

**In The Matter Of:**  
*Town of Mamakating*  
*Planning Board*

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*Due Process - Chestnut Ridge*  
*Vol. 1*  
*June 16, 2016*

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

COUNTY OF SULLIVAN : TOWN OF MAMAKATING  
PLANNING BOARD

----- X

DUE PROCESS HEARING

DAY 1

Pages 1 - 7

RE: CHESTNUT RIDGE DEVELOPMENT

----- X

Town Hall  
Town of Mamakating  
June 16, 2016  
6:57 P.M.

PLANNING BOARD MEMBERS:

STANLEY ZAMONSKY, III, Chairman

ALEX GOODMAN, Board Member

RICHARD GLISSON, Board Member

LORRENCE GREEN, Board Member

PATRICK KELLER, Board Member

ERIC COLLIER, Board Member

LINDA FRANCK, Secretary

E. BENJAMIN GAILEY, ESQ., Attorney

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

Reported by: Rosemary A. Meyer

1 - DUE PROCESS HEARING -

2 CHAIRMAN ZAMONSKY: May I have your attention, please.

3 Do I have a motion to open the due process hearing?

4 BOARD MEMBER KELLER: Motion.

5 CHAIRMAN ZAMONSKY: Okay. Second?

6 BOARD MEMBER GOODMAN: Second.

7 CHAIRMAN ZAMONSKY: Alex, second.

8 All in favor?

9 BOARD MEMBER GREEN: Aye.

10 BOARD MEMBER KELLER: Aye.

11 BOARD MEMBER GLISSON: Aye.

12 BOARD MEMBER GOODMAN: Aye.

13 BOARD MEMBER COLLIER: Aye.

14 CHAIRMAN ZAMONSKY: Aye.

15 (The motion was approved and carried.)

16 CHAIRMAN ZAMONSKY: Do I have a motion to conduct a  
17 due process hearing regarding Chestnut Ridge Development?

18 BOARD MEMBER GLISSON: Motion.

19 BOARD MEMBER KELLER: Second.

20 CHAIRMAN ZAMONSKY: Rich and Pat.

21 All in favor?

22 BOARD MEMBER GREEN: Aye.

23 BOARD MEMBER KELLER: Aye.

24 BOARD MEMBER GLISSON: Aye.

25 BOARD MEMBER GOODMAN: Aye.

1 - DUE PROCESS HEARING -

2 BOARD MEMBER COLLIER: Aye.

3 CHAIRMAN ZAMONSKY: Aye.

4 (The motion was approved and carried.)

5 MR. GAILEY: Is anybody here tonight representing  
6 Sullivan Farms, II, Inc. or the Chestnut Ridge project?

7 (No verbal response.)

8 MR. GAILEY: We received a letter midafternoon today  
9 from the attorneys for Sullivan Farms, II stating that that  
10 would be the extent of their submissions at this due  
11 process hearing. I just want to be sure that, in fact,  
12 there was nobody here representing Sullivan Farms II.

13 In that case, I have a brief statement.

14 The due process hearing is intended to give Sullivan  
15 Farms, II and its principals --

16 AUDIENCE: Can't hear.

17 MR. GAILEY: -- the developer of the Chestnut Ridge  
18 project, the opportunity to explain the apparent material  
19 false statements and misrepresentations made in the DEIS  
20 and FEIS for the project upon which the Planning Board  
21 relied on in granting approvals for the project, and the  
22 opportunity to provide any other testimony and information  
23 relevant to the Board's consideration of rescission of those  
24 approvals. The reason of the Planning Board's  
25 consideration of rescission are in the Board's May 24

- DUE PROCESS HEARING -

1  
2 resolution.

3       This afternoon the Board received a letter from the  
4 developer's attorneys purporting to address those reasons,  
5 and also stated that neither the developer's principals nor  
6 his representatives would personally appear at this due  
7 process hearing period. The developer's refusal to  
8 personally appear is unfortunate because the Board will not  
9 hear firsthand from the authors of the recently disclosed  
10 documents, who also prepared the DEIS and the FEIS, why the  
11 statements, representations in the EISes so conflict with  
12 the statements the plan has revealed in the recently  
13 disclosed documents.

14       The developer's attorney's letter contains many false  
15 statements regarding the Board's May 24 resolution and also  
16 alleges discriminatory intent. On behalf of the Planning  
17 Board and the Town government, I absolutely reject that  
18 allegation.

