

In The Matter Of:
Town of Mamakating
Planning Board

Camp Echo
May 24, 2016

Jeric Corporation
Court Reporting Services
P.O. Box 385
Narrowsburg, NY 12764
(845) 252-3515

Original File CampEcho_05-24-16.txt

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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
May 24, 2016
8:39 P.M.

PLANNING BOARD MEMBERS:

- STANLEY ZAMONSKY, III, Chairman
- MORT STAROBIN, Board Member Acting
- ALEX GOODMAN, Board Member
- RICHARD GLISSON, Board Member
- LORRENCE GREEN, Board Member
- PATRICK KELLER, Board Member
- ERIC COLLIER, Board Member
- LINDA FRANCK, Secretary
- JOHN CAPPELLO, ESQ., Attorney
- STU TURNER, AICP, Planner
- LAWRENCE PAGGI, P.E., Engineer

Also Present: John Jay Bove, Esq., on behalf
of Applicant

Jeric Corporation
Court Reporting Services
P.O. Box 385
Narrowsburg, New York 12764

Reported by: Rosemary A. Meyer

1 - CAMP ECHO -

2 CHAIRMAN ZAMONSKY: Camp Echo, Amended Site Plan, Tax
3 Map Section 10; Block 1; Lot 50.1 in the Burlingham
4 Residential Zone. The property is located on Echo Road.

5 MR. BOVE: Good evening. I'm Jay Bove from the law
6 firm of Wilson, Elser, and I'm here on behalf of my client
7 Shab Holdings, LLC which owns and operates Camp Echo. We
8 appeared before the Board on March 22nd, 2016 and at
9 several other workshops. I'm also here tonight with Camp
10 Echo's engineer, Mr. Louis Rumaney who has been working
11 with you and on the amended site plan.

12 As you know, Camp Echo is trying to get operational
13 for the summer 2016 camp season which begins on June 26th.
14 We respectfully request that the Board accept the amended
15 EAF and issue a Negative Declaration, and that the amended
16 site plan be approved.

17 The Board should also be aware that the Camp Echo
18 project is not something to refer to the Article 12(b)
19 General Municipal Law.

20 MR. RUMANNEY: I guess we could start off, I did get a
21 copy of Larry Paggi's comments to the Board regarding a
22 list of items, a kind of a punch list of items that still
23 need to get completed. So we went through that, and I
24 don't have any problem. They were all ones that I was
25 aware of. One of them which was Item 9 on that was

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2 requesting demonstrate the wetland areas that were
3 apparently disturbed during the dam work has been rectified
4 in a manner acceptable to the New York DEC. I'm in a
5 position, I can recommend that they were. I did take some
6 photographs today after I received Larry's document. I
7 think you'll see, with the photographs, that the area -- I
8 wasn't aware. I hadn't seen any disturbance. Larry had
9 seen some last spring, 2015, with Mary Grass. As of this
10 point, it looks really well grown in, vegetated and really
11 good condition. So hopefully, that item -- but again, you
12 review that.

13 The only other question I have on Larry's document is
14 Item 4. He's recommending some modification to the EAF. I
15 had submitted that with Stu back in, I thought it went out
16 on the --

17 MR. TURNER: It did. It did. It went out, it's been
18 circulated for Lead Agency. It went out on May 13th, I
19 think. I just want to look at my notes.

20 MR. RUMANNEY: Yes, that Friday.

21 MR. TURNER: It was completed on the Tappan Zee
22 Bridge. Larry called me. I said there's one or two
23 changes that we need to make. He was stuck. Anyway, it's
24 been circulated. But 30 days haven't passed, so I don't
25 want to recommend that the Board that you confirm Lead

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2 Agency, but the Board had already indicated that they
3 authorized me the distribution for coordinated review.

