNEY: My intent, and I was going to give you a
3 letter --

4 MS. GRASS: Right.

5 MR. RAMUNEY: -- each one of the buildings, whatever
6 refurbishment that has done to it to bring it up to code or
7 whatever. I would give you a letter for each specific
8 building.

9 MS. GRASS: Correct, yes. But we're kind of at a
10 Catch-22 because I can't issue those now because you
11 haven't approved their site plan saying it's okay for them
12 now, essentially.

13 MR. CAPPELLO: So once the Site Plan is issued, the
14 buildings that exist, then it probably won't be a long
15 term.

16 MS. GRASS: That will be fairly easy to take --

17 MR. PAGGI: We should probably have a workshop with
18 these guys again, too, just to think about the logistics of
19 how an approval would be granted.

20 Is it your intention to try to have these buildings,
21 these, the proposed buildings, built for this season or
22 just try to gain opportunity --

23 MR. RAMUNEY: Right. To be honest, it was. Now it's
24 March. Of more concern is obviously to get -- we don't
25 want the camp to be closed

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2 MR. PAGGI: That's what I'm thinking, too. That's
3 what I'm thinking, too. We have existing unapproved
4 structures there. If they can just concentrate their
5 efforts on documenting to Mary and making whatever
6 corrections they need so that COs can be issued for those
7 features, and then we can try to just concentrate on the
8 aspects of the site plan that need to bring into
9 conformance in order to give them maybe Phase 1 of a site
10 plan approval, we may be able to defer dealing with the
11 balance of bringing the site into conformance for
12 previously unapproved structures to consideration of the
13 proposed improvements. In other words, if they have to
14 design stormwater for some existing unapproved structures,
15 I don't know this is legal or not, but we could consider
16 deferring that requirement until the next phase of the
17 site --

18 MR. CAPPELLO: Well, that would be up to the Applicant
19 to do whatever they want. I mean certainly, it's not
20 illegal to phase a project like this. I mean it's really
21 up to the Applicant to determine what site improvements
22 need to be made, if any, for existing buildings and what
23 site improvements need to be made for new buildings. They
24 can certainly phase that.

25 MR. PAGGI: What I'm saying, though, is I'm not so

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2 sure that they'll be able to tackle all of the improvements
3 that might be necessary for the existing buildings, for
4 site improvements for the existing buildings, to bring them
5 into conformance with stormwater. So I guess what --

6 MR. CAPPELLO: They'll have to demonstrate that to us.

7 MR. PAGGI: Well, and I understand that. I think we
8 need to try work this out amongst ourselves, too, about how
9 we can structure this approval.

10 MR. TURNER: So should we do this at a workshop?

11 MR. PAGGI: I think we should do this at a workshop.

12 MR. CAPPELLO: The real issue is is the Board willing
13 vote on is Notice of Lead Agency subject to final sign off
14 on the revised EAF by the Planning Board engineer and
15 Planning Board planner. At that point, once they sign off
16 it will be directed to be mailed out to the other involved
17 agencies with the EAF, the plan and the information.

18 ACTING CHAIRMAN STAROBIN: So it's basically
19 conditional?

20 MR. CAPPELLO: Yes.

21 ACTING CHAIRMAN STAROBIN: Got that?

22 Motion?

23 BOARD MEMBER GREEN: I'll make a motion.

24 BOARD MEMBER GOODMAN: I'll second.

25 ACTING CHAIRMAN STAROBIN: Vote.

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2 BOARD MEMBER GREEN: Aye.

3 BOARD MEMBER COLLIER: Aye.

4 BOARD MEMBER GLISSON: Aye.

5 BOARD MEMBER GOODMAN: Aye.

6 ACTING CHAIRMAN STAROBIN: Aye.

7 That's five; unanimous.

8 (The motion was approved and carried.)

9 MR. PAGGI: So what I was eluding to, just to give you
10 an example, there is the gravel road that was an issue up
11 in the back of the site.

12 MR. RAMUNEY: Right.

13 MR. PAGGI: That's going to be removed before this
14 Planning Board considers granting site plan approval.

15 MR. RAMUNEY: Not just on paper. You want it removed.

16 MR. PAGGI: Yes. So that'll part of any of your very
17 first site plan approval. But we need to determine whether
18 or not we're going to require them for, say buildings that
19 were built without any consideration of additional
20 impervious area that was granted, are we going to allow
21 them to have that Phase 1 of that site plan approval
22 without addressing that particular component. So
23 obviously, the gravel driveway is a more pressing issue
24 because it's been a point of controversy as far as access
25 onto that road and erosion and the way it was constructed

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2 and a bunch of different things.

3 MR. RAMUNEY: In terms of that, what do we have to do
4 physically to go ahead and actually remove that road? Do
5 we need to get a permit to remove it, do we need to notify
6 the Highway Department?

7 MR. PAGGI: You need to get site plan approval that
8 says you're going to do it; right?

9 MR. CAPPELLO: Yes. You'll have to figure that out.

10 MR. RAMUNEY: I mean do you want me to go out there
11 tomorrow and change it?

12 MR. PAGGI: I think that's why Larry is suggesting, is
13 to meet to figure out the logistics.

14 MR. RAMUNEY: Okay. No, that's fine.

15 MR. TURNER: I think you're right. You can't remove
16 the road until you're supposed to remove it. I mean until
17 you get approval to remove it.

18 MR. RAMUNEY: But it wasn't approved to start with.

19 MR. TURNER: Well, that's true, too.

20 Mr. Paggi: Theoretically, now that you're in the
21 SEQRA process, you shouldn't be doing anything to the site.

22 MR. RAMUNEY: Right.

23 MR. PAGGI: Right?

24 I think you get the sense that we're trying to work
25 with you?

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2 MR. RAMUNEY: I am so thankful that that's the case.

3 MR. PAGGI: Okay.

4 MR. RAMUNEY: I can speak to the owner and he'll do --
5 he doesn't want to anything more than what we need to do.

6 MR. PAGGI: Right.

7 MR. TURNER: Right.

8 MR. RAMUNEY: We'll do whatever we need to do.

9 As far as making any revisions to the EAF, will you --

10 MR. TURNER: What we can maybe do is give you our
11 combined notes or something even before the workshop.

12 MR. RAMUNEY: Okay, sure. Very good.

13 MR. TURNER: I mean we can try and do something like
14 that.

15 MR. RAMUNEY: Very good.

16 ACTING CHAIRMAN STAROBIN: The workshop is the second
17 week?

18 MS. FRANCK: So you want to come to the workshop,
19 also?

20 MR. RAMUNEY: Yes. See how much I can get done in the
21 meantime.

22 It's the second Tuesday. Okay. Thank you very much.

23 MR. DUDLEY: Thank you very much.

24 (Time noted: 8:01 p.m.)

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REPORTER'S CERTIFICATION

I, ROSEMARY A. MEYER, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby certify:

That the foregoing transcript is an accurate record of the proceedings in the matter of Camp Echo Amended Site Plan, to the best of my knowledge and belief, having been stenographically recorded by me and transcribed under my supervision.

I further certify that I am in no way related to any of the parties to this action and that I have no personal interest whatsoever in the outcome thereof.



ROSEMARY A. MEYER

Date Transcribed: May 12, 2016

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