

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

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*Due Process - Chestnut Ridge*  
*Vol. 2*  
*June 28, 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 2  
Pages 8 - 15

RE: CHESTNUT RIDGE DEVELOPMENT

----- X

Town Hall  
Town of Mamakating  
June 28, 2016  
7:00 P.M.

PLANNING BOARD MEMBERS:

STANLEY ZAMONSKY, III, Chairman

MORT STAROBIN, Board Member

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 -

2 CHAIRMAN ZAMONSKY: Excuse me. If I could have  
3 everybody's attention?

4 Do I have a motion to call the due process hearing for  
5 Chestnut Ridge Development?

6 BOARD MEMBER GLISSON: Motion.

7 CHAIRMAN ZAMONSKY: Rich.

8 BOARD MEMBER KELLER: Second.

9 CHAIRMAN ZAMONSKY: Pat.

10 MR. GAILEY: This is a continuation of the due process  
11 hearing.

12 CHAIRMAN ZAMONSKY: All in favor?

13 BOARD MEMBER GREEN: Aye.

14 BOARD MEMBER STAROBIN: Aye.

15 BOARD MEMBER KELLER: Aye.

16 BOARD MEMBER GOODMAN: Aye.

17 BOARD MEMBER COLLIER: Aye.

18 BOARD MEMBER GLISSON: Aye.

19 CHAIRMAN ZAMONSKY: Aye.

20 (The motion was approved and carried.)

21 CHAIRMAN ZAMONSKY: Okay.

22 Are there any representatives here for any of the  
23 residents and/or developer of Chestnut Ridge?

24 (No verbal response.)

25 CHAIRMAN ZAMONSKY: Okay.

1 - DUE PROCESS -

2 MR. GAILEY: Does anyone care to speak who believes  
3 they would be affected by the rescission of approval of the  
4 Chestnut Ridge project? Any information?

5 UNIDENTIFIED SPEAKER: Yes.

6 MR. GAILEY: Are you a unit owner or a resident of  
7 Chestnut Ridge?

8 UNIDENTIFIED SPEAKER: No.

9 MR. GAILEY: No, sir, it's not a public hearing.

10 UNIDENTIFIED SPEAKER: Thank you.

11 CHAIRMAN ZAMONSKY: Okay.

12 MR. GAILEY: The Planning Board, today, received two  
13 additional letters this afternoon; another letter from the  
14 attorneys of the developer of Chestnut Ridge and then a  
15 second letter from an attorney who, in the letter, states  
16 that he represents some of the unit owners in Chestnut  
17 Ridge. I would like to take the opportunity to discuss  
18 with the Board, and provide legal advice to the Board  
19 concerning those two letters which we received just today  
20 and just had, briefly, the opportunity to review, and to  
21 provide that legal advice in Executive Session.

22 CHAIRMAN ZAMONSKY: Since our last meeting, as part of  
23 the ongoing litigation the Town is facing, a letter from  
24 the State Department was turned over to the Town.  
25 Subsequently, the Planing Board received that letter, as

1 - DUE PROCESS -

2 well. It discusses the fire apparatus access at Chestnut  
3 Ridge. It had certain concerns regarding fire apparatus at  
4 Chestnut Ridge. Subsequently, last Friday, we received  
5 another letter as part of the litigation material that was  
6 turned over. That letter was actually from the Village of  
7 Bloomingburg attorney, in conjunction with their village  
8 engineer, which agrees with -- is that the best way --  
9 agrees with the determination by the State Department?

10 MR. GAILEY: Correct.

11 CHAIRMAN ZAMONSKY: So those letters are also being  
12 incorporated into our review of the EIS and the Chestnut  
13 Ridge approval.

14 Are there any other questions by the Board, comments?

15 (No verbal response.)

16 CHAIRMAN ZAMONSKY: I think we'll close the oral piece  
17 of the due process hearing. We will still allow for  
18 written comments to be submitted to the Board.

19 The Board would like to go into Executive Session for  
20 advice of counsel to discuss the next date of the hearing  
21 at which time we'll have enough opportunity to review all  
22 the documents that we received both from the developer and  
23 the consultants for the Board.

24 MR. GAILEY: Not so much to discuss the next date, but  
25 so the Board can hear from me with respect to the contents

1 - DUE PROCESS -

2 of the letters that were received today.

3 CHAIRMAN ZAMONSKY: Okay.

4 Do I have a motion to close the verbal, the oral  
5 piece of the due process hearing and still allow for  
6 written comments to be submitted?

7 BOARD MEMBER GLISSON: Motion.

8 CHAIRMAN ZAMONSKY: Rich.

9 BOARD MEMBER GOODMAN: Second.

10 CHAIRMAN ZAMONSKY: Alex.

11 MR. GAILEY: After the Executive Session the Board  
12 will set a date, a deadline for the submission of those  
13 written comments.