19       In order to give the developer's principals an  
20 opportunity to personally appear before the Planning Board,  
21 and also to give the Planning Board the opportunity to  
22 consider the contents of the letter received this  
23 afternoon, I recommend that the Board adjourn this due  
24 process hearing and continue the hearing at your regular  
25 meeting on June 28th.

1 - DUE PROCESS HEARING -

2 CHAIRMAN ZAMONSKY: Do I have a motion to adjourn the  
3 meeting?

4 (Audience interruption.)

5 CHAIRMAN ZAMONSKY: Excuse me.

6 Do I have a motion to adjourn this due process hearing  
7 until June 28th at seven o'clock?

8 (Audience interruption.)

9 CHAIRMAN ZAMONSKY: Excuse me.

10 BOARD MEMBER GOODMAN: Motion.

11 BOARD MEMBER KELLER: Second.

12 CHAIRMAN ZAMONSKY: All in favor?

13 BOARD MEMBER GREEN: Aye.

14 BOARD MEMBER KELLER: Aye.

15 BOARD MEMBER GLISSON: Aye.

16 BOARD MEMBER GOODMAN: Aye.

17 BOARD MEMBER COLLIER: Aye.

18 CHAIRMAN ZAMONSKY: Aye.

19 (The motion was approved and carried.)

20 CHAIRMAN ZAMONSKY: Do I have a motion to go into  
21 executive session for advice of counsel with all board  
22 members present, and Ben Gailey?

23 BOARD MEMBER GLISSON: Motion.

24 BOARD MEMBER KELLER: Second.

25 CHAIRMAN ZAMONSKY: All in favor?

1                   - DUE PROCESS HEARING -

2           BOARD MEMBER GREEN:   Aye.

3           BOARD MEMBER KELLER:   Aye.

4           BOARD MEMBER GLISSON:   Aye.

5           BOARD MEMBER GOODMAN:   Aye.

6           BOARD MEMBER COLLIER:   Aye.

7           CHAIRMAN ZAMONSKY:   Aye.

8                   (The motion was approved and carried.)

9                   (The Planning Board was in Executive

10                   Session from 7:03 p.m. to 7:57 p.m.)

11           CHAIRMAN ZAMONSKY:   Do I have a motion to come out of  
12   executive session?

13           BOARD MEMBER KELLER:   Motion.

14           BOARD MEMBER GOODMAN:   Second.

15           CHAIRMAN ZAMONSKY:   Alex, second.

16           All in favor?

17           BOARD MEMBER GREEN:   Aye.

18           BOARD MEMBER KELLER:   Aye.

19           BOARD MEMBER GLISSON:   Aye.

20           BOARD MEMBER GOODMAN:   Aye.

21           BOARD MEMBER COLLIER:   Aye.

22           CHAIRMAN ZAMONSKY:   Aye.

23                   (The motion was approved and carried.)

24           MR. GAILEY:   And just note that no action was taken in  
25   Executive Session.

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CHAIRMAN ZAMONSKY: No action was taken in Executive Session.

Do I have a motion to adjourn tonight's due process hearing?

BOARD MEMBER KELLER: Motion.

BOARD MEMBER GLISSON: Second.

CHAIRMAN ZAMONSKY: All in favor?

BOARD MEMBER GREEN: Aye.

BOARD MEMBER KELLER: Aye.

BOARD MEMBER GLISSON: Aye.

BOARD MEMBER GOODMAN: Aye.

BOARD MEMBER COLLIER: Aye.

CHAIRMAN ZAMONSKY: Aye.

(The motion was agreed and carried.)

(Time noted: 7:58 p.m.).

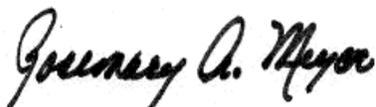
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## REPORTER'S CERTIFICATION

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, 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.

A handwritten signature in black ink that reads "Rosemary A. Meyer". The signature is written in a cursive, flowing style.

