

In The Matter Of:
Town of Mamakating
Planning Board

September 27, 2016
September 27, 2016

Jeric Corporation
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TOWN OF MAMAKATING
PLANNING BOARD MINUTES
September 27, 2016
TOWN HALL
MAMAKATING, NEW YORK

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

LINDA FRANCK, Secretary

J. BENJAMIN GAILEY, ESQ., Attorney

STU TURNER, AICP, Planner

LAWRENCE PAGGI, P.E., Engineer

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Reported by: Rosemary A. Meyer

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COUNTY OF SULLIVAN : TOWN OF MAMAKATING
PLANNING BOARD

----- X
PARADISE II RESORTS, INC.
Special Use Permit
Tax Map Section 63; Block 1; Lot 43.9
Mountain Greenbelt Zone
----- X

Town Hall
Town of Mamakating
September 27, 2016
7:02 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
- LINDA FRANCK, Secretary
- J. BENJAMIN GAILEY, ESQ., Attorney
- STU TURNER, AICP, Planner
- LAWRENCE PAGGI, P.E., Engineer
- MARY GRASS, Building Inspector/Code Enforcement

Also Present: Michael Blustein Esq.,
on behalf of Applicant

JERIC CORPORATION
Court Reporting Services
P.O. Box 385
Narrowsburg, New York 12764

Reported by: Rosemary A. Meyer

1 - PARADISE II RESORT, INC.

2 CHAIRMAN ZAMONSKY: Welcome to the Town of Mamakating
3 Planning Board meeting of September 27, 2016.

4 Do I have a motion to open the meeting?

5 BOARD MEMBER KELLER: Motion.

6 CHAIRMAN ZAMONSKY: Pat.

7 BOARD MEMBER GREEN: Second.

8 CHAIRMAN ZAMONSKY: Lorry.

9 All in favor?

10 BOARD MEMBER GREEN: Aye.

11 BOARD MEMBER STAROBIN: Aye.

12 BOARD MEMBER KELLER: Aye.

13 BOARD MEMBER GLISSON: Aye.

14 BOARD MEMBER GOODMAN: Aye.

15 CHAIRMAN ZAMONSKY: Aye.

16 (The motion was approved and carried.)

17 CHAIRMAN ZAMONSKY: Okay. The first applicant is
18 Paradise II Resort, Special Use Permit, Tax Map Section 63,
19 Block 1, Lot 43.9 in the Mountain Greenbelt Zone. The
20 property is located on South Road. Approximate acreage is
21 45 acres.

22 MR. BLUSTEIN: Good evening. Michael Blustein,
23 Blustein, Shapiro, Rich and Barone, Goshen, New York, on
24 behalf of the Applicant, as well as Anthony --

25 MR. TROCHIANO: Trochiano.

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2 MR. BLUSTEIN: -- Trochiano. We gave the stenographer
3 our card so she's good. He's the project engineer with
4 Pietrzak and Pfau.

5 I think we were last here in May and we went over a
6 bunch of items. The biggest item was getting a topo survey
7 of this largely wooded property with various contours.
8 It's been three months since we've been here. We had a
9 consultants meeting two weeks ago with the Town
10 consultants, and we're back to present to you what we've
11 done in the last three months.

12 CHAIRMAN ZAMONSKY: Is there anything you want to
13 present or do you want to just go right to the consultants?

14 MR. BLUSTEIN: It's up to the Board's pleasure.

15 CHAIRMAN ZAMONSKY: Is everyone familiar with the
16 project?

17 MR. BLUSTEIN: It's the existing Paradise II Resort
18 that the Applicant purchased and to convert into a summer
19 type sleepaway camp.

20 CHAIRMAN ZAMONSKY: Okay.

21 Larry, do you want to walk the Board kind of through
22 your letter?

23 MR. PAGGI: Sure, sure.

24 Many of our comments have been addressed with
25 information that has been provided.

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2 Do you want this on?

3 CHAIRMAN ZAMONSKY: Please.

4 MR. PAGGI: But we do have some outstanding relatively
5 significant comments that still need to be addressed and
6 need to be discussed with the Planning Board.

7 Probably the two most pertinent topics are the waivers
8 that have been requested and the determination whether this
9 constitutes a change in use. The two are very much related
10 to each other. From the beginning, we've been kind of
11 trying to figure out what standard to hold the project to.
12 There's drives, there's walks, there's parking areas that
13 may or may not conform to current code requirements for
14 slope, that in particular. There are requirements relative
15 to certain infrastructure items that we're kind of
16 grappling whether to conduct a review. We have information
17 now. With this new topography we could be looking at
18 slopes, we could be determining if they conform, but we're
19 not going there yet because we're not really sure if this
20 project is going to be held to those standards.

21 I want to bring the Board's attention specifically to
22 the narrative that was submitted by the Applicant. On page
23 9, where they mention under Item B-A, which is a reference
24 to our code and a site plan submission requirement that
25 says the location and arrangement for a proposed means of

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2 access and egress, including sidewalks, driveways or other
3 paved areas, and profiles indicating grading and cross
4 sections showing the width of the roadway, location and
5 width of sidewalks and location and size of water and sewer
6 lines, that's stipulated as a requirement to submit and the
7 narrative indicates that those items have been waived.

8 I --

9 MR. BLUSTEIN: If I might, I mean we were at -- I'm
10 sorry to interrupt you, but we had it pretty detailed at
11 the last meeting where we went through all of the requests
12 and the Board actually voted to grant waivers on the
13 majority of the items because we explained to them, and I
14 think the attorney, although Mr. Gailey is here tonight and
15 not Mr. Cappello, but Mr. Cappello had said, Look, legally,
16 this is a preexisting use and you're not changing the
17 buildings, so legally, yes, we're going to require you to
18 go through certain site plan items. But you guys voted on
19 a lot of waivers.

20 MR. PAGGI: That's actually what I'm looking for just
21 clarification on, is are we actually considering this an
22 existing legal use or is it a new use, going from a resort
23 to a summer camp. I'm really just looking for direction
24 what and how we should be reviewing these particular items.

25 CHAIRMAN ZAMONSKY: Well, it's a change of use; right?

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2 MR. BLUSTEIN: Your attorney gave you the opinion,
3 though, at the May meeting, that yes, that while it may be
4 considered a change of use, the buildings, the site, as it
5 exists, is currently nonconforming. I mean for instance,
6 you have to be 200 feet away. Every building has to be 200
7 feet away from a road. None of the buildings are. It is
8 like that, it's been like that. He gave the opinion, back
9 in May, that we didn't have to, that it is a prior
10 nonconforming use. Yes, the use is -- both sides can argue
11 whether or not it's a change in use or not. Obviously, I
12 have one take; the Board may have another take. But we did
13 go through all these items pretty in-depth, and you guys
14 actually voted on the various waivers, one by one. I think
15 we gone through the analysis that three months ago as
16 requested and came back with what was requested at that
17 meeting. I think your attorney was pretty clear that we
18 didn't have to do this like it was an application from the
19 start because it's a preexisting condition.

20 MR. GAILEY: I spoke to John Cappello about that. The
21 discussion that we had yesterday and today was that what's
22 likely here is a change of use, that's a conversation that
23 I think the attorneys can have, as well, from resort to a
24 summer camp. You're correct, however, that all these
25 buildings and facilities exist. So clearly, there's some

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2 degree of preexisting nonconforming buildings and
3 structures that are typically allowed to remain.

4 One of the issues, though, and this is one where I
5 would suggest the Board defer to the town building
6 inspector, and I don't think Mary's made any determination
7 on that, the reference was made, for instance, to the
8 setback requirement of 200 feet for buildings and
9 recreation areas. That's a special permit requirement,
10 it's not a general district requirement. That's not
11 required for a resort. It is required, however, for a
12 summer camp, and it's a special permit requirement that
13 applies only to summer camps. When we change the use, the
14 issue then becomes, well, in that case, does that 200 foot
15 requirement apply even though those buildings already
16 exist. We're not saying you have to take down buildings or
17 somehow move them 200 feet from the lot line, but if that
18 requirement does apply, that would require an application
19 to the ZBA for an area variance.

20 MR. BLUSTEIN: He told us flat-out we didn't need a
21 variance. We were told flat-out we didn't need a variance,
22 in May. I think the record would reflect that. John said
23 we don't need a variance. He said that we had to go and we
24 had to pole the Board for waivers of specific conditions
25 relative to the site plan requirement, but he flat-out said

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2 we do not have to go to the Zoning Board. We would have
3 been referred to the Zoning Board at that point, then.

4 CHAIRMAN ZAMONSKY: Was the 200 foot setback and the
5 dimensions shown at that time on the map that was submitted
6 to the Planning Board?

7 MR. TROCHIANO: I don't know if there was a dimension
8 on the map. The 200 foot was not shown on the map.

9 CHAIRMAN ZAMONSKY: So we wouldn't have known at that
10 time.

11 MR. BLUSTEIN: But we discussed it. We certainly
12 discussed it.

13 CHAIRMAN ZAMONSKY: We discussed the 200 foot setback
14 but there's no dimension?

15 MR. BLUSTEIN: Look, I don't remember exactly. We'd
16 have to look at the minutes for the meeting. I'm 99
17 percent certain that I can tell you John Cappello said that
18 we don't need a variance.

19 MR. GAILEY: We'll have to check into that.

20 CHAIRMAN ZAMONSKY: Yes.

21 MR. GAILEY: I mean it's not something that we're
22 going to have to resolve --

23 CHAIRMAN ZAMONSKY: And in the meantime, we can have
24 the zoning official make a determination.

25 MR. GAILEY: Yes.

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2 CHAIRMAN ZAMONSKY: And we did grant waivers. A
3 number of them are conditional based on not disturbing
4 areas or changing the septic, et cetera, et cetera. So
5 while waivers were granted, they were conditional based on
6 a nonmodified site.

7 MR. BLUSTEIN: Yes. But the site's not being
8 modified. I mean the Board has a record of the various
9 waivers. I know --

10 CHAIRMAN ZAMONSKY: I remember. I agree, and I think
11 the Board does as well, that we granted you waivers.

12 Go ahead.

13 BOARD MEMBER STAROBIN: Is it a summer camp or a
14 school. Are we dancing around definitions at this point?

15 MR. BLUSTEIN: It's a summer camp but it's not a
16 traditional summer camp for kids. They're going to be
17 studying. They're not going to be out like a traditional
18 summer camp, playing basketball and doing sports. It's
19 mostly for study for people who live in the city and want
20 to come up and study over the summertime and enjoy the
21 beautiful Sullivan County summers.

22 MR. GLISSON: So that, for you, then, does not
23 constitute a change of use from a resort type area?
24 Because I think you said you seem to have a really good
25 recollection of what we have; right? So if you could

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2 discuss that definition.

3 MR. BLUSTEIN: Well, it's currently a resort --

4 MR. GLISSON: Okay.

5 MR. BLUSTEIN: -- and so people come. It's basically
6 being used for, I would say some sort of summer room for
7 rent this for the week or the season. I don't know how
8 it's currently run. I don't believe it's open year-round;
9 I think it's only a seasonal type use now. Any use that
10 we're doing is going to be less intense use of the site
11 that currently is. For instance, the traffic, there's
12 going to be a bus up and a bus back. There's not going to
13 be people driving up and back every weekend like a
14 traditional, from bungalow colony or a hotel, motel,
15 whatever you want to call it. We're not changing one
16 building on the site. It is a change in where it's not
17 going to be families, it's going to be young male students.
18 So yes, it's being changed in terms of it's not being
19 available for family renting out buildings, it's going to
20 be rented out as a summer type camp/study.