14 CHAIRMAN ZAMONSKY: And no other action will be taken  
15 once we come out.

16 MR. GAILEY: Correct.

17 CHAIRMAN ZAMONSKY: All in favor?

18 BOARD MEMBER GREEN: Aye.

19 BOARD MEMBER STAROBIN: Aye.

20 BOARD MEMBER KELLER: Aye.

21 BOARD MEMBER GOODMAN: Aye.

22 BOARD MEMBER COLLIER: Aye.

23 BOARD MEMBER GLISSON: Aye.

24 CHAIRMAN ZAMONSKY: Aye.

25 (The motion was approved and carried.)

1 - DUE PROCESS -

2 CHAIRMAN ZAMONSKY: Do I have a motion to go into  
3 Executive Session for advice of counsel with all board  
4 members present?

5 BOARD MEMBER GREEN: Motion.

6 BOARD MEMBER KELLER: Second.

7 BOARD MEMBER GREEN: Aye.

8 BOARD MEMBER STAROBIN: Aye.

9 BOARD MEMBER KELLER: Aye.

10 BOARD MEMBER GOODMAN: Aye.

11 BOARD MEMBER COLLIER: Aye.

12 BOARD MEMBER GLISSON: Aye.

13 CHAIRMAN ZAMONSKY: Aye.

14 (The motion was agreed and carried.)

15 CHAIRMAN ZAMONSKY: Thank you.

16 (A recess was taken from

17 7:06 p.m. to 7:44 p.m.)

18 CHAIRMAN ZAMONSKY: Okay. Thank you, everyone. I  
19 appreciate that.

20 Do I have a motion to come out of Executive Session?

21 BOARD MEMBER KELLER: Motion.

22 CHAIRMAN ZAMONSKY: Pat.

23 BOARD MEMBER GREEN: Second.

24 CHAIRMAN ZAMONSKY: Lorry.

25 All in favor.

1 - DUE PROCESS -

2 BOARD MEMBER GREEN: Aye.

3 BOARD MEMBER STAROBIN: Aye.

4 BOARD MEMBER KELLER: Aye.

5 BOARD MEMBER GOODMAN: Aye.

6 BOARD MEMBER COLLIER: Aye.

7 BOARD MEMBER GLISSON: Aye.

8 CHAIRMAN ZAMONSKY: Aye.

9 (The motion was agreed and carried.)

10 CHAIRMAN ZAMONSKY: Do you have anything else to add?

11 MR. GAILEY: Just that as I said before you went into  
12 Executive Session --

13 UNIDENTIFIED SPEAKER: Can't hear you.

14 UNIDENTIFIED SPEAKER: Can you talk into the  
15 microphone?

16 MR. GAILEY: As I said before the Board went into  
17 Executive Session, the purpose was to talk about all the  
18 letters the Board has received, particularly the letter we  
19 got late this afternoon, and the reviews that have been  
20 ongoing by the Planning Board and its consultants, and what  
21 the next steps are for here.

22 CHAIRMAN ZAMONSKY: So I have a three part resolution  
23 here.

24 Do I have a motion to close the due process hearing  
25 for personal appearances, to set the final date for written

1 - DUE PROCESS -

2 submissions July 11th, and to hold a special meeting on  
3 July 13? Do I have a motion?

4 BOARD MEMBER KELLER: Motion.

5 BOARD MEMBER STAROBIN: Second.

6 CHAIRMAN ZAMONSKY: Pat and Mort.

7 All in favor?

8 BOARD MEMBER GREEN: Aye.

9 BOARD MEMBER STAROBIN: Aye.

10 BOARD MEMBER KELLER: Aye.

11 BOARD MEMBER GOODMAN: Aye.

12 BOARD MEMBER COLLIER: Aye.

13 BOARD MEMBER GLISSON: Aye.

14 CHAIRMAN ZAMONSKY: Aye.

15 (The motion was agreed and carried.)

16 CHAIRMAN ZAMONSKY: Thank you.

17 MR. GAILEY: Just to clarify, the due process hearing  
18 is closed except the hearing remains open for written  
19 submission only, until July 11.

20 CHAIRMAN ZAMONSKY: Okay. Thank you.

21 Do I have a motion to close the due process hearing  
22 meeting?

23 MR. GAILEY: Close the meeting.

24 CHAIRMAN ZAMONSKY: Close the meeting.

25 BOARD MEMBER KELLER: Motion.

1 - DUE PROCESS -

2 BOARD MEMBER STAROBIN: Second.

3 CHAIRMAN ZAMONSKY: Pat and Mort.

4 All in favor?

5 BOARD MEMBER GREEN: Aye.

6 BOARD MEMBER STAROBIN: Aye.

7 BOARD MEMBER KELLER: Aye.

8 BOARD MEMBER GOODMAN: Aye.

9 BOARD MEMBER COLLIER: Aye.

10 BOARD MEMBER GLISSON: Aye.

11 CHAIRMAN ZAMONSKY: Aye.

12 (The motion was approved and carried.)

13 CHAIRMAN ZAMONSKY: Thank you for your patience. I  
14 appreciate it.

15 (Time noted: 7:46 p.m.)

16 \* \* \* \* \*

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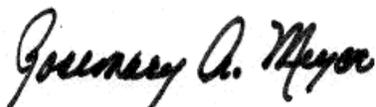
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## REPORTER'S CERTIFICATION

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

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