

In The Matter Of:
Town of Mamakating
Planning Board

Meeting Minutes
3-12-19
March 12, 2019

Jeric Corporation
Court Reporting Services
P.O. Box 385
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TOWN OF MAMAKATING
PLANNING BOARD MINUTES

March 12, 2019

TOWN HALL

WURTSBORO, NEW YORK

PLANNING BOARD MEMBERS :

STOSH ZAMONSKY, Chairman

LORRENCE GREEN, Vice Chairman

ALEX GOODMAN, Board Member

JOSEPH RUSSEK, III, Board Member

MORT STAROBIN, Board Member

RICHARD GLISSON, Board Member

MARY GRASS, Code Enforcement/Building Inspector

JOHN CAPPELLO, ESQ., Attorney

LAWRENCE PAGGI, P.E., Engineer

JERIC CORPORATION
Court Reporting Services
P.O. Box 385
Narrowsburg, New York 12764
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Reported by: Rosemary A. Meyer

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COUNTY OF SULLIVAN : TOWN OF MAMAKATING
PLANNING BOARD

----- X
All 4 The Children LLC/ Frank Roe
4 Lot Subdivision
Tax Map Section 10; Block 1; Lot 66
Burlingham Residential Zone
----- X

Town Hall
Town of Mamakating
March 12, 2019
7:00 P.M.

PLANNING BOARD MEMBERS :

- STOSH ZAMONSKY, Chairman
- LORRENCE GREEN, Vice Chairman
- ALEX GOODMAN, Board Member
- JOSEPH RUSSEK, III, Board Member
- MORT STAROBIN, Board Member
- RICHARD GLISSON, Board Member
- MARY GRASS, Code Enforcement/Building Inspector
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P.O. Box 385
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Reported by: Rosemary A. Meyer

1 - RE: ALL 4 THE CHILDREN LLC -

2 CHAIRMAN ZAMONSKY: Welcome, everybody, to the March
3 12th, 2019 Town of Mamakating Planning Board.

4 Do I have a motion to open the meeting?

5 BOARD MEMBER GOODMAN: Motion.

6 CHAIRMAN ZAMONSKY: Alex.

7 BOARD MEMBER GREEN: Second.

8 CHAIRMAN ZAMONSKY: And Lorry.

9 All in favor?

10 BOARD MEMBER GREEN: Aye.

11 BOARD MEMBER STAROBIN: Aye.

12 BOARD MEMBER GOODMAN: Aye.

13 BOARD MEMBER RUSSEK, III: Aye.

14 BOARD MEMBER GLISSON: Aye.

15 CHAIRMAN ZAMONSKY: Aye.

16 (The motion was approved and carried.)

17 CHAIRMAN ZAMONSKY: Acceptance of meeting minutes.

18 Did everybody have an opportunity to read the meeting
19 minutes from the February 2019 meeting, and if so, do I
20 have a motion to accept the meeting minutes?

21 BOARD MEMBER RUSSEK, III: Motion.

22 BOARD MEMBER STAROBIN: Second.

23 CHAIRMAN ZAMONSKY: Joe and Mort.

24 All in favor?

25 CHAIRMAN ZAMONSKY: And Lorry.

1 - RE: ALL 4 THE CHILDREN LLC -

2 All in favor?

3 BOARD MEMBER GREEN: Aye.

4 BOARD MEMBER STAROBIN: Aye.

5 BOARD MEMBER GOODMAN: Aye.

6 BOARD MEMBER RUSSEK, III: Aye.

7 BOARD MEMBER GLISSON: Aye.

8 CHAIRMAN ZAMONSKY: The first applicant is the project
9 All 4 The Children, LLC, Frank Roe Subdivision, Tax Map
10 Section 10; Block 1; Lot 66. The property is located on
11 Ski Run Road. The property is approximately 10 acres and
12 lies in the Burlingham Residential Zone.

13 This is on the agenda simply so the Board can review
14 and vote on the conditional final subdivision.

15 John, what is this?

16 MR. CAPPELLO: This is a conditional approval. The
17 Board actually took their vote and granted the approval,
18 along with a Neg Dec, at your February 19th meeting. What
19 I had stated at that meeting is because it was the first
20 subdivision we've approved in a while and we want to get
21 into the habit, what I did is I just took the minutes of
22 the meeting to do a confirming resolution that we set forth
23 all the conditions and resolutions so it can be filed so we
24 know what the Applicant needed to meet. What I would just
25 ask the Board, we did distribute it, is to look at it, see

1 - RE: ALL 4 THE CHILDREN LLC -

2 what you think of it, if there are any revisions to be
3 made, so the Board can adopt it as the confirming
4 resolution of the Board so we have the written record of
5 the decision. We have the minutes and the minutes will be
6 filed. What I would like to do is just, the Board give me
7 any changes, and then take a vote. Then I would make the
8 changes, give it to Mary tomorrow so it could be filed in
9 both the Planning Board office and the Town Clerk's office.