21 BOARD MEMBER STAROBIN: I have a question, Stu or
22 Larry.

23 MR. TURNER: Yes.

24 BOARD MEMBER STAROBIN: The reason for the 200 foot
25 setback for a summer camp, what would be the reason for

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2 that? Is a safety issue or noise issue?

3 MR. TURNER: I was not here when the code was adopted.
4 But my thinking is that with the summer camps it was
5 related to potential impact for noise because usually the
6 summer camps, there's children, there's activities, there's
7 residents close by. It is a provision of the code. It may
8 be more applicable in certain areas than other areas. In
9 this particular case, the surrounding uses and ownership --
10 well, use, not the ownership. There's open uses around the
11 site. So it may or may not be appropriate.

12 MR. BLUSTEIN: There's nothing, really. From what I
13 understand, there's very little near the site.

14 MR. TURNER: Right.

15 MR. BLUSTEIN: It's very isolated. There's very
16 little traffic.

17 There's one comment in either Larry or Stu's comments
18 about citing the neighbors within a hundred feet. There
19 just aren't any. There's nothing. It's somewhat a
20 isolated area.

21 MR. PAGGI: My --

22 MR. TURNER: No, go ahead. Go ahead.

23 MR. PAGGI: My concerns, particularly, are relative to
24 driveway grades, things that were developed perhaps maybe
25 even prior to the adoption of the code. I don't know when

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2 Paradise was approved. We have knowledge of a 50 mile an
3 hour road that passes through the center of the site. We
4 just want to make sure that people entering and exiting the
5 site are able to do so in a safe manner. So that's my
6 particular concern, really, the grades of both vehicular
7 and pedestrian means of access and egress to and from the
8 site. But I think you're saying that we need to look into
9 this a little bit further. We can beat this to a dead
10 horse or try to move on.

11 CHAIRMAN ZAMONSKY: Any questions from the Board?

12 BOARD MEMBER GOODMAN: Which roads were the ones that
13 we were talking about had the steeper slopes? I'm looking
14 at the map. Is it down toward Building 29 or the other
15 one, towards 22?

16 MR. PAGGI: Yes; actually, Building 22. You see
17 Building 22, that's a particular driveway that was of
18 concern. There's actually like a V there that enters.

19 BOARD MEMBER GOODMAN: Yes.

20 MR. PAGGI: Do you see the telephone pole there in the
21 crotch of the V --

22 BOARD MEMBER GOODMAN: Yes.

23 MR. PAGGI: -- and then you see a little dot behind
24 it? That's actually a guidewire that extends out into the
25 driveway. So you have a steep slope and a curve with a

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2 guidewire in it. Someone trying to negotiate that in a
3 vehicle, that could be a little tricky.

4 MR. BLUSTEIN: I'm looking at my notes from the
5 meeting in May and my notes very clearly state that John
6 Cappello stated that since there was no more nonconforming
7 use, there is no more nonconformity, there's no need to go
8 to the Zoning Board of Appeals. So I would ask that you
9 look at those minutes because those are my notes. But
10 we'll address -- I don't think there's too many issues that
11 you address in your comment letter that are terribly tough
12 for the engineers to satisfy.

13 We were here last time and you guys said you wanted a
14 fence around the pond. I said I've been to a hundred
15 camps, I've never seen a fence around a pond. You said you
16 wanted it. The Applicant said if that's what you want,
17 that's what we'll put up.

18 We spent three months getting this plan back in shape.
19 I don't think that the engineering stuff is all that
20 detailed that you guys can't be satisfied. We need to get
21 this thing moving forward. To come back three months later
22 and be told, Oh, wait a second, we don't know if you need
23 to go to the ZBA, I'm certain that was addressed. A lot of
24 these waivers were granted. I don't mind sitting down and
25 shutting up and letting the engineers talk about the

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2 engineering stuff, but the legal stuff I know was all
3 addressed three months ago.

4 CHAIRMAN ZAMONSKY: My only problem is that only now
5 do you have an actual survey. When you came in three
6 months ago we didn't have it. So this is the first time
7 that the consultants and the Board are actually seeing the
8 dimensions and the offsets.

9 MR. TURNER: I just have a couple of comments. I
10 don't want to beat up on you.

11 We've asked in our document, also, they're not so much
12 engineering, but some of the provisions, you gave the Board
13 information. I say if and when it's approved, you have a
14 plan that has all the information on it that you have for
15 the future. We had asked for those things. We're not
16 suggesting that we didn't. The minutes will show what was
17 waived; that's fine. But there are issues. The reason
18 that we asked for things like adjoining property owners and
19 a couple things that are listed, they may not be
20 significant from the planning point of view, but since we
21 believe it is a change of use, we just want to make sure
22 that the criteria applicable for this use, they've either
23 met it or not met it, and then the determination can be
24 made of any variances that need to be.

25 MR. BLUSTEIN: We got your comments at three o'clock

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2 today and I sat down with Anthony and Joe Pfau at 3:15 and
3 we went through your comments. Frankly, there's not a
4 whole lot of -- we'll provide it. What you're asking for
5 will be provided.

6 MR. TURNER: Right.

7 And I just have one thing I wanted to mention to the
8 Board because as they go forward and consider this, we had
9 talked a lot about the parking question. Your client has
10 indicated, clearly, how this camp is intended to function.
11 The Board will take that testimony that there's not likely
12 to be a lot of people going in and out, parking. A large
13 group comes maybe twice a summer. We had asked for some
14 overflow parking, which was provided. I would like to
15 suggest to the Board that be very careful, when you look at
16 that row, the spaces along the road because they are
17 designed to back out. There is space there and we know
18 that; we were out in a field. But I think you may want to
19 consider how they should deal with that and whether they
20 really need that much overflow parking or if there are any
21 other options. They have the tennis court area and they
22 have a fair amount of parking on the site. This is a
23 matter for you to discuss.

24 MR. BLUSTEIN: We, frankly, would prefer not have all
25 this that overflow parking and utilize more it, Stu said,

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2 the tennis court area. We know that our need for parking
3 is significantly less than what's there now.

4 MR. TURNER: And in some of those overflow areas, some
5 of it's an engineering question. But the question is
6 whether you would be asked by the Board to stabilize, to
7 pave or do any other things that are there. That's going
8 to be up to the Board. If you do, then it creates more
9 runoff and so on. Larry may have something to say about
10 that. But I think the important thing is that if the Board
11 believes there is need for a place that's for overflow
12 parking, it should be shown on the plan. Those spaces, I
13 would recommend not be used because I don't think they're
14 safe, the ones that back out.

15 Those are the main issues from a planning perspective.

16 It clearly, to me, is a change of use because it's not
17 a resort, 200 children and staff there, and that's
18 different than having 40 or 50 families. It may be less
19 intense, but I'm saying it's a change of use, from my
20 point.

21 MR. BLUSTEIN: That's why we're here.

22 MR. PAGGI: We had similar concerns about the parking.
23 The parking in the right-of-way is obviously an issue. You
24 do see parking, parallel parking, along roads, legal
25 design, but it's designed specifically for that use. Sight

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2 distance is a concern. Speed of traffic is a concern. So
3 all those things, before you would even consider thinking
4 about allowing parking in a right-of-way, should be
5 addressed. Theoretically, parking in a right-of-way is the
6 ownership of the municipality for maintenance. So all
7 those things are really going to need to be discussed and
8 considered for that.

9 If you're going to provide overflow parking elsewhere,
10 if it's going to be in lawn areas then it's incumbent upon
11 the Applicant to demonstrate that those lawn areas are
12 suitable and stable. If they're going to be improved to be
13 stabilized then they've got to be considered by permit
14 requirements, SPEDIS permit requirements, as disturbed area
15 even if you don't build on it. So that's something that
16 you've got to think about if we're going to go that way.
17 There's a bunch of things, a bunch of moving parts here
18 that we to consider. I think it's reasonable to use grass
19 as an overflow parking, but you've got to make sure that
20 there's not springs there, that it's well drained, that
21 when you have your family weekend and you're expecting to
22 have one or two days where you may have 80 visitors, that
23 you don't want to have 80 stuck cars.

24 MR. BLUSTEIN: Right. Again, we're sort of repeating
25 what we've talked about, unfortunately. Whatever traffic

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2 we have and whatever parking is going to be considerably
3 less than what exists there now. Apparently, there's no
4 existing problems that I've been made aware of by the
5 Building Department. These children will be bussed up.
6 There will be very few cars. It's not like people are
7 coming up for the weekend, leaving their families, driving
8 back and forth. Whatever parking is going to be infinitely
9 less than what's there now. Whatever parking --

10 MR. PAGGI: But that's not what your plans say,
11 though. That's the part that's confusing us. If that's
12 the case, then help us see that because you're proposing
13 90 vehicles

14 MR. TROCHIANO: Well, Our plan proposes that we need
15 30. I think that the overflow parking areas, I guess
16 previously, there was some sort of comment. We're saying
17 90 potential families, cars.

18 MR. PAGGI: Cars that were coming.

19 MR. TROCHIANO: So I think that was just like our
20 office's way of showing the Board if it is a problem and
21 there's an extreme amount of parking that's needed for a
22 day, that it's available on site. All the areas that are
23 shown as potential overflow parking are already surfaced.

24 MR. BLUSTEIN: It's really for one visit --

25 MR. TROCHIANO: If the parking along the road is an

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2 issue because of a right-of-way thing, it can be removed
3 because we do believe we have way too much. The tennis
4 courts are already asphalt and this area is already gravel
5 so we wouldn't really change it. We're just showing that
6 there's gravelled area that could be parked in if it's ever
7 necessary. We're removing the fence around the tennis
8 court. There's an asphalt pad there. They could park cars
9 on that safely. That's really all it was. It wasn't
10 like ...

11 MR. BLUSTEIN: We don't need that much parking.

12 MR. TROCHIANO: I honestly truly believe it's not
13 necessary. It was just our way of showing that, to give
14 the Town some sort of level of comfort that let's say that
15 we're wrong and they do need all this parking, there's a
16 way.

17 MR. BLUSTEIN: And it's one day.

18 MR. PAGGI: Anthony, why do you think that they don't
19 need that much parking? Why do you think that it's
20 overstated?

21 MR. TROCHIANO: Well, it has -- maybe Mike would be
22 better.

23 MR. BLUSTEIN: Because there's nobody coming up except
24 by bus. You have a few staff people that might park cars
25 there, but there's nobody coming. These children are going

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2 to get bussed up, dropped off and picked up at the end of
3 the summer. There'll be one visiting day where they don't
4 anticipate there being anything on site. Children will be
5 picked up by their families and they'll be brought
6 elsewhere in the area. We don't think there's going to be
7 any need for any parking remotely like this, but you wanted
8 it shown just in case. You can certainly make it a
9 condition of approval that if on the one day a year there's
10 a parking problem, we'll address it, have our site plan
11 contingency.

12 MR. TURNER: So you said, your client said, that on
13 this one or two visiting days the people who come to visit
14 will not stay on the site. Does that mean that there's no
15 opportunity for them to eat there, for instance?

16 MR. BLUSTEIN: I can't answer that.

17 MR. TROCHIANO: That's reflected in the narrative.

18 MR. TURNER: You say no.

19 MR. BLUSTEIN: I know when I go to visit my kids at
20 camp, I go there and I park and I stay. They said that
21 will not happen.

