

In The Matter Of:
Town of Mamakating
Planning Board

Lands of Stefandel
10-25-16
October 25, 2016

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

----- X

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

----- X

Town Hall
Town of Mamakating
October 25, 2016
7:00 P.M.

PLANNING BOARD MEMBERS:

STANLEY ZAMONSKY, III, Chairman

RICHARD GLISSON, Board Member

LORRENCE GREEN, Board Member

ERIC COLLIER, Board Member

LINDA FRANCK, Secretary

JOHN CAPPELLO, ESQ., Attorney

MAX STASH, AICP, Planner

LAWRENCE PAGGI, P.E., Engineer

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 - LANDS OF STEFANDEL -

2 CHAIRMAN ZAMONSKY: Good evening, everybody. Welcome
3 to the Town of Mamakating Planning Board meeting for
4 October 25th, 2016.

5 Do I have a motion to open the meeting?

6 BOARD MEMBER GREEN: Motion.

7 CHAIRMAN ZAMONSKY: Lorry.

8 BOARD MEMBER COLLIER: Second.

9 CHAIRMAN ZAMONSKY: All in favor?

10 BOARD MEMBER GREEN: Aye.

11 BOARD MEMBER GLISSON: Aye.

12 BOARD MEMBER COLLIER: Aye.

13 CHAIRMAN ZAMONSKY: Aye.

14 (The motion was agreed and carried.)

15 CHAIRMAN ZAMONSKY: Do I have a motion to approve the
16 meeting minutes of September 27th, 2016? Do I have a
17 motion?

18 BOARD MEMBER GREEN: Motion.

19 BOARD MEMBER COLLIER: Second

20 CHAIRMAN ZAMONSKY: Lorry, Eric.

21 All in favor?

22 BOARD MEMBER GREEN: Aye.

23 BOARD MEMBER GLISSON: Aye.

24 BOARD MEMBER COLLIER: Aye.

25 CHAIRMAN ZAMONSKY: Aye.

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2 (The motion was approved and carried.)

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

8 I think we'll just have you bring us to speed, any of
9 the correspondence that happened with the engineer.

10 MR. DEWINTER: Sure.

11 CHAIRMAN ZAMONSKY: And then we'll open the public
12 hearing.

13 MR. DEWINTER: All right. I sent this application
14 here to the Board. I received Mr. Paggi's comments today.
15 I also wanted to talk with Mr. Paggi about the note that
16 this board had requested regarding any development of the
17 two basically vacant lots, that any kind of development,
18 doesn't matter what kind, that they'll come back with
19 engineering drawings back to this board. That should take
20 care of any -- basically, by subdividing, there's no
21 environmental issues because we're not doing anything, but
22 if someone comes back to develop ...

23 CHAIRMAN ZAMONSKY: Larry, do you just want to walk us
24 through the remaining comments?

25 MR. PAGGI: Sure, sure.

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2 We just ask that the note that Jim just mentioned,
3 that the Planning Board take a look and make sure that
4 they're satisfied with it, as well as Town attorney and the
5 Town planner.

6 And then relative to our last comment, we note that
7 the Planning Board approval block has been provided. We
8 asked whether an owner certification should also be on the
9 plan. I do note that, with a couple of other subdivision
10 plats, we hadn't required that before, so we decided not to
11 require it for this applicant. Maybe you would want to
12 make that part of our application in the future.

13 MS. MEDLEY: I'm sorry. What did you just say about
14 you're not going to ...

15 MR. PAGGI: I'm accustomed to seeing an owner
16 certification on a map which would basically acknowledge
17 that the owners are familiar with the map and they consent
18 to its filing with the clerk. We kind of do that with our
19 application form where the owner signs a consent and
20 actually authorizes Jim to represent them. But if the
21 owner's note, the owner's signature is on the plan and
22 acknowledges everything that's on the plan, then it could
23 be filed. That may be something that this board is
24 interested in doing in the future. It hasn't been our
25 policy so I don't know whether it's necessary to require it

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2 here.

3 The last comment I had is relative to monumentation.
4 Our code speaks vaguely of the requirement for monuments.
5 I think the code basically just states that the location
6 and description of monuments should be shown. Doesn't say
7 whether they're new, existing or whatever. The existing
8 map does show some iron pins, I think.