10 Larry already gave me some changes that I know I need
11 to make.

12 MR. PAGGI: Well, it was a crazy day.

13 MR. CAPPELLO: Yes.

14 CHAIRMAN ZAMONSKY: So John, we have here is the
15 recreation fees. Wasn't that to be paid within ten days of
16 the conditional approval?

17 MR. CAPPELLO: Whatever the Board. Usually, I mean
18 the way I've always written it is before the map is signed
19 because you're not going to be able to create any lots
20 until they file the map. If you want to put within ten
21 days. I think the law says preliminary here.

22 CHAIRMAN ZAMONSKY: Right.

23 MR. CAPPELLO: It's one of the items I think we need
24 to address because I think that actually is a little bit
25 onerous. It doesn't make a lot of sense to me.

1 - RE: ALL 4 THE CHILDREN LLC -

2 CHAIRMAN ZAMONSKY: Okay.

3 MR. CAPPELLO: But whatever the Board is ...

4 I mean the real issue is you want it paid. The reason
5 you're paying it is to have money in the account that when
6 there's children generated. You're not going to have any
7 children generated until there is a filed map and houses
8 start to getting built for children to live in and use
9 recreation.

10 CHAIRMAN ZAMONSKY: Adults use recreation.

11 MR. CAPPELLO: Yes, yes. Yes, adults.

12 CHAIRMAN ZAMONSKY: Okay.

13 And there were some additional changes you had
14 mentioned that Larry had brought up?

15 MR. CAPPELLO: Yes. Well, one of them I actually want
16 to discuss with Larry and the Board. One of them is just I
17 put February 26th as the meeting and it was the 19th. So I
18 mean that changed.

19 The acreages of each of the lots were off by, like,
20 change. I have a note from Larry. It was like .0
21 something.

22 MR. PAGGI: Hundredths.

23 MR. CAPPELLO: Hundredths of an acre. I just
24 clarified, make sure they're consistent with the map.

25 I have on here for the review materials, the last

1 - RE: ALL 4 THE CHILDREN LLC -
2 revision date of 1-21-19 which was the package I had that
3 we had on there. Larry correctly pointed out that only the
4 first page was proposed to be filed. But since there are
5 notes, and we go through the conditions that may be on
6 other pages, I would prefer going with the last revision
7 date of what was before the Board on that day so if there
8 ever was, in the future, an issue, we know, per our
9 approval resolution, that we approved all four sheets and
10 they're required to comply with all the conditions that are
11 on all four of the sheets, not just the sheet is that is
12 being filed. And actually, subsequent to that e-mail from
13 Larry, I did e-mail the Applicant's engineer and said I
14 would prefer, and I know this is what we do in Orange
15 County and not in Sullivan County, that all four sheets
16 actually be filed in the County Clerk's Office, the entire
17 subdivision map. Therefore, there will always be a record
18 when any title work is done on future sales that would show
19 that filed map, show the entire filed map, will be subject
20 to complying with all the notes on the map, plus we'll have
21 this resolution on file with the Town, as well.

22 CHAIRMAN ZAMONSKY: Larry, where do we stand with your
23 comments from February 12th?

24 MR. PAGGI: They've resubmitted. We're actually in
25 the process of reviewing that. They're well on their way.

1 - RE: ALL 4 THE CHILDREN LLC -

2 They're trying to check these off.

3 I don't know where they stand with the drainage. That
4 was the biggest issue. But Ross didn't seem to think that
5 he was going to have any problem with that.

6 CHAIRMAN ZAMONSKY: Okay.

7 MR. PAGGI: John, I actually have a question for you.
8 On these plans that they just resubmitted they've changed
9 the acreages again, slightly. Is that an issue? I mean
10 the resolution is really just identifying what was shown.

11 MR. CAPPELLO: Yes, that we had before us on that day.
12 I'll put that as last revised and to be revised to address
13 engineer's comments.

14 MR. PAGGI: Now again, that first sheet revision date
15 was 11-26. We don't have a first sheet that actually has a
16 revision date of 1-21.

17 MR. CAPPELLO: Yes. I mean I would take the last date
18 on all four sheets as to say last revision date.

19 MR. PAGGI: Okay.

20 MR. CAPPELLO: They do consist of four sheets.

21 MR. PAGGI: Okay.

22 CHAIRMAN ZAMONSKY: Any comments, questions, concerns?

23 BOARD MEMBER GOODMAN: No.

24 CHAIRMAN ZAMONSKY: John, I'm sorry. The title of
25 this is All 4 the Children, Conditional Final, Conditional

1 - RE: ALL 4 THE CHILDREN LLC -

2 Approval. This document, it's a resolution?

3 MR. CAPPELLO: Yes, it's a confirming resolution.

4 CHAIRMAN ZAMONSKY: Do I have a motion to accept the
5 confirming resolution based on the revisions that were
6 discussed tonight and that was sent today, March 12th? Do
7 I have a motion to accept?