22 MR. TURNER: Yes, because your kids are not a Talmudic
23 camp. They're studying, they go back there.

24 MR. TROCHIANO: Sure.

25 CHAIRMAN ZAMONSKY: Where are the busses parking?

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2 MR. TROCHIANO: Well, I believe the bus is supposed to
3 drop off student here, and I think they leave. I don't
4 think they stay for any significant period of time.

5 CHAIRMAN ZAMONSKY: But I mean to drop the kids off.

6 MR. TROCHIANO: They're supposed to come in here.

7 MR. TURNER: I think they told us in the filed that
8 they would park in that big parking lot and drop the kids
9 off.

10 MR. TROCHIANO: My understanding was that it was here.

11 MR. GAILEY: Does the map state where the drop off
12 area is the pick up?

13 MR. TROCHIANO: It's in the narrative. I don't know
14 that it's labeled on the map.

15 MR. PAGGI: Well, we would need that laid out. As
16 well as the surfaces that you mentioned, the gravel.

17 MR. TROCHIANO: Yes.

18 MR. PAGGI: We state that in the comment letter.

19 And you believe that the turning movements for the bus
20 in and out -- I know we had this conversation once before.

21 MR. TROCHIANO: Yes. My understanding is that we
22 could provide analysis.

23 MR. PAGGI: A simple template, a simple turning
24 template.

25 MR. TROCHIANO: Right.

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2 MR. GAILEY: Let me ask you, too, in relation to the
3 type of summer camp that this is. It's a study camp as
4 opposed to a recreational camp. If the Board approves this
5 as a summer camp without a description or limitations of
6 this particular type, it could be converted to another type
7 of summer camp which would have a lot more parking
8 requirements, for instance, or different traffic
9 requirements.

10 MR. BLUSTEIN: We have no problem if the Board wants
11 to impose specific conditions, appropriately impose
12 conditions for our intended use that makes sense to the
13 Town. We have no problem with that. We wanted to be open
14 this summer. Obviously, we missed that. We want to move
15 forward. You could pick out any type of fence you want
16 we'll put up around that pond. The gravel will be gravel.
17 We don't really want to disturb anything. We want to move
18 into the location as is and use it less intensely than it's
19 currently being used. I don't think the Town had a problem
20 with this particular site as it's been used for the last X
21 amount of years by the current owner. It's in the middle
22 of the woods, in the middle of really nowhere. As far as I
23 know, there's been no problems with any neighbors, with any
24 use of the property. We want use to it even a less intense
25 use. We, frankly, never would have dreamed, when we signed

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2 the contract, that we would have had to spend so much money
3 on the engineering and surveying. My clients have invested
4 a lot of money for this already. Whatever reasonable
5 requirements you want to impose for our particular use, let
6 us know and let's get together and get it done.

7 MR. PAGGI: Michael, let's just get a couple things
8 out on the table, too, the reason why some of these
9 concerns arise. My understanding is the prior use was a
10 resort for more of retirement age individuals. Is that
11 correct, what Paradise II was?

12 CHAIRMAN ZAMONSKY: I'm not sure.

13 Mary, do you have any idea?

14 MS. GRASS: Yes.

15 MR. PAGGI: So now we understand that the primary use
16 is for really young teenagers; right? Twelve to fourteen,
17 sixteen years old I think was what was told to us. But
18 there's going to be staff there with families, with young
19 children. That was what was explained to me.

20 I'll go back to the discussion about fence. We
21 suggested the fence. Twelve, fourteen, sixteen-year-old
22 kids, a fence isn't going to stop them. That's not for
23 them. They're going to get over the fence. The idea was
24 that there would potentially be very young children there.
25 And --

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2 MR. BLUSTEIN: My client said if you want a fence --

3 MR. PAGGI: No, no, no. No, no, no, Stop. The
4 client said: We want to protect our children, we'll put
5 fence up. That was the statement that was made to me so
6 that's where that came from.

7 MR. BLUSTEIN: I'm saying we're willing --

8 MR. PAGGI: So the less intense use, the more intense
9 use, we have different people on the site and we want to
10 make sure that the safety considerations that should be
11 looked at are considered. That's really what we're after
12 this point.

13 BOARD MEMBER STAROBIN: And this is a special use
14 permit?

15 MR. PAGGI: Yes.

16 MR. TURNER: Yes.

17 BOARD MEMBER STAROBIN: Isn't it with special use
18 permits, if there's complaints and whatnot, then it's
19 reviewed every year --

20 MR. GAILEY: Can be, yes.

21 BOARD MEMBER STAROBIN: -- and what the complaints
22 are?

23 So with the parking and some of the other issues,
24 isn't that something that is conditional, they successfully
25 meet our requirements?

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2 MR. GAILEY: I think if the Board approves this it
3 will be with conditions, obviously. And then in addition,
4 the use of the site in relation to those conditions and
5 requirements can be reviewed on an annual basis.

6 MR. PAGGI: Anthony, relative to that, if 90 is really
7 an excessive number, can you put together a reasonable
8 parking strategy where you anticipate that people will come
9 over a period of time and the maximum number of cars at any
10 given time is X, and we'll provide maybe X plus a little
11 bit over?

12 MR. TROCHIANO: Yes.

13 MR. PAGGI: And then show us those numbers and then
14 show us what the parking areas are, what the surface areas
15 are.

16 MR. TROCHIANO: Yes.

17 MR. PAGGI: In particular, the tennis court. I know
18 we looked at the tennis court when we were walking out
19 there. The question wasn't so much as the tennis court, it
20 was how to get to the tennis court. So show us those
21 things.

22 MR. TROCHIANO: Sure.

23 MR. PAGGI: And some of the parking areas that you
24 show the dimensions, I'm not sure that they really work.
25 Make sure that if you have a parking stall that it works

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2 and a backing aisle and those types of things.

3 MR. TROCHIANO: That makes sense.

4 MR. GAILEY: Do you guys have any other questions?

5 You saw the comments today, this afternoon, but any
6 questions or clarifications on those comments.

7 MR. BLUSTEIN: No. As I explained, I met with
8 Anthony, I met with Joe Pfau. Most of the comments are
9 just engineering details that I think that these guys can
10 bang out before the next meeting.

11 MR. GAILEY: Okay.

12 MR. BLUSTEIN: We fully expected, based on the
13 comments that we got today, that we'd come here and ask for
14 a public hearing to be scheduled for next month. We didn't
15 expect some of the questions that we got; that's fine. But
16 I don't think any of the comments, frankly, are anything
17 that these guys can't address before the next meeting. I
18 think Stu recommends that you do a Neg Dec.

19 MR. TURNER: Not quite.

20 MR. BLUSTEIN: I think Stu recommends at the end of
21 this thing that you declare Lead Agency.

22 MR. TURNER: Lead Agency. That's an appropriate thing
23 for the Board to do. There should be a Notice of Intent to
24 be Lead Agency because you have the Health Department, at
25 least. I know there's always a discussion about the County

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2 Planning to do a review. There's the Health Department and
3 the DEC. So you could declare your intent to be Lead
4 Agency and we can circulate the notice. That way, you
5 don't lose any more time waiting.

6 MR. GAILEY: I recommend the Board do that.

7 CHAIRMAN ZAMONSKY: Just to speak on safety, too, I
8 drive down that road not a lot, but certainly during the
9 fall and the summer several times. It's really like you're
10 driving through the center of a camp. I don't see anything
11 on here for crossing locations. Is that intent of the
12 owner?

13 MR. BLUSTEIN: Oh, we talked about that because it was
14 in one of the comments. We could put up signs that say
15 Caution, Camp Ahead. Look, we're not going to have a
16 crossing guard there. Okay? But anything that you think
17 is reasonable for the safety of the kids and the staff.

18 MR. GAILEY: What we would like is the Applicant to
19 make those proposals to the Board and show those on the
20 plan. If the Board thinks they're not adequate, then the
21 Board and the consultants can chime in.

22 MR. BLUSTEIN: Well, I think that's been proposed.
23 Based on the comments we received today, we would put up
24 some signage that shows caution, camp ahead.

25 MR. TROCHIANO: Our office will most likely recommend

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2 just some crosswalk striping and yield to pedestrian signs,
3 normal, typical things in a situation like this. That's
4 what we would recommend to the Applicant.

5 MR. BLUSTEIN: Again, none of the comments do we feel
6 are ...

7 MR. GAILEY: All very reasonable, aren't they?

8 MR. BLUSTEIN: Yes. Just some of the other things ...

9 CHAIRMAN ZAMONSKY: Comments, questions from the Board

10 BOARD MEMBER GOODMAN: They're talking about the fence
11 again. I believe we discussed it last time, but you seem
12 to be saying there are going to be young children there or
13 there will not be? There could be?

14 MR. BLUSTEIN: There's going to be some staff members.
15 Most of them come with families.

16 MR. GAILEY: The site plan says there'll be 25 staff
17 people and, on average, each staff family will have four
18 people in the family. So 100, total, related to staff.

19 BOARD MEMBER GOODMAN: Just in relation to, like we
20 said, if there are teenagers it's a different story than if
21 there are young children with the requirement for the
22 fence.

23 CHAIRMAN ZAMONSKY: Anthony, do you have any other
24 questions?

25 MR. TROCHIANO: The only other thing I would

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2 appreciate just a little bit of clarity, in Lawrence's
3 letter under Comment No. 6, regarding the lighting.

4 MR. PAGGI: I'm glad you brought that up.

5 MR. TROCHIANO: What's that?

6 MR. PAGGI: I'm glad you brought that up because I
7 think we should all be a little clearer.

8 MR. TROCHIANO: My understanding is that Sheet 2 of
9 this plan just indicates where all the existing lights is
10 are now located and what's there. The comment is the
11 sufficiency of existing light should be determined. I just
12 want to go over that.

13 MR. PAGGI: Okay. Well, let's talk about a couple
14 things. There was some, I won't say confusion, but there
15 was some information that needed to be determined on who
16 actually owned the lights. I had a question about if the
17 lights are owned by the Applicant and they're in the Town
18 right-of-way how is the maintenance of those lights
19 facilitated. I don't know that the Applicant should be
20 owning light poles and lights within a Town right-of-way.
21 So that was one of the questions that I had.

22 The second issue was relative to safe lighting levels.
23 So the Planning Board, at the last meeting, I actually do
24 recall, did waive the requirement for showing iso
25 foot-candles.

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2 MR. BLUSTEIN: It's our understanding that there are
3 six lights, I believe, that there's a separate meter to the
4 Applicant. So they apparently pay for and own those
5 lights.

6 MR. PAGGI: Well, if that's the case. That may not be
7 true. That may not be true. They may be rented. They may
8 actually be owned by a utility company and then just the
9 electric is charged to them. That's less of an issue to me
10 because I think the utility has --

11 MR. GAILEY: Typical.

12 MR. PAGGI: That's typical, yes. So that's the kind
13 of that information we need to know. We need to know who
14 owns the lights, are they owned by the utility company and
15 rented.

16 MR. BLUSTEIN: Do you have any idea?

17 UNIDENTIFIED SPEAKER: The owners of the property,
18 they pay the bill. They get a bill from the utility
19 company; they pay the bill.

20 MR. BLUSTEIN: Yes. But do they own the lights or
21 not? I don't know.

22 MR. PAGGI: So we just need to find that out.

23 MR. BLUSTEIN: Okay. We'll find that out.

24 MR. PAGGI: That should be a call to the utility
25 company. That should be easy.

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2 MR. TROCHIANO: Yes.