9 MR. DEWINTER: I believe in the corners.

10 MR. PAGGI: My recommendation would be that as a
11 condition of approval that the owners be asked to put at
12 least additional iron pins at the new lot corners because
13 they're kind of out in the middle of nowhere and it would
14 be something that would --

15 MR. DEWINTER: Are you talking about two? Because
16 it's a straight lane.

17 MR. PAGGI: Right.

18 MR. DEWINTER: Right?

19 MR. PAGGI: So that's pretty much it. I mean we have
20 no problem with the Planning Board moving forward toward a
21 conditional approval on this project.

22 CHAIRMAN ZAMONSKY: And we require the monuments on
23 other subdivisions.

24 MR. PAGGI: I did look back, and actually, Bill's
25 here, Camp Kaylie had pins at all the intersections

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2 proposed, new property lines and also along easement lines
3 on roads and things like that. So yes, we have.

4 CHAIRMAN ZAMONSKY: Great.

5 Max.

6 MR. STASH: So when Stu had last spoke with me, he had
7 mentioned that he had, still, remaining concerns with
8 regard to the EAF mapper returning endangered and
9 threatened species. I would assume that if this map note
10 specifies no disturbance without further site plan approval
11 that that would ameliorate that concern.

12 CHAIRMAN ZAMONSKY: Do you have anything, John?

13 MR. CAPPELLO: I looked at the note and I just have a
14 couple comments on it. The notes says any future
15 development. We could include, to respond to Max's
16 comment: Any future development and/or disturbance
17 proposed for Lots 2 and 3 shall submit to the Town Planning
18 Board, engineering plans, including, and then I would add
19 the words but not limited to design of the stormwater
20 facilities, driveway and sewage disposal system.

21 MR. DEWINTER: The stormwater?

22 MR. CAPPELLO: Yes. Stormwater, driveway and sewage
23 disposal. We want the words "including but not limited
24 to."

25 MR. STASH: And on that also, I think it's important

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2 that this particular map note indicate that such a review
3 will be subject to SEQRA because if it, in fact, does come
4 back and only a single-family home is proposed, typically,
5 that would be a Type II action not subject to SEQRA. So I
6 think you have to spell out in this instance that the
7 engineered plans for development of these lots, regardless
8 of use, will subject to SEQRA.

9 CHAIRMAN ZAMONSKY: Okay.

10 MR. DEWINTER: Add on: Subject to SEQRA?

11 MR. STASH: Yes, as an unlisted action.

12 MR. CAPPELLO: I would put engineering plans and EAF
13 you'll put before the Board.

14 MR. DEWINTER: I'll work it in there somehow.

15 MR. CAPPELLO: Yes. Put engineered plans and the EAF
16 before the Planning Board if it is a single-family house.
17 Depending on the level of the driveway, the Planning Board
18 may want to ...

19 CHAIRMAN ZAMONSKY: Thank you.

20 Any questions or concerns from the Board?

21 (No verbal response.)

22 CHAIRMAN ZAMONSKY: Okay. Do I have a motion to open
23 the Public Hearing for Lands of Stefandel, Three Lot
24 Subdivision, Tax Map Section 71; Block 1; 25.1?

25 BOARD MEMBER GLISSON: Motion.

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2 CHAIRMAN ZAMONSKY: Rich.

3 BOARD MEMBER GREEN: Second.

4 CHAIRMAN ZAMONSKY: Lorry.

5 All in favor?

6 BOARD MEMBER GREEN: Aye.

7 BOARD MEMBER GLISSON: Aye.

8 BOARD MEMBER COLLIER: Aye.

9 CHAIRMAN ZAMONSKY: Aye.

10 (The motion was approved and carried.)

11 CHAIRMAN ZAMONSKY: If anybody has any comments, will
12 you please come up.

13 MS. MEDLEY: I'll just stand here.

14 My name is Paula Medley and I'm the current president
15 of the Basha Kill Area Association.

16 First of all, we really truly commend the Planning
17 Board for putting in these very important notes. I had the
18 opportunity to read the transcript from the last meeting
19 and apparently, there was a tremendous amount of back and
20 forth going on those notes. But I think it's really
21 important that when there will be building on Lots 2 and 3,
22 that all these other conditions are met.