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

9 CHAIRMAN ZAMONSKY: Alex.

10 BOARD MEMBER GREEN: I'll second.

11 CHAIRMAN ZAMONSKY: Lorry.

12 MR. CAPPELLO: I put it just so you -- who made the
13 motion again?

14 CHAIRMAN ZAMONSKY: Alex and Lorry seconded it.

15 MR. CAPPELLO: So what I'll do is I'll have two. The
16 motion to approve the subdivision was made by Joe and
17 seconded by Eric at the February 19th meeting. And I'll
18 put confirming written determination adopted on motion by
19 Alex, seconded by Lorry.

20 CHAIRMAN ZAMONSKY: All in favor?

21 BOARD MEMBER GREEN: Aye.

22 BOARD MEMBER STAROBIN: Aye.

23 BOARD MEMBER GOODMAN: Aye.

24 BOARD MEMBER RUSSEK, III: Aye.

25 BOARD MEMBER GLISSON: Aye.

1 - RE: ALL 4 THE CHILDREN LLC -

2 CHAIRMAN ZAMONSKY: Aye.

3 (The motion was approved and carried.)

4 CHAIRMAN ZAMONSKY: It's unanimous.

5 MR. CAPPELLO: Great.

6 CHAIRMAN ZAMONSKY: Did you want to say something?

7 BOARD MEMBER GREEN: Yes. I just wanted to make a
8 comment. I thought the resolution really did a good job of
9 spelling out that we had listened to the public, that we
10 had taken comments from Miss Cassidy, that we had sat and
11 thought about the flag lot design and we listened all the
12 opinions, along with the engineer, deciding that this was
13 the least harmful for the environment. I think it's very
14 important to say that.

15 MR. CAPPELLO: That's why I think now, especially on
16 subdivisions, it's good to create a record, a written
17 resolution. It was very helpful to have detailed minutes
18 to prepare it.

19 CHAIRMAN ZAMONSKY: Great. Okay. Thank you.

20 (Time noted: 7:13 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 All 4 The Children LLC / Frank Roe, 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: April 4, 2019

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COUNTY OF SULLIVAN : TOWN OF MAMAKATING
PLANNING BOARD

----- X
Rudliger Spiegl Trust
Eagles Nest for Amended Site Plan
Tax Map Section 50; Block 1; Lot 37
WRA Zone
----- X

Town Hall
Town of Mamakating
March 12, 2019
7:14 P.M.

PLANNING BOARD MEMBERS :

- STOSH ZAMONSKY, Chairman
- LORRENCE GREEN, Vice Chairman
- ALEX GOODMAN, Board Member
- JOSEPH RUSSEK, III, Board Member
- MORT STAROBIN, Board Member
- RICHARD GLISSON, Board Member
- MARY GRASS, Code Enforcement/Building Inspector
- LAWRENCE PAGGI, P.E., Engineer

Also Present: Joel Gold,
on behalf of Applicant

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

Reported by: Rosemary A. Meyer

1 - RE: RUDLIGER SPIEGL TRUST -

2 CHAIRMAN ZAMONSKY: The next applicant is Rudliger
3 Spiegel Trust, Eagles Nest, for an amended site plan, Tax
4 Map Section 50; Block 1; Lot 37. The property is located
5 at 58 Eagles Nest Road. It's approximately 11.6 acres and
6 lies in the WRA Zone.

7 MR. GOLD: Hi, my name is Joel Gold. I'm a
8 representative for the Catskill Hatzolah --

9 CHAIRMAN ZAMONSKY: Excuse me, excuse me. We have a
10 meeting going on and it's hard to hear. Thank you.

11 Go ahead.

12 MR. GOLD: My name is Joel Gold. I'm a representative
13 of Catskill Hatzolah EMS. Hatzolah EMS is a volunteer EMS
14 agency based out of New York City and based out of Sullivan
15 and Ulster County. We are a paramedic volunteer service
16 that we provide for the people who call us, and we provide
17 service for anyone that calls us, and we provide mutual aid
18 for Mamakating, for Mobilemedic whenever they call us.
19 Through the summertime we have 13 ambulances throughout the
20 county.

21 Basically, what we are looking now is to add on a
22 repeater. It should cover the dead spots on the New York
23 17 and surrounding areas. That's basically what we're
24 looking now to do.

25 CHAIRMAN ZAMONSKY: Thank you.

1 - RE: RUDLIGER SPIEGL TRUST -

2 Yes.

3 MR. CALISE: My name is Michael Calise, C-A-L-I-S-E.
4 I'm the licensed engineer for the project.

5 CHAIRMAN ZAMONSKY: Okay.

6 I guess a couple housekeeping items here. The owner
7 affidavit looks like it was signed by Abraham Wurzburger,
8 not property owner.