3 MR. PAGGI: Right?

4 MR. TROCHIANO: Yes.

5 MR. PAGGI: So the adequacy of the lighting level,
6 without foot-candles, the only way you can tell is by going
7 out there in the dark and see if it looks like it's lit
8 well enough. I don't know if the Planning Board wants to
9 do that or if the Planning Board wants Stu and I to do
10 that.

11 MR. TURNER: Can you just take a light meter at night
12 and measure the light?

13 MR. PAGGI: And have them just report that?

14 MR. TURNER. I mean that's one way to do it.

15 MR. BLUSTEIN: We can do that.

16 MR. TROCHIANO: Yes. I mean that's kind of where I
17 assumed it would go, is that we're go out there at night,
18 take a reading. Most lights are located near the
19 buildings. Take a reading, report the level.

20 MR. PAGGI: Just give us a reading of one.

21 MR. TROCHIANO: Yes. We'll take the readings out and
22 put it as this plan to see if there's any area on the site
23 that the Board thinks is inadequate.

24 MR. GAILEY: So there's a certain range, then, that's
25 acceptable? Is that the way?

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2 MR. TROCHIANO: Yes. Typically, half a foot-candle
3 would be really dim, but it's enough where you can see
4 where you're walking. If there's a light above a door,
5 it's going to be much, much higher than that. It'll give
6 you some indication, I guess.

7 BOARD MEMBER STAROBIN: The staff is going to be
8 staying on the eastern side, the western side? Do you know
9 that.

10 MR. TROCHIANO: This side of the road.

11 BOARD MEMBER STAROBIN: That's the eastern side.
12 So most of the children, the campers, will be on the
13 western side, and the cafeteria is also on the western
14 side. The cafeteria is on the western side?

15 MR. TROCHIANO: Oh. I believe it's this side.

16 BOARD MEMBER STAROBIN: The reason I ask that is
17 because if there's three meals a day and you have kids
18 going across the street back and forth, that's 600
19 opportunities to get in the way of a car. So that's really
20 a concern.

21 MR. BLUSTEIN: So this big building right here is the
22 cafeteria, which is the same side of the street.

23 MR. TROCHIANO: The students are here; the cafeteria
24 is here.

25 MR. TURNER: Does the staff eat there in also, or are

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2 they eating alone in the little cottages?

3 MR. BLUSTEIN: They're not allowed to eat.

4 MR. TURNER: They're not allowed to eat.

5 MR. BLUSTEIN: I don't think there's any --

6 MR. TROCHIANO: Most of the staff is located right
7 here. That would be an obvious location.

8 CHAIRMAN ZAMONSKY: We haven't had anything from the
9 Health Department on this project; right?

10 MR. TURNER: I don't have anything.

11 MR. TROCHIANO: I don't know. Our office has been
12 coordinating back and forth. I haven't been involved in it
13 other than correspondence back and forth. Whatever the
14 approvals ...

15 MR. BLUSTEIN: All right. So what's the next step?

16 CHAIRMAN ZAMONSKY: Are we okay with Lead Agency?

17 BOARD MEMBER GOODMAN: Yes.

18 CHAIRMAN ZAMONSKY: Do I have a motion to declare the
19 Planning Board Lead Agency?

20 MR. TURNER: Intent.

21 CHAIRMAN ZAMONSKY: Intent.

22 BOARD MEMBER KELLER: Motion.

23 CHAIRMAN ZAMONSKY: Pat, a motion.

24 BOARD MEMBER GREEN: Second.

25 CHAIRMAN ZAMONSKY: Lorry.

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2 All in favor?

3 BOARD MEMBER GREEN: Aye.

4 BOARD MEMBER STAROBIN: Aye.

5 BOARD MEMBER KELLER: Aye.

6 BOARD MEMBER GLISSON: Aye.

7 BOARD MEMBER GOODMAN: Aye.

8 CHAIRMAN ZAMONSKY: Aye.

9 (The motion was approved and carried.)

10 CHAIRMAN ZAMONSKY: I think we should see you next
11 month, but in the meantime, certainly attend the workshop,
12 look at some of the technical aspects; the parking, the
13 crossing areas. In the meantime, Mary, hopefully, she's
14 able to make the determination on the setbacks and change
15 in use, a letter from her before the next meeting.

16 MR. BLUSTEIN: So then we're not going to have a
17 public hearing schedule at this time?

18 CHAIRMAN ZAMONSKY: No.

19 MR. BLUSTEIN: Mary, you'll let us know about what you
20 find?

21 MS. FRANCK: What?

22 MR. BLUSTEIN: Who's Mary?

23 STENOGRAPHER: That's Mary.

24 MS. FRANCK: I'm Linda Franck. That's Mary.

25 MR. BLUSTEIN: Oh, I'm sorry.

1

MR. GAILEY: Mary's the building inspector.

2

3

MR. BLUSTEIN: So somebody will let us know.

4

MR. GAILEY: Yes.

5

MR. BLUSTEIN: Thank you.

6

CHAIRMAN ZAMONSKY: Thank you.

7

(Time noted: 7:46 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 Paradise II Resort, Inc., 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: October 18, 2016

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COUNTY OF SULLIVAN : TOWN OF MAMAKATING
PLANNING BOARD

----- X
LANDS OF STEFANDEL
Three Lot Subdivision
Tax Map Section 71; Block 1; Lot 25.1
Mountain Greenbelt Zone
----- X

Town Hall
Town of Mamakating
September 27, 2016
7:46 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
- LINDA FRANCK, Secretary
- J. BENJAMIN GAILEY, ESQ., Attorney
- STU TURNER, AICP, Planner
- LAWRENCE PAGGI, P.E., Engineer
- MARY GRASS, Building Inspector/Code Enforcement

Also Present: James Dewinter, P.E.
on behalf of Applicant

JERIC CORPORATION
Court Reporting Services
P.O. Box 385
Narrowsburg, New York 12764

Reported by: Rosemary A. Meyer

1 - LANDA OF STEFANDEL -

2 CHAIRMAN ZAMONSKY: The next applicant is Lands of
3 Stefandel, Three Lot Subdivision, Tax Map Section 71; Block
4 1; Lot 25.1 in the Mountain Greenbelt Zone. The property
5 is located on South Road. Approximate acreage is 57.6
6 acres.

7 Go ahead.

8 MR. DEWINTER: Good evening. I'm Jim Dewinter,
9 engineer. I'm here for a three-lot subdivision, Lands of
10 Stenfandel.

11 This is a lot that's been in the Stefandel family for
12 many years. Basically, the existing owners have inherited
13 this property. It's father, son, nephew that presently own
14 the property. They want to split it up to get rid of it
15 out an estate condition. They want to subdivide this.

16 Originally, they were going to do a two-lot
17 subdivision, 14 acres with the existing home, well and
18 sewage disposal system, Lot 1; and then the remaining lands
19 was going to be Lot 2. But it was decided, because we had
20 the road in there, it's a natural subdivision, they might
21 well make another lot while we're in there. Plus, one of
22 the owners that will eventually take those two over have
23 two sons. They figured they might as well do it now.

24 The lots are 14 acres, 20.08 acres and 23.5 acres,
25 respectively, for Lots 1, 2, 3.

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2 We have prepared the map in accordance with the
3 workshop session with Mr. Paggi that include a perc and
4 deep soil test on each of the lots, including the one that
5 has the existing septic system to make sure that there's
6 adequate soil in the area. The percs are very good. They
7 were from one and a half minutes to seven and a half
8 minutes. We were fine in the deep soil tests, and I think
9 that was confirmed by Mr. Paggi in his last comments.

10 We also did sight distances from the existing driveway
11 and two potential future driveways if they did decide to do
12 anything up there. It's a 35 mile an hour zone so AASHTO,
13 the minimum recommended sight distance is 250. All the
14 driveways meet that distance. In fact, the one that has
15 the least distance is Lot 1 which is the existing driveway.

16 Other than that, I think Mr. Paggi and Mr. Turner's
17 memos, we meet all the standards of the town, and we'd like
18 to proceed from here.

19 CHAIRMAN ZAMONSKY: Larry, do you want to go through
20 your comments?

21 MR. PAGGI: Sure. As Jim mentioned, we had discussed
22 some of preliminary information he's provided, all those
23 items on the map. We'll let Stu talk a little bit about
24 the density.

25 The only things that we note in addition is that

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2 there's some notations we'd like you to put on the plan
3 which are pretty standard. Relative to the EAF, the
4 species, in particular, if it happens to be bats. You'll
5 put a note on the plan about tree cutting.

6 MR. GAILEY: Excuse me. Larry, just on that, we don't
7 really know what the endangered species --

8 MR. DEWINTER: No. Generally, in this area the Indian
9 bat is one that seems to come up all the time.

10 MR. GAILEY: Right, all the time.

11 MR. PAGGI: Or rattlesnakes; right?

12 MR. DEWINTER: And maybe rattles. I'm not sure up
13 there or not, but it may be.

14 MR. PAGGI: So we're going to need to know those
15 things.

16 MR. GAILEY: Yes. The Applicant will have to check in
17 with DEC to get a better handle on that or how do you
18 handle it?

19 MR. PAGGI: I'm not sure if DEC will tell you that.

20 MR. DEWINTER: I don't know whether they will or not.
21 They tend not to because they don't want to everybody
22 knowing what's up there. They usually don't like to do
23 that.

24 MR. PAGGI: Right.

25 MR. DEWINTER: Sometimes I don't think they're sure

1 - LANDA OF STEFANDEL -

2 either.

3 MR. PAGGI: Well, I think they'll tell you what they
4 suspect the issues may be.

5 MR. DEWINTER: Yes.

6 MR. PAGGI: And if they are, you may or not have to
7 retain the services of an environmental biologist to
8 determine whether there's habitat there or not.

9 MR. DEWINTER: I mean the one thing in regards to
10 this, there's no intent, at all, to do anything on this lot
11 other than just actually, only one line. The rest of it,
12 the road is the actual dividing line. It's just the one
13 line just to split it up. There's no intention to develop
14 those two lots at this time. It may not be developed until
15 the one owner's kids are old enough. He's out in Michigan
16 and stuff so I'm not sure if the kids are going to come
17 back here or not. We're not going to have any disturbance
18 to anything that isn't already there. It's an exercise in
19 finding out, but we're not going to be disturbing anything
20 even if there was.

21 MR. GAILEY: Jim, I have a question about that.
22 Eventually, it's going to be disturbed, and that's the case
23 with every subdivision.

24 MR. DEWINTER: Whenever --

25 MR. GAILEY: We don't know when the lot is going to be

1 - LANDA OF STEFANDEL -

2 developed.

3 MR. DEWINTER: This is only to get ownership. Some of
4 the owners wanted to sell the whole thing. It's mainly
5 Mr. Kent Stefandel who's driving this. He's active
6 military at this point.

7 MR. GAILEY: So would the lots --

8 MR. DEWINTER: He wanted to keep the lot because he
9 owns that cabin or seasonal, I believe it's seasonal, since
10 he was a kid. So he wanted to retain that parcel. If the
11 others ones want to sell it, they sell it. But I mean
12 there is no -- in the near future, there's no intent.

13 MR. GAILEY: So they're going to sell these lots to
14 some third party.

15 MR. DEWINTER: No. They want -- the one person --

16 MR. GAILEY: Keep it in the family.

17 MR. DEWINTER: The one person that I know is taking
18 Lots 2 and 3, or supposed, from what I know, is going to
19 keep the lots within the family. At least there's no plan
20 on selling.