ROSEMARY A. MEYER

Date Transcribed: August 16, 2016

	17,18,19,20,21;7:6,7, 9,10,11,12,13		<b>information (1)</b> 3:22	<b>nor (1)</b> 4:5
<b>A</b>	<b>Board's (4)</b> 3:23,24,25;4:15	<b>E</b>	<b>intended (1)</b> 3:14	<b>note (1)</b> 6:24
<b>absolutely (1)</b> 4:17	<b>brief (1)</b> 3:13	<b>EISes (1)</b> 4:11	<b>intent (1)</b> 4:16	<b>noted (1)</b> 7:16
<b>action (2)</b> 6:24;7:2	<b>C</b>	<b>Excuse (2)</b> 5:5,9	<b>interruption (2)</b> 5:4,8	<b>O</b>
<b>address (1)</b> 4:4	<b>carried (6)</b> 2:15;3:4;5:19;6:8, 23;7:15	<b>executive (5)</b> 5:21;6:9,12,25;7:2	<b>into (1)</b> 5:20	<b>o'clock (1)</b> 5:7
<b>adjourn (4)</b> 4:23;5:2,6;7:4	<b>case (1)</b> 3:13	<b>explain (1)</b> 3:18	<b>J</b>	<b>open (1)</b> 2:3
<b>advice (1)</b> 5:21	<b>CHAIRMAN (21)</b> 2:2,5,7,14,16,20; 3:3;5:2,5,9,12,18,20, 25;6:7,11,15,22;7:2, 8,14	<b>extent (1)</b> 3:10	<b>June (2)</b> 4:25;5:7	<b>opportunity (4)</b> 3:18,22;4:20,21
<b>afternoon (2)</b> 4:3,23	<b>Chestnut (3)</b> 2:17;3:6,17	<b>F</b>	<b>K</b>	<b>order (1)</b> 4:19
<b>agreed (1)</b> 7:15	<b>COLLIER (6)</b> 2:13;3:2;5:17;6:6, 21;7:13	<b>fact (1)</b> 3:11	<b>KELLER (12)</b> 2:4,10,19,23;5:11, 14,24;6:3,13,18;7:6, 10	<b>out (1)</b> 6:11
<b>Alex (2)</b> 2:7;6:15	<b>conduct (1)</b> 2:16	<b>false (2)</b> 3:19;4:14	<b>L</b>	<b>Pat (1)</b> 2:20
<b>allegation (1)</b> 4:18	<b>conflict (1)</b> 4:11	<b>Farms (4)</b> 3:6,9,12,15	<b>letter (4)</b> 3:8;4:3,14,22	<b>period (1)</b> 4:7
<b>alleges (1)</b> 4:16	<b>consider (1)</b> 4:22	<b>favor (6)</b> 2:8,21;5:12,25; 6:16;7:8	<b>M</b>	<b>personally (3)</b> 4:6,8,20
<b>apparent (1)</b> 3:18	<b>consideration (2)</b> 3:23,25	<b>FEIS (2)</b> 3:20;4:10	<b>many (1)</b> 4:14	<b>plan (1)</b> 4:12
<b>appear (3)</b> 4:6,8,20	<b>contains (1)</b> 4:14	<b>firsthand (1)</b> 4:9	<b>material (1)</b> 3:18	<b>Planning (6)</b> 3:20,24;4:16,20, 21;6:9
<b>approvals (2)</b> 3:21,24	<b>contents (1)</b> 4:22	<b>G</b>	<b>May (3)</b> 2:2;3:25;4:15	<b>please (1)</b> 2:2
<b>approved (5)</b> 2:15;3:4;5:19;6:8, 23	<b>continue (1)</b> 4:24	<b>GAILEY (5)</b> 3:5,8,17;5:22;6:24	<b>meeting (2)</b> 4:25;5:3	<b>pm (3)</b> 6:10,10;7:16
<b>attention (1)</b> 2:2	<b>counsel (1)</b> 5:21	<b>GLISSON (9)</b> 2:11,18,24;5:15, 23;6:4,19;7:7,11	<b>MEMBER (42)</b> 2:4,6,9,10,11,12, 13,18,19,22,23,24,25; 3:2;5:10,11,13,14,15, 16,17,23,24;6:2,3,4,5, 6,13,14,17,18,19,20, 21;7:6,7,9,10,11,12, 13	<b>prepared (1)</b> 4:10
<b>attorneys (2)</b> 3:9;4:4	<b>D</b>	<b>GOODMAN (9)</b> 2:6,12,25;5:10,16; 6:5,14,20;7:12	<b>members (1)</b> 5:22	<b>present (1)</b> 5:22
<b>attorney's (1)</b> 4:14	<b>DEIS (2)</b> 3:19;4:10	<b>government (1)</b> 4:17	<b>midafternoon (1)</b> 3:8	<b>principals (3)</b> 3:15;4:5,19
<b>AUDIENCE (3)</b> 3:16;5:4,8	<b>developer (1)</b> 3:17	<b>granting (1)</b> 3:21	<b>misrepresentations (1)</b> 3:19	<b>PROCESS (13)</b> 2:1,3,17;3:1,11,14; 4:1,7,24;5:1,6;6:1; 7:4
<b>authors (1)</b> 4:9	<b>developer's (5)</b> 4:4,5,7,14,19	<b>GREEN (6)</b> 2:9,22;5:13;6:2,17; 7:9	<b>motion (19)</b> 2:3,4,15,16,18;3:4; 5:2,6,10,19,20,23; 6:8,11,13,23;7:4,6,15	<b>project (4)</b> 3:6,18,20,21
<b>Aye (36)</b> 2:9,10,11,12,13,14, 22,23,24,25;3:2,3; 5:13,14,15,16,17,18; 6:2,3,4,5,6,7,17,18, 19,20,21,22;7:9,10, 11,12,13,14	<b>Development (1)</b> 2:17	<b>H</b>	<b>neither (1)</b> 4:5	<b>provide (1)</b> 3:22
<b>B</b>	<b>disclosed (2)</b> 4:9,13	<b>hear (2)</b> 3:16;4:9	<b>nobody (1)</b> 3:12	<b>purporting (1)</b> 4:4
<b>behalf (1)</b> 4:16	<b>discriminatory (1)</b> 4:16	<b>HEARING (14)</b> 2:1,3,17;3:1,11,14; 4:1,7,24,24;5:1,6;6:1; 7:5	<b>N</b>	<b>R</b>
<b>Ben (1)</b> 5:22	<b>documents (2)</b> 4:10,13	<b>I</b>	<b>reason (1)</b> 3:24	<b>reasons (1)</b> 4:4
<b>BOARD (51)</b> 2:4,6,9,10,11,12, 13,18,19,22,23,24,25; 3:2,20;4:3,8,17,20, 21,23;5:10,11,13,14, 15,16,17,21,23,24; 6:2,3,4,5,6,9,13,14,	<b>DUE (13)</b> 2:1,3,17;3:1,10,14; 4:1,6,23;5:1,6;6:1; 7:4	<b>II (4)</b> 3:6,9,12,15	<b>received (3)</b> 3:8;4:3,22	<b>recently (2)</b>