9 MR. KELSON: That's correct.

10 If I can just introduce myself. I represent the
11 Rudliger Spiegl Trust, Michael Spiegl from Eagles Nest.

12 I looked at the form and it doesn't provide for -- it
13 says owner's affidavit, but it says applicant, so we
14 weren't really quite sure how to fill out that form. It's
15 changed over the years. But I can make a representation
16 that the Applicant does consent, and if you need another
17 form I'm happy to get that.

18 CHAIRMAN ZAMONSKY: Yes, if you could submit the form.

19 MR. KELSON: Yes, sure. We actually have an
20 agreement, a written agreement, which covers all this which
21 permits them to do what they've applied to do, and I will
22 supply that to the Board.

23 CHAIRMAN ZAMONSKY: Okay. Great.

24 The other item, too, is we received an 8 1/2 by 11
25 site plan. It's not signed and sealed so I'm not sure. Is

1 - RE: RUDLIGER SPIEGL TRUST -

2 this a survey that was done by somebody?

3 MR. CALISE: It's based off a survey that was
4 prepared.

5 MR. CAPPELLO: I guess can we get a presentation as to
6 exactly how high it is and where it is? I mean --

7 CHAIRMAN ZAMONSKY: Well, that was my next point. If
8 you look through the requirements, it says if you're
9 building something you have to have elevations shown, a
10 drawing has to be submitted, like John said, how tall it
11 is, is there building that's going on. I don't know.
12 There was no description, no narrative submitted either,
13 with this. There's a checklist on the application.

14 MR. CAPPELLO: I mean my question is -- Stosh is
15 correct -- is this an existing tower, that you're putting a
16 repeater on an existing tower and colocating, or is it a
17 new tower?

18 MR. CALISE: It would be a new tower location.
19 Basically, if you've seen them, they could be either solid
20 pole or lattice structure, typically on a footing. The
21 footing, I believe for this one, is six foot by six foot,
22 by approximately six feet deep to resist the loading for
23 the wind and so forth.

24 The tower itself is approximately 10 feet higher than
25 a telephone pole, we'll say. Typically, you want the

1 - RE: RUDLIGER SPIEGL TRUST -

2 signal to repeat.

3 MR. PAGGI: So how tall is that?

4 MR. CALISE: So we'll say a typical telephone pole is
5 about 35 feet, so let's say this will be somewhere, 40-ish,
6 45. You want to put it in a location that optimizes that
7 signal, otherwise, the tower really doesn't help you to,
8 you know, to cover those dead zones that they're trying to
9 cover.

10 The tower itself would be available to other EMS
11 facilities to use. And it is pretty standard construction.

12 MR. CAPPELLO: Well, what I think what it would be
13 helpful to have, then, as part of the application going
14 forward, there are two potential areas that are in the
15 zoning code, since I didn't know what this exactly was, but
16 we do have a section on telecommunication towers that
17 really clearly sets out the procedures for constructing a
18 tower, what you need to show. Or the other one is for
19 emergency services. But we need more than what we have
20 here.

21 MR. CALISE: This tower isn't a cellular tower. It's
22 not for the benefit of a carrier to increase his service
23 area. This is purely for emergency services, ambulance and
24 so forth and on. I didn't see, maybe I missed it, what was
25 in the code that would pertain to something that's an

1 - RE: RUDLIGER SPIEGL TRUST -

2 emergency service to use this, or where we would find it in
3 the code.

4 CHAIRMAN ZAMONSKY: The other item, too, is that the
5 EAF needs to be filled out using an EAF mapper program. It
6 can't be manually filled out. Because that sticks out,
7 actually, if it's within an endangered species area, so on
8 and so forth.

9 MR. PAGGI: I think the one that I got shows that
10 there were endangered species. I think what they neglected
11 to do, they may have actually used mapper, did they didn't
12 give us the last form.

13 CHAIRMAN ZAMONSKY: Okay.

14 MR. PAGGI: They didn't give us the back sheet of it.

15 So from my perspective, I didn't do a comment letter
16 on this. I mean there was really no information to comment
17 on other than the fact that I couldn't tell -- it almost
18 looked like it was being colocation based on the map. But
19 then in the application it looks like there is going to be
20 some disturbance with the footing. I mean based on the --
21 I can't imagine there's going to be trees around there.

22 MR. CALISE: No.

23 MR. PAGGI: So I don't think that there's going to be
24 an issue with bats or anything like that. You're not going
25 to be taking any trees down.

1 - RE: RUDLIGER SPIEGL TRUST -

2 But right off the bat, I have a concern that it's
3 located next to a cabin. I mean generally, a tower located
4 within a fall zone of a building that's going to have
5 people inside in it.

6 MR. KELSON: Well, the issue on that -- that's a good
7 point.

8 By the way, John, I don't know that we ever amended
9 the code to really, in view of the Telecommunications Act
10 of 1986, but this may actually be, because it's emergency
11 services, may not apply. I think, at least from my
12 perspective, and I could be wrong and I'm certainly not
13 going to argue with any engineer, the most important thing
14 is to get you engineering information to show that the
15 tower, No. 1, has sufficient footing, that the strength is
16 sufficient, that is appropriately guy line, so that even if
17 we get the 100 year storm that it doesn't come over.