21 MR. GAILEY: This is my question.

22 MR. DEWINTER: Sure.

23 MR. GAILEY: It applies to the Board, but also to the
24 Applicant. I mean if these studies aren't done now or the
25 analysis is not done now, even with the septic system,

1 - LANDA OF STEFANDEL -

2 because who knows where somebody is going to want to build
3 a house or maybe relocate the septic system, in the future,
4 when that happens, is that person who says, or who thinks,
5 Hey, all I need to do is get a building permit for a house,
6 in fact, they don't have a septic system design for that
7 house, they don't really know whether they can clear where
8 they want to build their house because it might be a bat
9 habitat. I'm just wondering how ...

10 MR. DEWINTER: Well, again --

11 MR. GAILEY: -- the owner is --

12 MR. DEWINTER: -- in the definition, and as I'm sure
13 you're aware, state subdivision law is 20 acre lots are not
14 considered lots, they're considered parcels and they don't
15 even come under Health Department regulations for building.
16 That's why Mr. Paggi, though, wanted to have at least one
17 area that they could do, to show that they can put a
18 septic in. Like you said, if they ever do, if anything is
19 ever built there, we're going to have to design it. We
20 don't know if it's going to be a two-bedroom home, summer
21 home, or somebody might even put a five-bedroom home up.
22 But I have no problem with the one note that Mr. Paggi
23 asked for. I'll put in a note that whoever is going to
24 build, I think he asked that we prepare that this needs a
25 building permit, any lot, engineering plans have to be

1 - LANDA OF STEFANDEL -

2 produced. I'll put that right on the plan. So if
3 somebody --

4 MR. GAILEY: And reviewed by whom?

5 MR. DEWINTER: By the building department or --

6 MR. GAILEY: She's not qualified. The building
7 inspector is not qualified.

8 MR. DEWINTER: But they can refer it to the town.
9 I've done that in other municipalities. If there's a
10 question they send it. Or Mary can very well send it, ask
11 them to send it up to the Health Department.

12 MR. GAILEY: If somebody wants to buy one of these
13 lots not to put a house on it, but just to clear it, to
14 clear-cut it, now we're right back into the endangered
15 species idea.

16 MR. DEWINTER: Well, there's a lot of different
17 scenarios.

18 MR. GAILEY: Well, how do we prevent those scenarios
19 from happening?

20 MR. DEWINTER: Well, if someone wanted to clear that
21 lot right now what's to prevent them from doing it? If you
22 have a lot, for instance, that sat on a logging operation,
23 I'm sure you have a logging log

24 MR. GAILEY: Well, they're subject to SEQRA.

25 MR. DEWINTER: So before they do anything like that, I

1 - LANDA OF STEFANDEL -

2 mean people, if they're going to buy it, they're going to
3 be clearing it, then they have to be aware, they should be
4 aware, that they have to go through SEQRA and that the code
5 enforcement or the Building Department would have to
6 enforce that. I can't think of every possibility for a 20
7 acre lot.

8 MR. GAILEY: The purpose of my question is really
9 just, like I said, it's partly for the Board so the Board
10 is protected --

11 MR. DEWINTER: Yes.

12 MR. GAILEY: -- and as well for the applicant, so you
13 don't come in two years from now or five years from now
14 thinking you need a building permit, but in fact, you need
15 more than that.

16 MR. DEWINTER: Well, that's like Mr. Paggi asked for a
17 note that an engineer, before a building permit could be
18 issued, that we'd have the engineer drawings prepared by an
19 engineer in accordance with DOH.

20 MR. GAILEY: I think that's fine. That deals with the
21 septic system.

22 MR. DEWINTER: Yes. But I mean anything else, I mean
23 you can't put a note for every possibility. It's a
24 residential, or it's a more residential area than it is
25 anything else. I can't see anybody going in there with a

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2 timbering operation. That would be a separate permit that
3 they'd have to get, and those companies should know what
4 they have to get.

5 BOARD MEMBER GOODMAN: Isn't it incumbent if somebody
6 buys a parcel, if it says that you're buying a parcel
7 that's engineered already, then you know that. But if
8 you're not buying a parcel that's being presented as being
9 engineered, then you have to go through that. So --

10 MR. DEWINTER: That's why we're going to put the note.

11 BOARD MEMBER GOODMAN: Yes.

12 MR. DEWINTER: We agree we'll put the note there.

13 BOARD MEMBER GOODMAN: It doesn't seem like it should
14 a roadblock to doing a subdivision because it would be
15 incumbent upon the new owner --

16 MR. DEWINTER: That's right.

17 BOARD MEMBER GOODMAN: -- unless you were saying, Hey,
18 this is an engineered lot. But if it's not ...

19 MR. DEWINTER: Yes. A lot of times, if it's an
20 engineered lot it's worth more.

21 BOARD MEMBER GOODMAN: Right.

22 MR. DEWINTER: If it's not an engineered lot they
23 negotiate so that their cost is covering that.

24 BOARD MEMBER GOODMAN: So we don't know what type of
25 house would on there so you're not going to know what areas

1 - LANDA OF STEFANDEL -

2 you're going to disturb so how could you put those
3 restrictions, or know where to look for problems if you
4 don't know what's being built there.

5 MR. DEWINTER: Yes. That's why I said I have no
6 problem putting that note on there.

7 And then at the same time, that would be the same
8 thing as far as any endangered species. I can put a
9 general note on there about --

10 MR. GAILEY: Endangered species.

11 MR. DEWINTER: -- trees. I mean the biggest thing as
12 far as endangered species is bats and so forth and you
13 can't cut trees during a certain time. I can put a note on
14 there, certainly, whether there are bats there or not. I
15 mean I'm sure the bats are there.

16 BOARD MEMBER STAROBIN: Just a point. You can only
17 put four houses on these three lots according to our
18 current zoning, anyway; right?

19 MR. DEWINTER: Well, right now you can put the three
20 houses; right?

21 BOARD MEMBER STAROBIN: They could be subdivided if
22 the two --

23 MR. DEWINTER: I don't believe Lot 2 can be further
24 subdivided because of the slope calculations. Actually,
25 Lot 2 cannot be. Lot 3 can be further subdivided.

1 - LANDA OF STEFANDEL -

2 BOARD MEMBER STAROBIN: Yes. It's Mountain Greenbelt,
3 one unit per ten acres.

4 MR. DEWINTER: Yes. But I mean but the best it could
5 be would be two by the slope calculations. You're right,
6 it's ten. The best you could have is two. That would have
7 to be if somebody bought that and wanted to further
8 subdivide it, they'd be back before you.

9 MR. TURNER: It's pretty limited based on the
10 calculations. We went over those calculations. They
11 really were put in place a number of years ago to try to be
12 sure that the Board and the property owner understood the
13 capacity of the land. It doesn't necessarily tell you how
14 big the lots have to be, but you can only put so many lots
15 on the land because it's restrained by soils, by steep
16 slopes, wetlands. That's the formula that's in there and
17 that's how you come up with it. I think Jim calculated it
18 correctly. I mean not think; we went through it. That's
19 accurate. You can't really put very much on that property.

20 MR. DEWINTER: No.

21 CHAIRMAN ZAMONSKY: When you file those maps with the
22 County and we have the individual lots, do you have to do
23 individual maps for each lot or are you would file just a
24 subdivision map?

25 BOARD MEMBER: The whole subdivision.

1 - LANDA OF STEFANDEL -

2 CHAIRMAN ZAMONSKY: Okay.

3 MR. DEWINTER: The deeds may be filed separately.

4 CHAIRMAN ZAMONSKY: Right.

5 MR. DEWINTER: But I'm not sure that they'll do that
6 either, unless you require it.

7 CHAIRMAN ZAMONSKY: Anybody? Mort?

8 I mean I'm comfortable adding notes to plan so that
9 any of the buyers are aware that these are not fully
10 engineered lots. I think there are a certain amount of
11 details just to determine that they support septic.

12 As far as the endangered species, I think it should be
13 noted what it is as far as the note.

14 MR. DEWINTER: I hate to go out and have to retain a
15 biologist to find out yes.

16 CHAIRMAN ZAMONSKY: I mean the best thing would be to
17 go to DEC.

18 MR. DEWINTER: Yes, I'll definitely try.

19 CHAIRMAN ZAMONSKY: And I mean maybe it's just a no
20 clearing without Planning Board approval.

21 MR. PAGGI: Jim, if you want help on tracking that
22 down, it's the National Heritage Program is who will
23 provide --

24 MR. DEWINTER: I did that elsewhere.

25 MR. PAGGI: Okay.

1 - LANDA OF STEFANDEL -

2 MR. DEWINTER: But I'll try.

3 MR. PAGGI: If you need help, give us a call.

4 MR. DEWINTER: I will.

5 CHAIRMAN ZAMONSKY: Mary Grass?

6 MS. GRASS: What if there was a note on there by the
7 three lots, not guaranteeing they're buildable, but if
8 somebody wants to build on it they have to come back here
9 for the Planning Board for the engineering. The Health
10 Department won't approve regular septic so that's just out
11 of the equation. There is a program, that's what I hear
12 all the time, blah, blah, blah. So if you do three lots,
13 when anybody wants to build or clear, then it should be
14 clearly stipulated on there, they have to come back before
15 the Planning Board.

16 MR. DEWINTER: In front of the Planning Board or it
17 would have to be reviewed by the town engineer?

18 MS. GRASS: Planning Board.

19 MR. DEWINTER: All right. So that would supersede the
20 your note.

21 MR. GAILEY: You read his mind.

22 MR. DEWINTER: What?

23 MR. GAILEY: I said you read his mind, or you heard
24 it.

25 BOARD MEMBER GOODMAN: Then what would be required if

1 - LANDA OF STEFANDEL -

2 it comes before the Planning Board? I mean what's
3 different from that lot from others? Why would that have
4 to come in front of us?

5 MS. GRASS: We've never had a subdivision that hasn't
6 had the house, well and septic laid out on it. Now, there
7 are preexisting nonconforming lots the over town, Wurtsboro
8 Hills, for example.

9 MR. DEWINTER: Again, these aren't necessarily lots,
10 they're parcels.

11 MR. GAILEY: These are lots.

12 MR. DEWINTER: I --

13 MR. GAILEY: They're lots.

14 MS. GRASS: Lots, parcels.

15 MR. DEWINTER: Well, all right.

16 MS. GRASS: There's parcels all over the town,
17 Wurtsboro Hills. People will call, it's 100 by 100: Can I
18 get a house, well and septic? You know, they're
19 preexisting. In today's day and age we laws and rules
20 because we learned from past mistakes. We don't want
21 Wurtsboro Hills again. I don't mean it, but all those
22 little summer bungalows that turned into year-round and so
23 on and so forth. So we want to make sure that there's the
24 proper setbacks or the engineering is adequate for the
25 site. It's --

1 - LANDA OF STEFANDEL -

2 MR. DEWINTER: What do you do now with a lot that is
3 engineered, a vacant lot that's engineered? Who reviews
4 that for you now?

5 MS. GRASS: It's engineered so whatever the
6 engineering is, that's what it has to be.

7 MR. DEWINTER: You don't have it reviewed by anybody?

8 MS. GRASS: It was reviewed. It was approved by the
9 Planning Board. It was approved.

10 MR. DEWINTER: No. I'm saying if you have a vacant
11 lot --

12 MR. GAILEY: Just like a stand-alone lot that never
13 had --

14 MR. DEWINTER: A single lot that never was engineered,
15 what do you do now if someone comes in and puts a septic?
16 You refer it to the Health Department?