4 MR. RUMANNEY: And that's all fine. I just didn't --

5 MR. TURNER: Well --

6 MR. CAPPELLO: You e-mailed it; right? It was mailed
7 on May 13th, that's correct.

8 MR. TURNER: Yes, it was mailed on May 13th.

9 MR. PAGGI: So the EAF is not required at that point?

10 MR. TURNER: Well ...

11 MR. CAPPELLO: We should have it in our record.

12 MR. TURNER: Yes. My suggestion is that we -- these
13 are important points. They weren't critical to the other
14 agencies. They needed to know what the project was, what
15 the scope of the project was, and to be able to determine
16 if they had some issues. Not every question is always
17 answered perfectly. If you would, I would suggest the
18 Board ask you to modify the EAF for the record so there is
19 a close to perfect EAF for the Town's file, the Town's
20 record.

21 MR. RUMANNEY: Very good. Absolutely.

22 MR. RUMANNEY: I'll just submit the final with Linda.

23 MR. PAGGI: Louis, make sure you date it so we know
24 the sequence.

25 MR. RUMANNEY: Yes.

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2 MR. TURNER: The other one I dated.

3 MR. RUMANNEY: Right. Okay. All right.

4 So other than that, I'm working on all these other
5 items. I guess --

6 MR. PAGGI: One question I had for you is I saw your
7 correspondence with Linda relative to the DEC sign off.

8 MR. RUMANNEY: Yes.

9 MR. PAGGI: I don't have a copy of your certification
10 for the as-built. So if that is something that if you
11 haven't submitted to the Town, if you could submit to the
12 Town.

13 MR. RUMANNEY: So you this response from me.

14 MR. PAGGI: I did.

15 MR. RUMANNEY: That's what I had submitted to the DEC.
16 And then upon review of that, he sent that e-mail to me
17 stating that the dam work was approved and you're able go
18 to ahead and fill the pond and fill the lake.

19 MR. PAGGI: So there was no actual as-built plan, it
20 was just your photographs.

21 MR. RUMANNEY: Yeah. No, I did submit an as-built plan
22 to him, certified mail, the instructions that they asked
23 for. But according to this e-mail, they never send
24 anything. It's a low hazard lake.

25 MR. PAGGI: Can the Town get a copy of that, though,

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2 that submission?

3 MR. RUMANNEY: Yes, I can. The as-built drawings,
4 certainly.

5 MR. PAGGI: What you submitted to the DEC to sign off
6 so the Town can have that in their record.

7 MR. RUMANNEY: All right. But there's nothing from the
8 DEC besides this.

9 MR. PAGGI: I get that. I understand that that's how
10 they operate.

11 MR. RUMANNEY: Okay. And I don't know if that's a
12 attached -- one of the questions on the EAF is the
13 classification of that lake.

14 MR. PAGGI: Classification of the dam.

15 MR. RUMANNEY: Of the dam, yes.

16 MR. PAGGI: A, B, C or D.

17 MR. RUMANNEY: Yes.

18 MR. PAGGI: So if it's a low hazard, it could be a C
19 or ...

20 MR. RUMANNEY: Yes.

21 MR. TURNER: The correspondence suggested that it was
22 low hazard.

23 MR. RUMANNEY: Right.

24 MR. BOVE: Eventually, wasn't higher --

25 MR. TURNER: Right.

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2 MR. PAGGI: Right, right.

3 MR. RUMANNEY: Right.

4 MR. PAGGI: I'm surprised it's not in the
5 correspondence that you had with the DEC, that they didn't
6 indicate the hazardous classification.

7 MR. RUMANNEY: I'm still looking into that.

8 MR. PAGGI: Yes.

9 MR. RUMANNEY: Okay. So I'm working on all the punch
10 list items. I'm anticipating I'll be on the next work
11 session and I'll have everything submitted prior.
12 Hopefully, I'm going to submit this week. I have drawings

13 for Mary Grass. I'm addressing all the punch list items.

14 MR. CAPPELLO: Just telling the Board that we have a
15 survey certified as part of this in the record, as part of
16 Camp Echo. Anyone listening or wants to include it ...

17 CHAIRMAN ZAMONSKY: You guys have been great working
18 with the Board, coming to the work sessions. Seriously,
19 thank you for working so hard and coming in. I mean you
20 guys built a dam without us knowing, but you've done a
21 great job since then. I have heard a lot of good things.