18 The cabins are probably the Eagles Nest's little motel
19 thingies, and they're barely occupied. But I think that if
20 we can get you the engineering data that shows that it's
21 appropriately secured, that might allay some of your fears
22 about where it's located.

23 Obviously, the other side of the property you've got a
24 helicopter coming in every day so we want to make sure it's
25 secure as possible because that's where all the winds come.

1 - RE: RUDLIGER SPIEGL TRUST -

2 CHAIRMAN ZAMONSKY: I mean I think the engineering
3 data, is it lit, is there going to be a light on it. Like
4 you said, there's a helicopter next door.

5 MR. KELSON: I don't think he needs to have a light
6 unless it's over a certain amount, as least from my
7 recollection when we did Kohls. FAA will require a light
8 if it's over a certain amount of feet.

9 CHAIRMAN ZAMONSKY: Anyway, the engineering has to be
10 submitted. But also, the setbacks. I mean this isn't a
11 signed survey that was submitted.

12 MR. KELSON: Understood.

13 CHAIRMAN ZAMONSKY: So I think all that.

14 MR. KELSON: You need to get more data, clearly.

15 MR. CAPPELLO: I'm looking at the WRA and zoning. You
16 have to tell us where, why it's permitted, why it's
17 permitted with the Eagles Nest. Public utilities is a
18 permitted use, requires three acres. Maybe this is a
19 permitted accessory use. I don't want to opine and say
20 it's not permitted, but you need to give us an analysis as
21 to where you think it fits and why you think it fits and
22 why it is permitted.

23 MR. CALISE: This was just brought to my attention
24 that this will be pretty much adjacent to an existing
25 tower. There's an existing tower --

1 - RE: RUDLIGER SPIEGL TRUST -

2 MR. KELSON: Well, that may be true, but it doesn't
3 answer the question.

4 MR. CALISE: No, no, no. I understand. Just so you
5 understand.

6 MR. PAGGI: I mean that's apparent on the site plan.

7 To kind of regroup, I think what we're really looking
8 for is hopefully what you're accustomed to know, is a full
9 site plan. We're going to want to know the information
10 that Stosh just asked: What are the setbacks, what are the
11 requirements, site data table that would demonstrate it.
12 Demonstrate to John and to Mary what provisions in the code
13 allow this use. We're going to want to see some
14 construction detail and we want to see staging areas for
15 erection and any type of appropriate erosion sediment
16 control measures that are necessary. It looks like a very
17 minor project so hopefully, that's all very simple. But I
18 just want to try to get all that out on the table just so
19 we have said it. What you really do is what Stosh
20 initially indicated, is look at our site plan checklist, go
21 through there. If you think there's anything that's not
22 applicable, when you come back in demonstrate that those
23 items are not applicable and the items that are applicable,
24 give them to us. And if there are items that you are
25 saying are not applicable that we believe are, we'll take

1 - RE: RUDLIGER SPIEGL TRUST -

2 issue with it and we'll tell you and we'll have a
3 discussion. Okay? Fair enough?

4 MR. KELSON: You may not require every detail that's
5 in there, but you need enough to be able to make a good
6 call on it. We'll talk about it. Maybe we can get in next
7 month and we'll get you some more concrete plans.

8 MS. GRASS: Submission would be March 26th.

9 MR. KELSON: Okay.

10 MR. CAPPELLO: And I would suggest you to read Section
11 199-26(x), wireless communication services. I know you're
12 saying this is emergency services, it's not necessarily
13 wireless. But it does set forth a lot of the parameters
14 that we look at when we're doing towers. So I mean if you
15 can give you the guidelines of one, is there an area you
16 can collocate on an existing tower, if you can show us that
17 you can't, why you choose here, and kind of go through that
18 analysis, I think that will help the Board. Whether it's
19 absolutely regulated by that or not, you'll have to make
20 that interpretation.

21 MR. KELSON: Well, whether it is or it isn't, I think
22 the general concepts are a good guide.

23 MR. CAPPELLO: Yes, yes.

24 MR. KELSON: I happen to agree with your attorney on
25 that.

1 - RE: RUDLIGER SPIEGL TRUST -

2 Just for the record, just to note, I think you can
3 realize, I think you're a 502(c)(3). You're a nonprofit
4 agency. You're not a profit agency.

5 I can tell you this. Mr. Spiegl is getting pennies to
6 do this. He's going it because he thinks that it is
7 something is of need. And of course, we've already rented
8 another fire department the ability to use that. So we'll
9 obviously take into account everything that's said, try to
10 get back to you next month with some more details.

11 CHAIRMAN ZAMONSKY: If the fire department already has
12 a tower here that they use for communication why is there
13 another needed, that they use that one, as well?