17 MS. GRASS: It depends on what size the parcel is.
18 But that's what I'm saying.

19 MR. DEWINTER: Well, I --

20 MS. GRASS: We don't go backward, we go forward. So I
21 mean you learn from the past. You do subdivisions that has
22 house, well and septic.

23 MR. DEWINTER: I've never known a Health Department to
24 deny. If the town or the village requests, it's reviewed
25 by them.

1 - LANDA OF STEFANDEL -

2 MR. PAGGI: They have, yes.

3 MS. GRASS: Absolutely.

4 MR. PAGGI: They have.

5 MS. GRASS: Sullivan County will tell you they're a
6 satellite, they don't have the manpower.

7 MR. DEWINTER: I'm not going to argue with you. It
8 may be ten years.

9 CHAIRMAN ZAMONSKY: But on this whole thing, on some
10 level your clients are taking the risk because the zoning
11 may change and the requirements for the septic may change.

12 CHAIRMAN ZAMONSKY: Yes. I understand.

13 MR. DEWINTER: That's fine. If that's what you want,
14 that's fine.

15 CHAIRMAN ZAMONSKY: Okay.

16 BOARD MEMBER GOODMAN: Just for my own information, so
17 when we have a large parcel that's being subdivided,
18 typically, any subdivision is then engineered before the
19 subdivision is accepted?

20 MS. GRASS: When they come here.

21 MR. DEWINTER: Usually, on a of small lots, yes, they
22 usually are so we make sure all the wells and septic, that
23 stuff.

24 BOARD MEMBER GOODMAN: Right.

25 MR. DEWINTER: But on these size lots, it's like --

1 - LANDA OF STEFANDEL -

2 BOARD MEMBER GOODMAN: So you don't need to. The new
3 owners usually has them previously engineered, before
4 they're sold.

5 Mr. DEWINTER: And they're only good for a five year
6 period. After a five year period we have to have them
7 re-engineered, or at least reevaluated.

8 MR. PAGGI: So to summarize, so I understand this,
9 what we're asking Jim to do is basically just to put a note
10 on the plan that says that as condition of this approval,
11 prior to any development on the lot, whether it be for a
12 single-family residential or whatever, it has to come back
13 to the Planning Board.

14 CHAIRMAN ZAMONSKY: Clearing, as well.

15 MR. PAGGI: For any type of development, it's got to
16 come back to the Planning Board for review and approval.

17 Do we want to stipulate we need sewage disposal system
18 design reviewed by the town engineer because our current
19 code does not require me to review that.

20 MR. DEWINTER: Well, it has to come before --

21 MS. GRASS: Well, if it comes before us you would be
22 reviewing it.

23 MR. DEWINTER: You would be reviewing it.

24 MS. GRASS: That's what I'm saying.

25 MR. GAILEY: Yes, we will include that just to make

1 - LANDA OF STEFANDEL -

2 that clear.

3 MS. GRASS: All notes should be clearly on anything
4 that's signed by the Board so that we know what to follow.

5 BOARD MEMBER GREEN: Can I just ask, we're having all
6 this discussion is usually when people come for
7 subdivision, they're already planning on building houses on
8 it. It's unusual that someone is coming in and saying: I
9 have a big parcel of land. I just want to subdivide it.

10 MR. DEWINTER: Again, this might be unusual case
11 because it's in an estate and they wanted to subdivide it
12 so there's no more bickering among the family, to be quite
13 truthful.

14 MR. TURNER: So anything else? Besides anything else
15 you're concerned, you can initiate the SEQRA process here
16 tonight. It's an unlisted action. You don't have to do
17 any coordinated review because there are no other agencies.
18 Well, we don't think there are other agencies. Yes, there
19 are no other agencies.

20 The one other question we had, and I have to sort of
21 punt to Ben because the code, what I call a minor
22 subdivision, but the code is silent. When you have a
23 preliminary discussion, not a preliminary plan, it says
24 that the Board can go right to final approval. It's silent
25 on the question of a hearing. But counsel has advised that

1 - LANDA OF STEFANDEL -

2 the state law requires a hearing on any subdivision, so I
3 think that takes precedence.

4 MR. DEWINTER: Yes.

5 MR. GAILEY: That's true. Even in our code for final
6 plat approval, is that you need a public hearing before
7 granting final plat approval.

8 MR. PAGGI: Even if you have a hearing during
9 preliminary?

10 MR. GAILEY: But in any event, you need at least one
11 public hearing either prior to preliminary or final.

12 MR. DEWINTER: And I would request --

13 MR. TURNER: Yes.

14 MR. DEWINTER: -- the comments you're lining up, I'll
15 have them on. I would like to request a public hearing.

16 CHAIRMAN ZAMONSKY: Linda, the 25th is the next
17 meeting?

18 MS. FRANCK: Yes.

19 CHAIRMAN ZAMONSKY: And Stu, we don't have to --

20 MR. TURNER: I'm sorry.

21 CHAIRMAN ZAMONSKY: No Lead Agency?

22 MR. TURNER: Yes.

23 CHAIRMAN ZAMONSKY: Okay.

24 MR. TURNER: You are the Lead Agency.

25 CHAIRMAN ZAMONSKY: So we don't have to declare.

1 - LANDA OF STEFANDEL -

2 MR. TURNER: You're not going to coordinate with this.
3 I would suggest, for the record, you just assume the role
4 of Lead Agency and classify it an unlisted action.

5 CHAIRMAN ZAMONSKY: Do I have a motion to set a public
6 hearing for Stefandel for October 25th?

7 BOARD MEMBER GOODMAN: I'll make that motion.

8 BOARD MEMBER KELLER: Second.

9 CHAIRMAN ZAMONSKY: Alex, Pat, first and second.
10 All in favor?

11 BOARD MEMBER GREEN: Aye.

12 BOARD MEMBER STAROBIN: Aye.

13 BOARD MEMBER KELLER: Aye.

14 BOARD MEMBER GLISSON: Aye.

15 BOARD MEMBER GOODMAN: Aye.

16 CHAIRMAN ZAMONSKY: Aye.

17 (The motion was approved and carried.)

18 MR. DEWINTER: Are you going to take Lead Agency
19 tonight?

20 CHAIRMAN ZAMONSKY: Yes. I'm sorry.

21 MR. DEWINTER: It's okay.

22 CHAIRMAN ZAMONSKY: Do I have a motion to declare Lead
23 Agency?

24 BOARD MEMBER KELLER: Motion.

25 CHAIRMAN ZAMONSKY: Pat.

1 - LANDA OF STEFANDEL -

2 BOARD MEMBER GREEN: Second.

3 CHAIRMAN ZAMONSKY: Lorry.

4 All in favor?

5 BOARD MEMBER GREEN: Aye.

6 BOARD MEMBER STAROBIN: Aye.

7 BOARD MEMBER KELLER: Aye.

8 BOARD MEMBER GLISSON: Aye.

9 BOARD MEMBER GOODMAN: Aye.

10 CHAIRMAN ZAMONSKY: Aye.

11 (The motion was approved and carried.)

12 CHAIRMAN ZAMONSKY: Okay.

13 MR. DEWINTER: That's an unlisted action.

14 CHAIRMAN ZAMONSKY: Yes.

15 MR. DEWINTER: Okay, very good.

16 CHAIRMAN ZAMONSKY: See you in a month.

17 MR. DEWINTER: Thank you.

18 CHAIRMAN ZAMONSKY: Thank you.

19 You want to coordinate with the engineers at the
20 workshop or e-mail about the language for the --

21 MR. DEWINTER: Yes. I'll formulate it. I'll e-mail
22 it to Larry.

23 CHAIRMAN ZAMONSKY: Great.

24 MR. DEWINTER: Okay? Thank you.

25 (Time noted: 8:12 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 The Lands of Stefandel, 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: October 18, 2016

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COUNTY OF SULLIVAN : TOWN OF MAMAKATING
PLANNING BOARD

----- X

CAMP SHAAREY CHEDVE
Amended Site Plan Review
Tax Map Section 1; Block 1; Lot 30.9
MRA Zone

----- X

Town Hall
Town of Mamakating
September 27, 2016
8:13 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
- LINDA FRANCK, Secretary
- J. BENJAMIN GAILEY, ESQ., Attorney
- STU TURNER, AICP, Planner
- LAWRENCE PAGGI, P.E., Engineer
- MARY GRASS, Building Inspector/Code Enforcement

Also Present: Bradley Cleverley, P.E.
on behalf of Applicant

JERIC CORPORATION
Court Reporting Services
P.O. Box 385
Narrowsburg, New York 12764

Reported by: Rosemary A. Meyer

1 - CAMP SHAAREY CHEDVE -

2 CHAIRMAN ZAMONSKY: The next applicant is Camp Shaarey
3 Chedve, Amended Site Plan, Tax Map Section 1; Block 1; Lot
4 30.9 in the MRA Zone. Approximate acreage is 49 acres.

5 MR. CLEVERLEY: Good evening. I'm Brad Cleverley, MJS
6 Engineering.

7 CHAIRMAN ZAMONSKY: Hi. You kind of want to bring us
8 up to speed with the project?

9 MR. CLEVERLEY: Yes, sir.

10 This is an existing operating summer camp over on
11 Baker Hill Road. The proposed project is an amended site
12 plan to include a new mikvah for the facility. The changes
13 are limited the mikvah. Along with the mikvah, it would be
14 located here, there would be additional parking added
15 behind the mikvah, and then a driveway to access the
16 parking lot.

17 The mikvah will be only for use by the residents of
18 the camp. There'd be no outside people coming in to use
19 the mikvah, and so there will be no additional sewage flows
20 from the camp.

21 CHAIRMAN ZAMONSKY: I'm sorry. What was say that
22 again? Sorry.

23 MR. CLEVERLEY: No one else is coming into the camp to
24 use the mikvah. It's only for the residents of the camp.

25 CHAIRMAN ZAMONSKY: What's the parking lot and

1 - CAMP SHAAREY CHEDVE -

2 driveway for?

3 MR. CLEVERLEY: It's just for the use of the people
4 around the camp, the people using the camp. It would be
5 the residents of the camp. As well as I suppose they could
6 drive to the mikvah. It's only for the use of the
7 residents of the camp. No one from outside will be coming
8 in to use the mikvah.

9 CHAIRMAN ZAMONSKY: Larry or Stu, do you have any
10 comments?

11 MR. TURNER: Well -- go ahead, go ahead.

12 MR. PAGGI: Go ahead, Stu.

13 MR. TURNER: Well, no. That is, I think, one of the
14 main concerns was that you testified that it's only for the
15 people on the property, but there's a large driveway from
16 the road that goes into it. We actually had another
17 comment about showing any other parking or all of the
18 parking on the site. The question in my mind is why you
19 built that parking area, or propose to build the parking
20 area, behind the mikvah, the driveway, if it's only for the
21 people on the property.

22 MR. CLEVERLEY: Essentially, it was located there
23 because the other parking is on the other side of the camp.
24 It's just to provide more closer parking for the residents
25 on that side. Now, as you are aware, no one wants to walk

1 - CAMP SHAAREY CHEDVE -

2 more than a hundred feet today. It's just to provide close
3 parking to that side of the camp.

4 MR. GAILEY: Let me ask you, though, because I'm
5 looking at this plan for the first time. It shows, then, a
6 sidewalk from the parking lot to the mikvah but it doesn't
7 show a sidewalk to any other parts of the camp.