22 MR. RUMANNEY: Likewise. We appreciate your work.

23 CHAIRMAN ZAMONSKY: You've gone through the process
24 and you applied early enough. We appreciate that.

25 Larry, it seems like we're at a point now for a

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2 Negative Dec. Mary, the building inspector, handed me her
3 review letter just before the meeting. I know, Larry, you
4 made comments that you guys were talking about cleaning up.
5 Can you just kind of give us a ...

6 MR. PAGGI: Sure. One thing, and Lou is probably
7 chasing this, that we think is kind of important, is that
8 the Planning Board get some type of communication from the
9 fire department, just making sure that they don't have any
10 issue with providing emergency services to the camp.

11 The ADA accessibility issues, the stabilization
12 issues, the wetland issues, those are things that Mary will
13 be on the site and will be verifying Lou's responses to.

14 One of the items that was agreed to was that the
15 unapproved gravel driveway was going to be removed and
16 stabilized. I think we need John to verify that. I think
17 the Board needs to approve that as part of a conditional
18 approval so they can actually do that work, and then Mary
19 can verify it before you actually sign the plans.

20 Similarly, if there was any damage that had not been
21 repaired to the cul-de-sac at the Dahl Road.

22 MR. RUMANNEY: Right.

23 MR. PAGGI: Relative to the whole stormwater issue,
24 I'll say we've discussed this in the workshop, I'll say it
25 for the Planning Board's benefit. The DEC recognizes that

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2 there were improvements constructed without providing
3 conformance to the SPDES permit. In my discussions I said
4 it's the Town's thought to allow the use of those
5 facilities upon approval by the Town and to deal with
6 requiring conformance to the stormwater SPDES with future
7 submissions for future improvements which are also on the
8 table, and the DEC advised that that was the appropriate
9 way to handle it. So we're okay with saying that we
10 understand that you built the thing, but you didn't come in
11 and get approval from us. Building is going to make sure
12 that they're okay, make sure that they can get CO'd.
13 Relative to the stormwater component and the stormwater
14 conformance, we're okay with deferring that concurrence
15 until we actually deal with the proposed improvements.
16 That's pretty significant, so that's a good one.

17 And Lou, I know you and I had talked about this a
18 couple of times back and forth and I know you've told me
19 that there's no fuel tanks out there. I went back in my
20 notes and I saw that were some fuel tanks. If you just
21 verify that.

22 MR. RUMANNEY: Yes, no. Actually, there are fuel
23 tanks. They're below a thousand gallons. I'll document
24 that for you.

25 MR. PAGGI: Okay. The total's got to be below --

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2 MR. RUMANNEY: Right.

3 MR. PAGGI: -- 1100.

4 MR. RUMANNEY: Yes. I think they have a total of a
5 thousand, but I'll document that.

6 MR. PAGGI: Okay.

7 MR. RUMANNEY: It is different than what they had,
8 that's why.

9 MR. PAGGI: Well, when Mary and I went out there,
10 there were, I think it was a diesel fuel filling station.

11 MR. RUMANNEY: Right. That's gone. It's all been
12 revised and revamped.

13 MR. PAGGI: Okay.

14 MR. RUMANNEY: So I'll document that for you, sure.

15 MR. PAGGI: That --

16 CHAIRMAN ZAMONSKY: And I think Mary's --

17 Did you guys get a copy of this, Mary's letter?

18 MR. RUMANNEY: Yes.

19 CHAIRMAN ZAMONSKY: It seems like there's eight
20 violations, some of which Larry's already addressed.

21 MR. RUMANNEY: Right.

22 CHAIRMAN ZAMONSKY: Some of these need to be take are
23 of. As Larry mentioned, the road we approved, having it
24 removed.

25 MR. RUMANNEY: Again, these were all no surprises. We

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2 know about it.

3 CHAIRMAN ZAMONSKY: Just really quick, G on here, work
4 was being done to the septic area outside of the laundry
5 building without permits or Planning Board approval.