14 MR. GOLD: Because we have different frequencies than
15 the fire department, a low band and a high band. And if we
16 put up a tower together with the fire department then it's
17 just going to cross frequencies. So it works total
18 different frequencies. That's why we have to have the
19 tower. We cannot use the tower of the fire department
20 because of different frequencies.

21 CHAIRMAN ZAMONSKY: But I thought you just said that
22 the fire department was going to use your tower?

23 MR. GOLD: We're going to be using the same shed, the
24 same small shed that they were putting up. They have a
25 generator in there. We have a letter from the fire

1 - RE: RUDLIGER SPIEGL TRUST -

2 department, permission that we can use it in conjunction
3 with them. But the tower is going to be to instead of the
4 right side of where the fire department currently has it,
5 it's going to be on the left side.

6 CHAIRMAN ZAMONSKY: And so only the Catskill Hatzolah
7 will be using the tower. Nobody else will be using your
8 new tower.

9 MR. GOLD: That's correct, unless Sullivan 911 is
10 going to ask us. If they want a benefit out of it, they're
11 more than welcome.

12 CHAIRMAN ZAMONSKY: So Sullivan 911 can use it but the
13 fire department can't?

14 MR. GOLD: The fire department can use it, but the
15 fire department is a different frequency so they will have
16 no use out of it.

17 CHAIRMAN ZAMONSKY: Okay.

18 MR. CAPPELLO: I mean I think those are some of the
19 type of details we'll need. I mean if you look through the
20 telecommunications law, that's the type of issues, that we
21 would need something in the record to show that you can't
22 locate on the fire tower.

23 The other thing is I know the Eagles Nest, people go
24 up there for the view. I don't know where it's located, if
25 it's located right next to a tower or something, but you

1 - RE: RUDLIGER SPIEGL TRUST -

2 should give us some type of visual so the Board could kind
3 of know what it will look like after it's up to determine
4 if it's going to cause an issue.

5 MR. KELSON: I can assure you that Mr. Spiegl would
6 not --

7 MR. CAPPELLO: You know --

8 MR. KELSON: But John, it's bad enough he's got a
9 helicopter pad on the other side. He's pretty cognizant of
10 -- not that that's a bad thing, but it's certainly
11 incongruent of that he does. He doesn't want to do
12 something that's going to incongruent with his catering
13 business and the little motels, which are barely rented
14 out, anyway.

15 MR. GOLD: We currently have towers on Sam's Point,
16 together with other agencies. And we have them in
17 Fallsburg, we have in Liberty, we have in Monticello.

18 MR. CAPPELLO: If you can bring photos of what they
19 look like --

20 MR. GOLD: Sure.

21 MR. CAPPELLO: -- that would probably also be helpful.

22 MR. PAGGI: It sounds to me, if I'm understanding this
23 correctly, that is not a structure with an antenna on it.
24 This is an antenna.

25 MR. GOLD: Correct.

1 - RE: RUDLIGER SPIEGL TRUST -

2 MR. PAGGI: The tower is an antenna.

3 MR. GOLD: Correct.

4 MR. PAGGI: So that's why he's saying that the actual
5 antenna operates at a certain frequency. So I mean the
6 fire department would be welcome to use it if they change
7 the frequency on which they broadcast.

8 MR. GOLD: That's correct.

9 MR. PAGGI: Okay.

10 MR. CAPPELLO: When we did the AT&T tower, if you
11 recall, it's something for the Board to consider while
12 we're looking at this is, if you are getting a 45 foot,
13 let's say, antenna here, is there a way to have this
14 antenna so if 911 or someone else comes in who wants to
15 provide service in the town, then instead of building a
16 brand new antenna. Remember what we did? AT&T, it's a
17 little different story with the telecommunications, they
18 said they wanted to go, I forgot, 120, whatever it was, and
19 we said design it so you could add to it if necessary
20 because if another company comes, rather than building a
21 brand new tower, go where the existing one is and go 20
22 feet higher would be less of a disturbance likely than a
23 whole brand new 120 tower. Looking at this, I don't know
24 if that's --

25 MR. KELSON: That never used to work.

1 - RE: RUDLIGER SPIEGL TRUST -

2 MR. CAPPELLO: What?

3 MR. KELSON: The old days, when I was here, that never
4 used to work because whoever had the tower charged 50,000
5 times more to the guy who wanted to colocate because he's a
6 competitor. But this is completely different.

7 MR. CAPPELLO: Yes. But now, even with the cell
8 tower, they do swaps and it's become more prevalent.

9 CHAIRMAN ZAMONSKY: Great.

10 MR. KELSON: Okay. Well, thank you for your time. We
11 appreciate it. We'll hopefully be back with you with much
12 more detail next month.

13 CHAIRMAN ZAMONSKY: Thank you very much.

14 (Time noted: 7:32 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 Rudliger Spiegl Trust, 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: April 4, 2019

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COUNTY OF SULLIVAN : TOWN OF MAMAKATING
PLANNING BOARD

----- X

Shab Holdings LLC (Camp Echo)
Proposed Amended Site Plan
Tax Map Section 10; Block 1; Lot 50.1
Burlingham Residential Zone

----- X

Town Hall
Town of Mamakating
March 12, 2019
7:33 P.M.