8 MR. CLEVERLEY: Those are existing. This is an old
9 approved site plan. I show that sidewalk just because now
10 they're putting a mikvah in and a parking lot, essentially,
11 by the law, you've got to provide an accessible path to
12 that new building. But there are other paths throughout,
13 paved pathways, throughout the rest of the site between the
14 buildings.

15 MR. TURNER: You should show those.

16 MR. CLEVERLEY: Excuse me?

17 MR. TURNER: Shouldn't you show those? Show how they
18 walk in?

19 MR. CLEVERLEY: If I could look at my ...

20 The work associated with the mikvah, that was it. The
21 rest of this is existing.

22 MR. TURNER: Mary, this has been approved. Is this an
23 approved plan? Is this an old approved plan?

24 MS. GRASS: It's a preexisting special use.

25 MR. TURNER: So everything on there has some --

1 - CAMP SHAAREY CHEDVE -

2 MR. GAILEY: Well, has the Planning Board granted
3 approval --

4 MR. TURNER: Yes.

5 MR. GAILEY: -- in the past?

6 CHAIRMAN ZAMONSKY: 2002 site plan was amended for
7 approval of a dormitory so it must have just been for the
8 dormitory there.

9 MS. GRASS: Yes. When they added the dormitory that
10 would have been the last time, so it's been a while.

11 And would the number of campers change now that they
12 are providing a mikvah to the camp?

13 MR. CLEVERLEY: No. It just would be the same.
14 There's no additional campers, no change in the number of
15 beds, the number of bedrooms. Just they would be having
16 this facility for their use.

17 MR. PAGGI: I think, really, to evaluate a site, I
18 think you really need accurate existing conditions on the
19 plan.

20 CHAIRMAN ZAMONSKY: It's really hard to understand
21 what's there.

22 MR. TURNER: These, are they like bungalows?

23 MR. CLEVERLEY: Yes. There's a dorm which it has 94
24 beds in it.

25 MR. TURNER: Oh, 94.

1 - CAMP SHAAREY CHEDVE -

2 MR. CLEVERLEY: Yes.

3 And also, the rest of them are pretty much bungalows
4 with one to three bedrooms each. There's also --

5 MR. TURNER: There's no indication. Here's the part
6 of the original question. There's no indication on the
7 plan where the parking is for the rest of the camp.

8 MR. CLEVERLEY: Well, there is parking as shown over
9 near the ...

10 MR. TURNER: There's a small area by the road.

11 MR. CLEVERLEY: Yes, what's referred to as -- there's
12 a parking area along the drive.

13 MR. TURNER: By the casino.

14 MR. CLEVERLEY: Yes, by the casino. Not, the casino.

15 MR. TURNER: A casino.

16 MR. GAILEY: Is this considered a summer camp?

17 MR. CLEVERLEY: Yes, a summer camp.

18 CHAIRMAN ZAMONSKY: There were letters from the Health
19 Department in 2002, concerns discrepancies, the number of
20 bathrooms and occupancy of the buildings, as well.

21 MR. GAILEY: Is that the only existing parking, these
22 seven spaces near --

23 MR. CLEVERLEY: Yes, that's correct. That's all
24 that's shown on this plan.

25 MR. GAILEY: Out in the field are there more than

1 - CAMP SHAAREY CHEDVE -

2 seven?

3 MR. CLEVERLEY: There are. There are more out in the
4 field. There's some additional parking. I think they go
5 off, they park in front of the dorms if there's a big
6 event. But also, most of the residents of this particular
7 summer camp don't have vehicles. There's typically about a
8 dozen or so cars which are there on a regular basis.

9 BOARD MEMBER GOODMAN: But there's parking for 15 cars
10 at the mikvah.

11 MR. CLEVERLEY: That's proposed, yes.

12 BOARD MEMBER GOODMAN: Wouldn't it be farther to walk
13 to whatever cars are there to do drive over? It just
14 doesn't seem to make sense.

15 MR. PAGGI: Is there an approved site plan that shows
16 those parking spaces? How do we know that they were ever
17 approved? I mean this is not dissimilar to other reviews
18 we've done.

19 MS. GRASS: I pulled it months ago when I did my
20 initial letter, so I had to quote they what I have.

21 MR. PAGGI: Yes.

22 MS. GRASS: It's probably very vague at this point. I
23 can certainly get that, see what I have and get that to you
24 guys.

25 MR. PAGGI: We've held other camps --

1 - CAMP SHAAREY CHEDVE -

2 CHAIRMAN ZAMONSKY: Yes.

3 MR. PAGGI: -- to doing stormwater analysis on items
4 that weren't previously approved that had been added. I
5 mean how do we know that without knowing what's out there
6 and ...

7 CHAIRMAN ZAMONSKY: I mean do you have a total
8 disturbance for the driveway and the parking lot? Are
9 there --

10 MR. CLEVERLEY: Yes. It's about 1.4 acres.

11 MR. PAGGI: They are planning to do a stormwater
12 report. They made mention of that. That'll be submitted
13 in a subsequent set of plans. But again, just to establish
14 a baseline, that we have a plan that's accurately depicting
15 existing conditions to establish the record, that what's
16 approved from this point on is documented.

17 CHAIRMAN ZAMONSKY: Like we've had every other camp
18 do.

19 MR. PAGGI: Exactly, exactly.

20 MR. TURNER: The tennis courts, they exist or they're
21 new?

22 MR. CLEVERLEY: Those are existing tennis courts.

23 The only proposed amendment to the site plan is
24 limited to the mikvah, the driveway, the parking lot and
25 the accessible pathway. We have 49 acres on the site,

1 - CAMP SHAAREY CHEDVE -

2 about 1.4 acres of disturbance.

3 MR. TURNER: This is like a family campground. But
4 the dorm is for what?

5 MR. CLEVERLEY: It's for boys. It's a boys' dorm.

6 MR. TURNER: Okay. They come there as campers.

7 MR. CLEVERLEY: It's a summer camp.

8 MR. TURNER: Yes. Okay.

9 MR. CLEVERLEY: The campers. There are also a couple
10 of families. A combination of boys and then families in
11 addition to that.

12 MR. TURNER: Okay.

13 CHAIRMAN ZAMONSKY: Anybody have any comments? Lorry,
14 Mort?

15 BOARD MEMBER STAROBIN: No.

16 MR. GAILEY: Brad, have you had a chance to review the
17 engineer and planner comments?

18 MR. CLEVERLEY: Yes, this afternoon. The main
19 response at this point is that the mikvah is only for use
20 by the residents of the camp.

21 MR. GAILEY: Right.

22 MR. CLEVERLEY: Now, it is a little bit unclear on the
23 documents whether there was an application and EAF
24 submitted already.

25 MR. TURNER: I don't think we have it.

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2 MR. CLEVERLEY: I just want to confirm whether there
3 was an application for the site plan amendment submitted,
4 and also a short EAF.

5 CHAIRMAN ZAMONSKY: From 2002?

6 MR. CLEVERLEY: No. Recently.

7 MS. FRANCK: Oh, from Mr. Fishman.

8 MS. CLEVERLEY: Yes.

9 MR. TURNER: No.

10 MR. CLEVERLEY: Okay. So the answer --

11 MR. TURNER: We don't have one in our file. Linda
12 doesn't have it.

13 MS. FRANCK: I'll get it to you.

14 MR. TURNER: Oh, you do have it.

15 MS. FRANCK: Yes, from the end of the year, from a
16 long time ago.

17 CHAIRMAN ZAMONSKY: So there is an application and an
18 EAF?

19 MS. FRANCK: Yes.

20 MR. CLEVERLEY: Okay. So there was both. Okay.

21 BOARD MEMBER GOODMAN: Larry, you're talking about it
22 not being for use for anybody except for the camp. If it
23 was, does that change? What does that change?

24 MR. PAGGI: It'll change a couple of things that these
25 gentlemen would also want to speak of. From my

1 - CAMP SHAAREY CHEDVE -

2 perspective, it could potentially change the water use
3 because my understanding is the mikvah not only has a
4 ceremonial bath, but it's got a shower and probably toilets
5 in it. I think what the Applicant is stating is that the
6 same people that are occupying the camp, so it's really not
7 going to increase, they're either going to shower there or
8 they're going to shower at their rooms. But if you bring in
9 people from the outside, that's additional usage that would
10 need to be accounted for, so that could be significant.

11 The one thing that you mention in here, and I'll just
12 state it, is that even though if it is just for the
13 campers, that there's no additional total use. We wanted
14 to that what's going to what field is proper.

15 MR. CLEVERLEY: Yes. I've clarified that now.

16 MR. PAGGI: Okay.

17 MR. CLEVERLEY: All the gray water goes to the same
18 field, all the gray water. There's some fields located
19 over here.

20 MR. PAGGI: Okay.

21 MR. CLEVERLEY: All the gray water goes over there.

22 MR. PAGGI: Okay.

23 MR. CLEVERLEY: There's septic tanks here, which the
24 bulk of the site goes to, which are huge.

25 MR. PAGGI: Okay.

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2 MR. CLEVERLEY: And then for the dorms, they have
3 their own individual septic tank which also goes over to
4 this field. Changing where a bathroom is or a showers are
5 is not going to affect that all. All the gray water ends
6 up over here, either by gravity or pump.

7 MR. PAGGI: What is the northerly field, the sewage
8 field?

9 MR. CLEVERLEY: That's abandoned, that northerly
10 field, this one up here.

11 MR. ROSE: That's all vacant. It actually adjoins the
12 neighbor, which is all open, also. There's no development
13 there or anything.

14 Now, you're talking the field behind the tennis court?

15 MR. PAGGI: Yes, yes, yes, yes.

16 MR. ROSE: Okay. Behind the tennis court, that's all
17 woods.

18 MR. PAGGI: So that's not a septic field anymore?

19 MR. ROSE: No, no. The septic was upgraded, oh, when
20 the new dorm went in they had it engineered. We have two
21 pump stations that go into the dousing building and then
22 the chlorinating, deep chlorinating, and then we have 12
23 sprinkler heads, and it's all DEC approved.

24 MR. PAGGI: Yes, I saw that. That was existing.

25 MR. ROSE: So I mean it's a heck of a system. I mean

1 - CAMP SHAAREY CHEDVE -

2 I had to learn how to use it.

3 MR. PAGGI: So that should just be modified on the
4 plan. It should be noted as abandoned --

5 MR. ROSE: Abandoned.

6 MR. PAGGI: Try to give us as much information as you
7 can on the current status of it.

8 MR. ROSE: Yeah.

9 MR. PAGGI: That kind of eliminates the one concern
10 that we had, is there more sewage going to one field than
11 another. But there is --

12 MR. ROSE: There's nothing behind where we want to put
13 the mikvah.

14 MR. PAGGI: But there's other concerns about it that's
15 off site. It may change the use.

16 MR. GAILEY: It does.

17 I have a question, a follow-up on Larry. In terms of
18 wastewater discharge from the mikvah, where does that go?

19 MR. CLEVERLEY: Well, the black water would go into a
20 septic system.

21 MR. GAILEY: Right.

22 MR. CLEVERLEY: And then any draining of the mikvah,
23 the mikvah baths, which only occur two or three times a
24 year because it's only open in the summer, would then go
25 into the bioretention because that's just the pool water.

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2 It's going to go into the bioretention and seep into the
3 ground.