23 I know that every part of the Town of Mamakating is
24 extremely important, but for us, we feel that particularly
25 the Basha Kill and the Shawangunk Ridge, which are two of

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2 the town's most important resources and upon which they're
3 hoping to have a lot of ecotourism and economic
4 sustainability, need to be protected and preserved
5 especially since there have been a lot of problems on South
6 Road with the inappropriate siting of buildings on the
7 Shawangunk Ridge side of South Road. Those driveways up
8 there are outrageous. The water, it doesn't have to be a
9 major storm, just a little storm. We get 30 waterfalls
10 coming down South Road pouring off the mountain, wiping out
11 South Road -- just talk to Buddy Platt about it -- going
12 into the yards of the properties below and sending a lot of
13 unwanted debris into the wetlands. Therefore, it's
14 extremely important on any building in that area that
15 there's a lot of review, important review, that's being
16 done.

17 What I really like about what you did, gentlemen, is
18 the fact that some people might just think that it's a
19 three lot subdivision, what the heck, you know, no big
20 deal. But the cumulative impact of a lot of negative three
21 lot subdivisions is greater than the negative impact of a
22 huge development. So I'm glad that you're taking all of
23 this. It's important, and you're taking it very seriously.
24 So thank you.

25 CHAIRMAN ZAMONSKY: Thank you.

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2 Anybody else? Come on up, Chris

3 MR. LESER: Chris Leser.

4 I was going to say something similar to what Paula had
5 just said, along that South Road with those various issues
6 of drainage and so on. I'm assuming that somebody from the
7 Board had been there, looking at this site plan and see the
8 problems that we have, could have?

9 CHAIRMAN ZAMONSKY: On South Road, you're referring?

10 MR. LESER: Yes. Okay. So at least some of the Board
11 had been there. Okay. That's what I was concerned about.

12 Thank you.

13 CHAIRMAN ZAMONSKY: You're welcome.

14 Anybody else? Come on up.

15 MR. BIMBO: Stu Bimbo. I live at 940 South Road,
16 actually a neighbor to the property. I'm just finding out
17 about what's going on. I really don't even know is the
18 building going to take -- I don't -- can somebody fill me
19 in?

20 MR. DEWINTER: There's no new building at this time.
21 They're splitting it into three lots. One is going to take
22 the existing building, well and septic that's there. It's
23 14 acres. The other 20 acres on that side of South Road is
24 going to be left by itself. And the opposite side is 25
25 acres. There's no development at this time. That's why we

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2 have the note that at such time they want to build or do
3 anything with that lot --

4 MR. BIMBO: Well, I just wanted to find out what's
5 really going on.

6 MR. DEWINTER: They're just subdividing it because it
7 is in an estate situation. Because it's in the family,
8 they're trying to split it up so that they can resolve
9 family issues.

10 MR. BIMBO: Got you. No problem. Thank you.

11 CHAIRMAN ZAMONSKY: Thank you.

12 Did you get a notice in the mail?

13 MR. BIMBO: Yes. I got the letter.

14 CHAIRMAN ZAMONSKY: Anybody else? Last call.

15 (No verbal response.)

16 CHAIRMAN ZAMONSKY: Okay.

17 Do I have a motion to close the public hearing for
18 Lands of Stefandel?

19 BOARD MEMBER GREEN: Motion.

20 BOARD MEMBER GLISSON: Second.

21 CHAIRMAN ZAMONSKY: Lorry, Rich.

22 All in favor?

23 BOARD MEMBER GREEN: Aye.

24 BOARD MEMBER GLISSON: Aye.

25 BOARD MEMBER COLLIER: Aye.

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2 CHAIRMAN ZAMONSKY: Aye.

3 (The motion was approved and carried.)

4 CHAIRMAN ZAMONSKY: I think it's great. I think we're
5 working with the owner. There's not a concrete plan ahead,
6 so we want to grant you subdivision, but ...