PLANNING BOARD MEMBERS :

- STOSH ZAMONSKY, Chairman
- LORRENCE GREEN, Vice Chairman
- ALEX GOODMAN, Board Member
- JOSEPH RUSSEK, III, Board Member
- MORT STAROBIN, Board Member
- RICHARD GLISSON, Board Member
- MARY GRASS, Code Enforcement/Building Inspector
- LAWRENCE PAGGI, P.E., Engineer

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

Reported by: Rosemary A. Meyer

1 - RE: SHAB HOLDINGS, CAMP ECHO -

2 CHAIRMAN ZAMONSKY: Just real quick, camp Echo was
3 going to be here tonight. We went back and forth on Friday
4 with Larry Marshall. They just received Health Department
5 comments. Was that Thursday or Friday? Friday of last
6 week.

7 MR. CAPPELLO: Right, their first set.

8 CHAIRMAN ZAMONSKY: So Larry Paggi barely got to crack
9 it open to really look through it. There's a couple items
10 in there.

11 Were they sent out to the Board? They were, right?

12 MS. GRASS: Yes.

13 CHAIRMAN ZAMONSKY: We went back and forth. We just
14 didn't feel that they had enough of the stuff checked off
15 to even put the Board into a position to issue a
16 conditional so they pulled off. But we're thinking they'll
17 be back next month.

18 MR. CAPPELLO: They wanted to come on this month and
19 ask for a conditional. Stosh is correct, that not only
20 were the water and sewer comments that typically we would
21 say with the Health Department it is subject to Health
22 Department review, but we at least want to know,
23 conceptually, like we did Learning Tree, we went through it
24 ad nauseam, we want to know, conceptually, that it's
25 viable, details of the pipes, that's a Health Department

1 - RE: SHAB HOLDINGS, CAMP ECHO -

2 issue. So since they just had the comment letter and some
3 of it I saw was to do additional soils testing and
4 everything, to ask Larry tonight, to say I'm confident to
5 give you conditional final, and then there were some
6 issues, too, on the stormwater that they had to do some
7 soil testing that they said they completed, I'm not sure
8 they provided the results of the testing yet so Larry can
9 make a determination on the SWPPP.

10 And the last thing we said is we wanted a confirmation
11 from them that the three items that they're looking to do
12 this year, which is the improvements to the health center,
13 the building of one double cabin and the laundry facility,
14 will not increase the number of children that can go there
15 because then there's a whole different set of issues with
16 traffic, potential issues. They did send a letter saying
17 they will not go above what the Health Department has
18 already approved them for, that the new cabin is to allow
19 some of the older children to have more space and that they
20 will not, then, fill the spaces where the older children
21 leave to go to the team cabin, I'll call it, with
22 additional small children, and they said they weren't.
23 What we would need, when the Board finally makes a
24 determination to confirm that, that will be up to the
25 Board.

1 - RE: SHAB HOLDINGS, CAMP ECHO -

2 So having said that, it just seemed that if they came,
3 again, to ask for a conditional we'd say no. We would go
4 through an hour of having the same discussion we've had
5 four or five times and pretty much talk that if they could
6 prove that they were just making the health services
7 better, making it a little nicer without really expanding
8 the number of kids, the Health Department was okay with it,
9 this Board probably would have had to deal with giving them
10 conditional at April.

11 MR. PAGGI: We issued our letter today regardless of
12 them not showing up just so they could continue to work.
13 They're welcome to call us as they're working through it
14 and getting ready for their next submission if they need
15 any guidance from us. We'll make sure that Mary is copied
16 on everything if they give us any information. But it
17 would have been very hard to be comfortable with condition
18 approval with the extent of the comments from the
19 Department of Health. I think it was like five pages of
20 comments. And as John mentioned, some of them pertain to
21 additional testing. There were some questions about the
22 ability of an existing well to provide the water that they
23 needed. I mean yes, they can always drill another well and
24 provide water, but where are they going to do that. It's
25 going to take some time. Yes, I think it was wise to ask

1 - RE: SHAB HOLDINGS, CAMP ECHO -

2 them to ...

3 BOARD MEMBER GOODMAN: That letter wasn't sent to us.

4 I got the letter saying you got ...

5 MR. CAPPELLO: I think it was on my desk today.

6 BOARD MEMBER GOODMAN: Okay. Maybe I didn't see it.

7 CHAIRMAN ZAMONSKY: The Health Department letter?

8 BOARD MEMBER GOODMAN: Yes, right.

9 CHAIRMAN ZAMONSKY: Yes, I know I got that.

10 MR. PAGGI: If you didn't get it you should get it
11 because you should read it to get an idea.

12 BOARD MEMBER STAROBIN: Outside of that, how close are
13 they to getting a conditional outside the Department of
14 Health?