4 MR. PAGGI: Do you have documentation from the DEC
5 that that's acceptable? I've just never seen that.

6 MR. CLEVERLEY: I'd have to go look. This is pool
7 water.

8 MR. PAGGI: Yes.

9 MR. CLEVERLEY: It's not black water.

10 MR. PAGGI: Okay.

11 MR. CLEVERLY: There'd be no ...

12 MR. PAGGI: And dechlorinated pool water is an exempt
13 discharge, so he may be right. But I just never --

14 MR. CLEVERLEY: Sure.

15 MR. PAGGI: We'll follow up on that.

16 MR. GAILEY: We'll ask you to demonstrate that.

17 MR. PAGGI: Provide documentation.

18 MR. PAGGI: Yes, please.

19 MR. CLEVERLEY: Okay. There would just be no reason
20 to sending it into a system for the pool water.

21 MR. PAGGI: Right.

22 MR. CLEVERLEY: Particularly for two or three times a
23 years.

24 MR. PAGGI: Yes. I would be more concerned with the
25 capacity of discharge of that volume at one time. The

1 - CAMP SHAAREY CHEDVE -

2 bioretention area will have to be appropriately sized to
3 accommodate that.

4 MR. CLEVERLEY: Certainly.

5 MR. PAGGI: And don't discharge it on a day when we're
6 anticipating a hundred year storm.

7 MR. ROSE: Now, you posed a question about the parking
8 lot and I was listening. The parking lot that we want to
9 do for the mikvah is a little overkill, I understand. But
10 sometimes the residents for the bungalows, from 14 to 17 to
11 18, sometimes park along the road. We live on a very
12 narrow road, so Jacobowitz basically wants to give them
13 their own parking lot in the back so they're not parking
14 along the roadside for a number of reasons. For safety
15 reasons, the other cars coming up and down the road. This
16 is basically like a one lane road. And he knows that he
17 made it a little bigger, but it's only for the people at
18 the camp.

19 The reason why he wants to do a mikvah, it's more of
20 an inconvenience of all the men and the boys getting on the
21 school bus to go to another camp which is in Mountaindale,
22 Binyan David. They load up on the bus, they go down and
23 they use the mikvah, then they sound come back to my camp
24 and then they go into the shul. To they're trying to
25 eliminate that one little process of leaving the grounds so

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2 they have their own facility. That's basically it.
3 Jacobowitz just wants to accommodate his campers, what they
4 need for religious end of their ...

5 CHAIRMAN ZAMONSKY: I mean my biggest concern, as has
6 been with all the camps, is details shown. I mean we don't
7 have the radius around the well, we don't have wetlands
8 shown, the exact location of the septic. Those are hand
9 sketched details.

10 MR. ROSE: All right. I don't know if you remember Al
11 Adler. He was an old-timer. Look at the sketch. That's
12 nothing like should be even up on the board right now, but
13 that's the way Al Adler was. Now that Jacobowitz hired a
14 regular engineer, you know, hopefully, you know, we get
15 better site plan drawings.

16 CHAIRMAN ZAMONSKY: Okay. I mean I think everybody,
17 from Mary's letter to Larry and Stu, have all commented
18 that details. I think a survey. If you want to get topo
19 in the areas of use, I think that's reasonable.

20 MR. CLEVERLEY: Well, really, I'd like to go with
21 what we have now, the supplement to that. This survey was
22 performed in 1997. I'm not sure if that surveyor is
23 available to certify to it. We're not really changing much
24 besides the four acres.

25 CHAIRMAN ZAMONSKY: Are you sure that the septic are

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2 in the location exactly where it's shown there?

3 MR. CLEVERLEY: Yes.

4 CHAIRMAN ZAMONSKY: You're not going to be building
5 within the wetland setbacks, DEC or federal wetland?

6 MR. CLEVERLEY: This is something which I imparted
7 before. We're modifying the four acres. That falls on Al
8 Adler. He did this work back then.

9 CHAIRMAN ZAMONSKY: I think you have to come back with
10 more detail. There's a number of concerns with the
11 building and the Health Department approvals for them, as
12 well. It needs to be proven that every building that's
13 shown there was approved in 2002.

14 MR. CLEVERLEY: That's --

15 CHAIRMAN ZAMONSKY: If we look at the site plan
16 approval we've got to make sure that all of those approvals
17 and everything else have been approved.

18 MR. CLEVERLEY: I'll go back to the town --

19 CHAIRMAN ZAMONSKY: And the locations; survey is
20 attached, as well.

21 MR. CLEVERLEY: So essentially, you're looking for is
22 a survey.

23 CHAIRMAN ZAMONSKY: Yes.

24 MR. CLEVERLEY: You're looking for a new survey of the
25 parcel.

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2 CHAIRMAN ZAMONSKY: Yes.

3 MR. CLEVERLEY: Which we want to avoid, but ...

4 MR. ROSE: I mean the parcel on Ollie's side and the
5 parcel that was just sold on the other side was just
6 surveyed. You know, I got new stakes on each side of me.

7 MR. CLEVERLEY: We would really like this facility to
8 be constructed next summer so they continue to operate the
9 camp. Could he, at his own risk, get a permit to put the
10 foundation in? I'm going to ask this. Could he, at his
11 own risk, get a permit to put the foundation in?

12 CHAIRMAN ZAMONSKY: It's not my permit.

13 MR. CLEVERLEY: Okay.

14 MR. GAILEY: I don't think you're looking at a time
15 constraint.

16 MR. CLEVERLEY: Well, there's time. Thing. If he get
17 the foundation in before the frost then he can go through
18 the winter.

19 CHAIRMAN ZAMONSKY: How many the square feet is the
20 building?

21 MR. CLEVERLEY: It's three by seven, so it's like
22 2400.

23 CHAIRMAN ZAMONSKY: With framing that's like two
24 months of construction from start to finish.

25 MR. PAGGI: Yes.

1 - CAMP SHAAREY CHEDVE -

2 MR. CLEVERLEY: Well, there's support, a fair amount
3 of forming for the concrete that goes along with that.

4 MR. ROSE: They have to put in a certain knee wall
5 between the ladies' mikvah and the men's mikvah.

6 MR. CLEVERLEY: So it's October --

7 CHAIRMAN ZAMONSKY: I thought this was only for men
8 you said?

9 MR. CLEVERLEY: Well, it's both. It's a mixed mikvah,
10 I suppose.

11 CHAIRMAN ZAMONSKY: There's men and women at the camp?

12 MR. CLEVERLEY: Yes, for the families. There are boys
13 they're staying at the camp, but there are also women
14 associated with the families. There's much more men than
15 there are women.

16 CHAIRMAN ZAMONSKY: I mean before we can really review
17 the project you need to show where everything is, wetlands.

18 MR. PAGGI: Do you know if there are any existing
19 flights in the area, aerial flights?

20 MR. CLEVERLEY: I'm not certain about that. I have to
21 really go into --

22 MR. PAGGI: See if there is.

23 MR. CLEVERLEY: I know there is some material
24 available.

25 MR. PAGGI: Because that would really expedite it. If

1 - CAMP SHAAREY CHEDVE -

2 there's an existing flight and a survey, then you just have
3 a little control work.

4 MR. CLEVERLEY: Right. But then we're still looking
5 at, if there isn't, until the leave fall next month.

6 MR. PAGGI: Yes.

7 MR. CLEVERLEY: Now we're in ...

8 MR. PAGGI: And then getting a flight.

9 MR. CLEVERLEY: Right. That's why I was asking about
10 if he could, at his own risk, proceed with the foundation
11 work.

12 CHAIRMAN ZAMONSKY: Not our determination.

13 MR. ROSE: The area where this is going to go, we
14 don't really have to cut no trees. It's already cleared
15 from previous owner of Camp Clover so it's not like we have
16 to cut trees down or anything.

17 MR. CLEVERLEY: It's well within the setback. There's
18 no question there.

19 MR. GAILEY: The Board can't. The Board doesn't have
20 the authority.

21 MR. CLEVERLEY: Have you declared Lead Agency?

22 CHAIRMAN ZAMONSKY: Are we at that point?

23 MR. TURNER: I'm sorry, I didn't hear.

24 CHAIRMAN ZAMONSKY: Lead Agency?

25 MR. TURNER: You can do Lead Agency, yes.

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2 CHAIRMAN ZAMONSKY: Is this intent?

3 MR. TURNER: Well, I don't know how many agencies
4 might be involved.

5 CHAIRMAN ZAMONSKY: Health Department.

6 MR. GAILEY: You can declare yourself intent to be
7 Lead Agency.

8 MR. TURNER: But we have to have a list.

9 MR. GAILEY: Yes. If there are other involved
10 agencies we'll notice them, or Stu will.

11 MR. TURNER: Well, besides the Health Department.

12 CHAIRMAN ZAMONSKY: Do I have a motion for intent to
13 declare Lead Agency?

14 BOARD MEMBER GOODMAN: I'll make a motion.

15 BOARD MEMBER STAROBIN: Second.

16 CHAIRMAN ZAMONSKY: Alex, Mort.

17 All in favor?

18 BOARD MEMBER GREEN: Aye.

19 BOARD MEMBER STAROBIN: Aye.

20 BOARD MEMBER KELLER: Aye.

21 BOARD MEMBER GLISSON: Aye.

22 BOARD MEMBER GOODMAN: Aye.

23 CHAIRMAN ZAMONSKY: Aye.

24 (The motion was approved and carried.)

25 MR. CLEVERLEY: Thank you.

1 - CAMP SHAAREY CHEDVE -

2 MR. PAGGI: Thank you.

3 CHAIRMAN ZAMONSKY: Do I have a motion to close the
4 meeting?

5 BOARD MEMBER KELLER: Motion.

6 CHAIRMAN ZAMONSKY: Matt.

7 BOARD MEMBER GREEN: Second.

8 CHAIRMAN ZAMONSKY: Lorry.

9 All in favor?

10 BOARD MEMBER GREEN: Aye.

11 BOARD MEMBER STAROBIN: Aye.

12 BOARD MEMBER KELLER: Aye.

13 BOARD MEMBER GLISSON: Aye.

14 BOARD MEMBER GOODMAN: Aye.

15 CHAIRMAN ZAMONSKY: Aye.

16 (The motion was approved and carried.)

17 (Time noted: 8:40 p.m.)

18 * * * * *

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2
3 REPORTER'S CERTIFICATION
4

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

8 That the foregoing transcript is an accurate
9 record of the proceedings in the matter of Camp
10 Shaarey Chedve, to the best of my knowledge and
11 belief, having been stenographically recorded by me
12 and transcribed under my supervision.

13 I further certify that I am in no way related to
14 any of the parties to this action and that I have no
15 personal interest whatsoever in the outcome thereof.
16

17 

18 ROSEMARY A. MEYER
19

20
21 Date Transcribed: October 20, 2016
22
23
24
25

	63:14,19;66:14; 68:4;72:9,13	alone (1) 35:2	35:14;78:11,16	average (1) 30:17
A	address (4)	along (8)	approve (1)	avoid (1)
	15:10,11;22:10; 28:17	17:16;18:24;20:25; 63:13;67:12;76:11, 14;80:3	52:10	79:3
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73:9;74:4,5	33:5	28:25	24:4;27:2	8:6,7
able (2)	adequate (3)	Amended (3)	Approximate (3)	Aye (36)
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above (1)	adjoining (1)	amendment (2)	area (22)	B
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Absolutely (1)	adjoins (1)	among (1)	areas (17)	B-A (1)
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