7 So aside from conditional approval, is there anything
8 else is that we have? Is that it?

9 MR. CAPPELLO: Did --

10 CHAIRMAN ZAMONSKY: Did we get a response from the --

11 MR. CAPPELLO: Did you do a Neg Dec at the last
12 meeting?

13 CHAIRMAN ZAMONSKY: No.

14 MR. CAPPELLO: Do a Neg Dec?

15 CHAIRMAN ZAMONSKY: No.

16 Did we get a response from circulation, Linda?

17 MS. FRANCK: No.

18 MR. CAPPELLO: When was it circulated?

19 MR. DEWINTER: I mailed them all out two weeks ago.

20 The Basha Kill, that's owned by DEC. That's the DEC.
21 They did no public notice.

22 MR. CAPPELLO: But I think that would kick it to a 239
23 L and M.

24 Did it go to Nassau County?

25 MS. FRANCK: No, we didn't have to do a 239. We did a

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2 Lead Agency, but we haven't got anything back for or
3 against it. Nobody challenged it.

4 A public notice, October 20th.

5 CHAIRMAN ZAMONSKY: October 20th?

6 MS. FRANCK: Yes.

7 CHAIRMAN ZAMONSKY: They came back. Didn't the DEC
8 come back?

9 MS. FRANCK: Yes.

10 CHAIRMAN ZAMONSKY: That was sent to them?

11 MS. FRANCK: Yes.

12 MR. STASH: Linda, do you have a copy of that NOI? I
13 don't have it in my file with me. I don't have a copy.
14 it's in the minutes.

15 Actually, in our review it's saying that the Board can
16 assume Lead Agency in this action and it's actually
17 classified as unlisted under SEQRA, no coordination is
18 required. Do you show we prepared an NOI for this?

19 MS. FRANCK: I thought that Stu did it.

20 MR. STASH: No. It's saying that he prepared a Part
21 II identifying no moderate to large impacts. This is his
22 memo of September 27th. I don't think there was an NOI
23 circulated, based on this. I don't know if that was
24 changed at the last meeting.

25 MR. DEWINTER: Well, there's no -- he determined that

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2 MR. STASH: Then there wouldn't have been.

3 MR. DEWINTER: There probably would not have been.

4 CHAIRMAN ZAMONSKY: The two projects were Camp Shaarey
5 and also Paradise. Those are the two that went out.

6 MR. STASH: So I think this would require, based on a
7 239L, would require --

8 MS. FRANCK: A 239?

9 MR. STASH: Well, that's a question I'm raising. The
10 proximity to the --

11 MR. CAPPELLO: If it's a state owned property.

12 MR. STASH: Anything within 500 feet of a county or
13 state park or recreation, the plans would require GML
14 review. So if this hasn't gone to the County, it would
15 require referral. Any subdivision would. So this has to
16 go to Sullivan County Planning for GML review.

17 MR. CAPPELLO: The Board could close the public
18 hearing.

19 When's the meeting next month? Do we get 30 days if
20 we submit tomorrow? Do 30 days pass before the meeting?

21 MR. DEWINTER: Thirty days?

22 MR. STASH: The fourth Tuesday is the 22nd. It won't
23 be 30 days.

24 MR. CAPPELLO: Okay. We can try calling them and get
25 something back. We could approve it at the November

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2 meeting.

3 MR. DEWINTER: I don't have to resubmit any plans or
4 anything at this point; right?

5 MR. CAPPELLO: No. You have my notes on the note. I
6 mean that could be done as a condition of approval. If you
7 want to go ahead, in case they come back with some comment
8 that needs to be changed.

9 CHAIRMAN ZAMONSKY: So I guess we'll coordinate that,
10 ask them to advise.

11 MR. DEWINTER: Basically, it's just a formality
12 sending it to the County; right?

13 CHAIRMAN ZAMONSKY: Yes.

14 MR. DEWINTER: Okay.

15 CHAIRMAN ZAMONSKY: Thank you.

16 MR. DEWINTER: And the conditions will be modification
17 of the note.

18 MR. CAPPELLO: And whatever else in Larry's.

19 CHAIRMAN ZAMONSKY: Monuments, yes

20 MR. DEWINTER: Now, what monuments are you looking
21 for? You're just looking for the two?

22 CHAIRMAN ZAMONSKY: Those are the only ones that
23 aren't in existence.

24 MR. DEWINTER: Yes. I can get my surveyor out any
25 time.

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All right. Thank you time.

CHAIRMAN ZAMONSKY: Thank you. We appreciate it.

(Time noted: 7:19 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 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: November 18, 2016

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