6 MR. PAGGI: Well, I'm thinking that we're going to be
7 getting something from Lou from the DOH relative to
8 approvals for it.

9 MR. RUMANNEY: Yes.

10 MR. PAGGI: For all the sewage by the workshop
11 meeting.

12 MR. RUMANNEY: Right; the septic for that, and three
13 of the buildings have the DOH identified.

14 MR. PAGGI: Yes. There was sewage disposal
15 construction in progress during our site visit that we were
16 not aware of. So I think the aspect of what the Town is
17 going to want to see is that that construction area has
18 been stabilized, and we'll be looking to Lou and to the DOH
19 that whatever work was done has been approved.

20 CHAIRMAN ZAMONSKY: Anybody have any comments or
21 questions?

22 (No verbal response.)

23 CHAIRMAN ZAMONSKY: I have one comment for the Board,
24 actually. You know on Mary's letter that she handed us
25 today, the zoning allows us to set requirements for renewal

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2 of special use permits. It's something that Mary and I
3 have talked about numerous times. I think it's critical so
4 we don't run into issues like we've seen where camps have
5 kind of run wild over the years adding and subtracting. I
6 don't know how the Board feels about that. I was thinking
7 like put two years. All that means is that as long as no
8 work has been done, they just come in, present the plans,
9 and another two years, or however long that is.

10 MR. BOVE: Does that require a site visit?

11 CHAIRMAN ZAMONSKY: Yes, potentially. It's a renewal
12 so they have to apply every two years. If this was done
13 previously, I think it would have stopped at some point.
14 It certainly encourages the Board to evaluate that.

15 BOARD MEMBER GREEN: I believe in Camp Kaylie we had
16 that discussion.

17 CHAIRMAN ZAMONSKY: Does anybody have any comments
18 about the time frame of two years? Is it reasonable to
19 everybody?

20 BOARD MEMBER STAROBIN: Yes.

21 MR. BOVE: Can I ask you? We have a special use
22 permit now and we've been coming in. You're saying to us
23 that, now. Do any other camps have the same requirement,
24 is my question.

25 CHAIRMAN ZAMONSKY: We're adding it. I'm proposing

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2 that we're adding it to all special use permits that are
3 coming before us. Camp Kaylie was approved; they had one
4 year renewal.

5 MR. BOVE: So we're subject to this ...

6 CHAIRMAN ZAMONSKY: A two year periodic review.

7 MR. BOVE: Because my client has spent a lot of money
8 on Lou and I to try to bring it to this point. I was
9 wondering if you could make that more than two years?

10 MR. CAPPELLO: I think what we've said with these
11 special permits is two years. And we'll put it on the
12 record. Renewal has to be granted as long as you're in
13 compliance.

14 MR. BOVE: Okay.

15 MR. CAPPELLO: It's really more of kind of a
16 checkpoint to say --

17 MR. BOVE: You're trying to make sure that we don't
18 operate, doing things that --

19 MR. CAPPELLO: As what's happened with many of these
20 camps. It's a time for the Board to say: Okay, nothing
21 has been constructed illegally. What's up there, is there.
22 This drainage pipe collapsed. And if you're compliant,
23 I've advised the Board, they can't just say, Okay, we don't
24 want a camp there anymore. It would have to be
25 noncompliance. Then you be given the opportunity to comply

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2 with the condition, and if you comply with the
3 condition ...

4 BOARD MEMBER GOODMAN: What would that require an
5 applicant to do?

6 MR. CAPPELLO: To just apply. In two years apply to
7 come in and demonstrate. And at that point, the building
8 inspector would go out and do -- well, the proper way to do
9 it, the building inspector goes out to an inspection, gives
10 you a report, everything is operating fine. Or A, B C, D
11 and E needs to be addressed, and they address it. And if
12 it's egregious and if it was an important condition and it
13 continues to be violated, then you could address a
14 revocation. But it would have to be egregious.