4:9,12 <b>recission (2)</b> 3:23,25 <b>recommend (1)</b> 4:23 <b>refusal (1)</b> 4:7 <b>regarding (2)</b> 2:17;4:15 <b>regular (1)</b> 4:24 <b>reject (1)</b> 4:17 <b>relevant (1)</b> 3:23 <b>relied (1)</b> 3:21 <b>representations (1)</b> 4:11 <b>representatives (1)</b> 4:6 <b>representing (2)</b> 3:5,12 <b>resolution (2)</b> 4:2,15 <b>response (1)</b> 3:7 <b>revealed (1)</b> 4:12 <b>Rich (1)</b> 2:20 <b>Ridge (3)</b> 2:17;3:6,17	<b>today (1)</b> 3:8 <b>tonight (1)</b> 3:5 <b>tonight's (1)</b> 7:4 <b>Town (1)</b> 4:17			
	<b>U</b>			
	<b>unfortunate (1)</b> 4:8 <b>upon (1)</b> 3:20			
	<b>V</b>			
	<b>verbal (1)</b> 3:7			
	<b>Z</b>			
	<b>ZAMONSKY (21)</b> 2:2,5,7,14,16,20; 3:3;5:2,5,9,12,18,20, 25;6:7,11,15,22;7:2, 8,14			
	<b>2</b>			
	<b>24 (2)</b> 3:25;4:15 <b>28th (2)</b> 4:25;5:7			
<b>S</b>				
<b>Second (9)</b> 2:5,6,7,19;5:11,24; 6:14,15;7:7 <b>session (5)</b> 5:21;6:10,12,25; 7:3 <b>seven (1)</b> 5:7 <b>stated (1)</b> 4:5 <b>statement (1)</b> 3:13 <b>statements (4)</b> 3:19;4:11,12,15 <b>stating (1)</b> 3:9 <b>submissions (1)</b> 3:10 <b>Sullivan (4)</b> 3:6,9,12,14 <b>sure (1)</b> 3:11	<b>7</b>			
	<b>7:03 (1)</b> 6:10 <b>7:57 (1)</b> 6:10 <b>7:58 (1)</b> 7:16			
<b>T</b>				
<b>testimony (1)</b> 3:22				