15 MR. PAGGI: I think they're very close. I think even
16 with the Health Department comments, I think they are very
17 addressable. But they've got some heavy lifting. They've
18 got to make it happen quickly. The hardest part is going
19 to be once they get the work done is to get a regulatory
20 agency to review it quickly. They've got a challenge in
21 front of them. I mean they have some stormwater
22 information that they still need to demonstrate. I thought
23 that was going to be an issue with the weather because they
24 had to do some soil testing. But Zack Peters, at the last
25 meeting, said that the testing was done and they were just

1 - RE: SHAB HOLDINGS, CAMP ECHO -
2 compiling the data and getting it to us. If that's the
3 case, then they've got it well in hand.

4 MS. GRASS: And Larry, you sent them your comments;
5 right? You told Kyra.

6 MR. PAGGI: Yes.

7 MS. GRASS: We'll send that back out, Alex.

8 BOARD MEMBER GOODMAN: I did. I guess I didn't look.

9 MS. GRASS: Okay.

10 BOARD MEMBER GOODMAN: I didn't see it the first time.

11 CHAIRMAN ZAMONSKY: So I have a motion to close the
12 meeting?

13 BOARD MEMBER RUSSEK, III: I'll make a motion.

14 BOARD MEMBER STAROBIN: Second.

15 CHAIRMAN ZAMONSKY: Joe and Mort.

16 All in favor?

17 BOARD MEMBER GREEN: Aye.

18 BOARD MEMBER STAROBIN: Aye.

19 BOARD MEMBER GOODMAN: Aye.

20 BOARD MEMBER RUSSEK, III: Aye.

21 BOARD MEMBER GLISSON: Aye.

22 CHAIRMAN ZAMONSKY: Aye.

23 (The motion was approved and carried.)

24 (Time noted: 7:40 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 Shab Holdings LLC, Camp Echo, 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: April 5, 2019

<p style="text-align: center;">A</p>	<p>ahead (1) 14:11 aid (1) 14:17 Alex (4) 4:6;10:9,14,19 allay (1) 19:21 allow (1) 21:13 almost (1) 18:17 along (2) 5:18;11:12 always (2) 6:18;8:17 ambulance (1) 17:23 ambulances (1) 14:19 amended (2) 14:3;19:8 amount (2) 20:6,8 analysis (2) 20:20;22:18 antenna (7) 25:23,24;26:2,5,13, 14,16 apparent (1) 21:6 applicable (4) 21:22,23,23,25 applicant (5) 5:8,24;14:2;15:13, 16 Applicant's (1) 8:13 application (3) 16:13;17:13;18:19 applied (1) 15:21 apply (1) 19:11 appreciate (1) 27:11 appropriate (1) 21:15 appropriately (2) 19:16,21 approval (5) 5:16,17;6:16;8:9; 10:2 approve (1) 10:16 approved (4) 4:16;5:20;8:9;11:3 approximately (4) 5:11;14:5;16:22,24 area (3) 17:23;18:7;22:15 areas (3) 14:23;17:14;21:14</p>	<p>argue (1) 19:13 around (1) 18:21 assure (1) 25:5 AT&T (2) 26:10,16 attention (1) 20:23 attorney (1) 22:24 available (1) 17:10 Aye (17) 4:10,11,12,13,14, 15;5:3,4,5,6,7;10:21, 22,23,24,25;11:2</p>	<p>broadcast (1) 26:7 brought (2) 7:14;20:23 building (5) 16:9,11;19:4; 26:15,20 built (1) 7:8 Burlingham (1) 5:12 business (1) 25:13</p>	<p>CHAIRMAN (45) 4:2,6,8,15,17,23, 25;5:8;6:14,22;7:2, 10,12;8:22;9:6,22,24; 10:4,9,11,14,20;11:2, 4,6,19;14:2,9,25; 15:5,18,23;16:7;18:4, 13;20:2,9,13;23:11, 21;24:6,12,17;27:9, 13 change (2) 7:20;26:6 changed (3) 7:18;9:8;15:15 changes (4) 6:7,8,10;7:13 charged (1) 27:4 check (1) 9:2 checklist (2) 16:13;21:20 CHILDREN (13) 4:1;5:1,9;6:1;7:1,6, 7,8;8:1;9:1,25;10:1; 11:1 choose (1) 22:17 City (1) 14:14 clarified (1) 7:24 clearly (2) 17:17;20:14 Clerk's (2) 6:9;8:16 code (5) 17:15,25;18:3; 19:9;21:12 cognizant (1) 25:9 colocate (2) 22:16;27:5 colocating (1) 16:16 colocation (1) 18:18 coming (1) 19:24 comment (3) 11:8;18:15,16 comments (4) 8:23;9:13,22;11:10 communication (2) 22:11;23:12 company (1) 26:20 competitor (1) 27:6 completely (1) 27:6 comply (1) 8:10</p>
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