15 MR. BOVE: Any camp that comes in here now --

16 CHAIRMAN ZAMONSKY: Any special use.

17 MR. BOVE: Any special use permit.

18 CHAIRMAN ZAMONSKY: Yes.

19 MR. RUMANEY: That's fine.

20 CHAIRMAN ZAMONSKY: Any comments, questions?

21 So we make a Neg Dec.

22 MR. CAPPELLO: Yes. First of all, this is an unlisted
23 action. We've coordinate review. An unlisted action you
24 don't have to coordinate a review. We chose to coordinate
25 review just to get comments or concerns. The 30 days

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2 hasn't passed. It will have passed by the work session.
3 So what the Board can do, and it isn't a great practice,
4 but know our next meeting is June 28th. The camp wants to
5 open with the buildings that have existed there and have
6 been operating for the last couple of years that are now in
7 compliance, that Board issues a Negative Declaration
8 conditioned upon nobody coming up and saying they want to
9 be Lead Agency by June 14th. And what I would also suggest
10 is at your June 28th next meeting just confirm it, so then
11 we have a belt and suspenders. But I think since it is an
12 unlisted action and coordinated review isn't necessarily
13 required. We know the Health Department has been out there
14 and will be approving this. The DEC has looked at this.
15 They're the only two involved agencies and they've both
16 been actively reviewing it. We had their comments and
17 understand their concerns. They never raised an issue that
18 said, Hey, we want to be Lead Agency for this, nor that do
19 I think there's any remote possibility that they will.
20 That the Board can to ahead and grant a Negative
21 Declaration for the modifications for all the buildings
22 that exist with the understanding that any new building
23 proposed by the Applicant, before they're constructed,
24 would have to come back before this board for a SEQRA
25 review for that new construction.

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2 BOARD MEMBER GOODMAN: We would make a motion for
3 Negative Declaration?

4 MR. CAPPELLO: Yes.

5 CHAIRMAN ZAMONSKY: Do I have a motion for a Neg Dec?

6 BOARD MEMBER GOODMAN: Motion.

7 BOARD MEMBER STAROBIN: Second.

8 CHAIRMAN ZAMONSKY: Alex.

9 All in favor?

10 BOARD MEMBER GREEN: Aye.

11 BOARD MEMBER STAROBIN: Aye.

12 BOARD MEMBER GLISSON: Aye.

13 BOARD MEMBER COLLIER: Aye.

14 BOARD MEMBER GOODMAN: Aye.

15 BOARD MEMBER KELLER: Aye.

16 CHAIRMAN ZAMONSKY: Aye. Unanimous.

17 (The motion was approved and carried.)

18 CHAIRMAN ZAMONSKY: And a conditional site plan
19 approval based on the Applicant meeting Mary Grass' letter
20 dated 5-24-2016; and Larry Paggi's letter dated May 24,
21 2016.

22 Anything else to add to that?

23 MR. CAPPELLO: Well, when we say, do you want to go
24 through quick just so we did it, these conditions. Include
25 those listed in the letter but limited completing fire

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2 department review to ensure fire protection; emergency
3 access and vehicle circulation is appropriate;
4 demonstrating, prior to issuance of a CO, that all ADA
5 accessibility requirements have been met; and prior to
6 signing of the site plan, indicate all necessary standards
7 indicated on the plan.

8 CHAIRMAN ZAMONSKY: Fees have been paid.

9 MR. CAPPELLO: All fees have been paid. The minor
10 modifications to the Environmental Assessment Form are made
11 and submitted to the consultants for review prior to the
12 June 14th work session meeting and placed in the record.

13 New York State Department of Health approval for water
14 supply and sewer disposal systems be obtained and
15 documented to the Planning Board and its consultants prior
16 to signing of the map.

17 The gravel drive connecting to Dahl Road is removed
18 and the area seeded and mulched.

19 Do you want to do that prior to a CO or prior to
20 signing of the plan?

21 CHAIRMAN ZAMONSKY: Prior to signing of the plan.

22 MR. CAPPELLO: Prior to signing of the plan.

23 The DEC verification I believe we have. Do we need
24 anything more on that, Larry?

25 MR. PAGGI: I've asked Lou to provide the Town with

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2 documentation of his certification to the DEC.

3 MR. CAPPELLO: All documentation demonstrating
4 evidence that the engineer's certification to the DEC was
5 submitted as acknowledged by the DEC's in its letter.

6 Soil stockpiles associated with the dam work to be
7 silt fenced, seeded and mulched.

8 Is that before site plan or before CO?

9 MR. PAGGI: That should be before site plan. That's
10 part of the requirement, to make sure that the site is
11 stabilized.

12 MR. CAPPELLO: Do we need anything more on the
13 wetlands or we receive it?

14 MR. PAGGI: I think Mary should verify.

15 MR. CAPPELLO: Verification by the building inspector
16 that the area surrounding the wetlands, as depicted in the
17 photos, submitted and certified by the engineer are correct
18 prior to signing of the site plan.

19 All areas of disturbance noted during the April 27,
20 2015 site visit with the Town building inspector be
21 verified to have been stabilized and that construction
22 culvert damage and erosion at Dahl Road cul-de-sac be
23 addressed at the time of removal of the road.

24 Is that acceptable?

25 MR. PAGGI: Yes.

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2 MR. CAPPELLO: Any work within the town road or town
3 drainage facility necessary to remove and re-seed Dahl Road
4 be addressed and any necessary application be made to the
5 town highway department and the necessary bonds be posted
6 prior to such work.

7 Demonstration that the fuel tanks observed at the site
8 during the April 17, 2015 meeting total less than 1100
9 gallons, in total, be provided.

10 And that all other items listed on the Mary Grass
11 letter be addressed.

12 CHAIRMAN ZAMONSKY: Do I have a motion?

13 BOARD MEMBER KELLER: Motion.

14 CHAIRMAN ZAMONSKY: Pat.

15 BOARD MEMBER STAROBIN: Second.

16 CHAIRMAN ZAMONSKY: Mort.

17 All in favor?

18 BOARD MEMBER GREEN: Aye.

19 BOARD MEMBER STAROBIN: Aye.

20 BOARD MEMBER GLISSON: Aye.

21 BOARD MEMBER COLLIER: Aye.

22 BOARD MEMBER GOODMAN: Aye.

23 BOARD MEMBER KELLER: Aye.

24 CHAIRMAN ZAMONSKY: Aye.

25 MR. CAPPELLO: And one last amendment, that the

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2 special use renewed at a two year period.

3 CHAIRMAN ZAMONSKY: Do we have to revoke that?

4 MR. CAPPELLO: I don't know. Does the Board want to
5 acknowledge the modification to the motion?

6 CHAIRMAN ZAMONSKY: Do I have a motion to modify the
7 conditional approval, to add the two year requirement for
8 the special use?

9 BOARD MEMBER STAROBIN: Motion.

10 CHAIRMAN ZAMONSKY: Mort.

11 BOARD MEMBER GREEN: Second.

12 CHAIRMAN ZAMONSKY: Lorry.

13 All in favor?

14 BOARD MEMBER GREEN: Aye.

15 BOARD MEMBER STAROBIN: Aye.

16 BOARD MEMBER GLISSON: Aye.

17 BOARD MEMBER COLLIER: Aye.

18 BOARD MEMBER GOODMAN: Aye.

19 BOARD MEMBER KELLER: Aye.

20 CHAIRMAN ZAMONSKY: Aye.

21 (The motion was approved and carried.)

22 MR. BOVE: Thank you.

23 CHAIRMAN ZAMONSKY: Two years.

24 MR. BOVE: So in two years they would come back.

25 CHAIRMAN ZAMONSKY: Yes. Mary will pop in.

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- CAMP ECHO -

MR. BOVE: Thanks.

(Time noted: 8:38 p.m.)

* * * * *

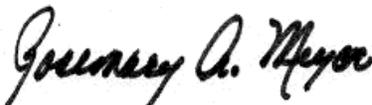
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REPORTER'S CERTIFICATION

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: June 7, 2016

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