

In The Matter Of:
Town of Mamakating
Zoning Board of Appeals

Meeting Minutes
5-23-19
May 23, 2019

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

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ZONING BOARD OF APPEALS

MINUTES

May 23, 2019

TOWN HALL

WURTSBORO, NEW YORK

ZONING BOARD MEMBERS :

MATTHEW MORDAS, Chairman

CATHY DAWKINS, Board Member

GEORGIA RAMPE, Board Member

KENT FINDLEY, Board Member

MATTHEW MORREALE, Board Member

JON FOURNIER, Alternate Board Member

MARISSA WEISS, ESQ., Attorney

KYRA PLATT, Building Department

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

Reported by: Rosemary A. Meyer

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COUNTY OF SULLIVAN : TOWN OF MAMAKATING
ZONING BOARD OF APPEALS

----- X

Tommy Giannopoulos
Area Variance - Public Hearing
Tax Map Section 56; Block 7; Lot 8
Neighborhood Residential Zone

----- X

Town Hall
Town of Mamakating
May 23, 2019
7:00 P.M.

ZONING BOARD MEMBERS :

- MATTHEW MORDAS, Chairman
- CATHY DAWKINS, Board Member
- KENT FINDLEY, Board Member
- MATTHEW MORREALE, Board Member
- JON FOURNIER, Alternate Board Member
- MARISSA WEISS, ESQ., Attorney
- MARY GRASS, Building Department

Also Present: Tommy Giannopoulos, Applicant

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

Reported by: Rosemary A. Meyer

1 - RE: TOMMY GIANNOPOULOS -

2 CHAIRMAN MORDAS: Good evening, ladies and gentlemen.
3 Welcome to the Mamakating Zoning Board of Appeals meeting
4 for May 23rd, 2019. I'm the chairman, Matthew Mordas.

5 I start off the meeting with a role call.

6 Kent.

7 BOARD MEMBER FINDLEY: Here.

8 CHAIRMAN MORDAS: Matt.

9 BOARD MEMBER MORREALE: Here.

10 CHAIRMAN MORDAS: Cathy.

11 BOARD MEMBER DAWKINS: Here.

12 CHAIRMAN MORDAS: Georgia.

13 BOARD MEMBER RAMPE: Here.

14 CHAIRMAN MORDAS: And our alternate, Jon Fournier.

15 ALTERNATE BOARD MEMBER FOURNIER: Here.

16 CHAIRMAN MORDAS: And serving as our attorney tonight
17 is Marissa Weiss.

18 CHAIRMAN MORDAS: All right. Let's start off the
19 meeting with our Pledge of Allegiance.

20 (The Pledge of Allegiance was recited.)

21 BOARD MEMBER MORREALE: All right. Has everybody had
22 a chance to go over last month's meeting's minutes?

23 BOARD MEMBER DAWKINS: Yes.

24 BOARD MEMBER MORREALE: Yes.

25 CHAIRMAN MORDAS: Do I have a motion to accept the

1 - RE: TOMMY GIANNOPOULOS -

2 April minutes?

3 BOARD MEMBER DAWKINS: So moved.

4 BOARD MEMBER MORREALE: Second.

5 CHAIRMAN MORDAS: All in favor?

6 BOARD MEMBER DAWKINS: Aye.

7 BOARD MEMBER RAMPE: Aye.

8 BOARD MEMBER FINDLEY: Aye.

9 BOARD MEMBER MORREALE: Aye.

10 CHAIRMAN MORDAS: Aye.

11 (The motion was approved and carried.)

12 CHAIRMAN MORDAS: Well, before we go any further, I
13 believe Georgia Rampe will recuse herself once again from
14 these proceeding regarding the Applicant --

15 BOARD MEMBER RAMPE: That's right.

16 CHAIRMAN MORDAS: -- Mr. Tommy Giannopoulos.

17 BOARD MEMBER RAMPE: Yes.

18 CHAIRMAN MORDAS: So I hereby appoint Jon Fournier as
19 a voting member in regards to this applicant.

20 Do I have a motion to open the public hearing?

21 BOARD MEMBER DAWKINS: So moved.

22 BOARD MEMBER FINDLEY: Second.

23 CHAIRMAN MORDAS: All in favor?

24 CHAIRMAN MORDAS: All in favor?

25 BOARD MEMBER DAWKINS: Aye.

1 - RE: TOMMY GIANNOPOULOS -

2 ALTERNATE BOARD MEMBER FOURNIER: Aye.

3 BOARD MEMBER FINDLEY: Aye.

4 BOARD MEMBER MORREALE: Aye.

5 CHAIRMAN MORDAS: Aye.

6 (The motion was approved and carried.)

7 CHAIRMAN MORDAS: Thanks.

8 All right. This regards an area variance, a proposed
9 garage to be closer to the street than the street wall of
10 the dwelling.

11 Mr. Giannopoulos, are you present?

12 MR. GIANNOPOULOS: Right here.

13 CHAIRMAN MORDAS: Please come up and refresh us as to
14 what you're trying to do here.

15 MR. GIANNOPOULOS: Tommy Giannopoulos, 1663 Stewart
16 Avenue, New Hyde Park, New York, 11040.

17 Basically, I'm looking for a variance to replace the
18 existing shed that I have there now with a garage. The
19 existing shed is on the property line and the garage would
20 be on the property line.

21 I submitted all the drawings, and I also have a
22 picture of the garage if you would also like to see it.
23 That's what it would like.

24 CHAIRMAN MORDAS: Please approach the table.

25 (Mr. Giannopoulos complied.)

1 - RE: TOMMY GIANNOPOULOS -

2 MR. GIANNOPOULOS: This is the garage.

3 CHAIRMAN MORDAS: Just for the procedure, if you could
4 just speak up a little louder.

5 BOARD MEMBER DAWKINS: Is this going to a window or
6 this is the structure?

7 MR. GIANNOPOULOS: Basically, this is going to be the
8 garage door where the driveway is right now. This is going
9 to be storage/a workshop. A window here, a door here.

10 CHAIRMAN MORDAS: And this will be removed.

11 MR. GIANNOPOULOS: Right.

12 CHAIRMAN MORDAS: Okay.

13 MR. GIANNOPOULOS: Right.

14 I wanted to put the door here, but there's a septic
15 system here. The architect said it should be here.

16 BOARD MEMBER DAWKINS: Now, how much space will be
17 between the house and this portion?

18 MR. GIANNOPOULOS: Whatever it is now, about 15 feet.

19 CHAIRMAN MORDAS: I measured it. It's exactly ten
20 feet, which is okay, but you can't be any closer.

21 MR. GIANNOPOULOS: No, I'm not going to be any closer.

22 CHAIRMAN MORDAS: Okay.

23 BOARD MEMBER FINDLEY: How long is that side? The
24 side from that corner where you go down to the 16?

25 BOARD MEMBER DAWKINS: Twenty-eight.

1 - RE: TOMMY GIANNOPOULOS -

2 BOARD MEMBER FINDLEY: Yes, that side right there.

3 No?

4 BOARD MEMBER DAWKINS: Fourteen. I think I have it
5 noted from last month on mine.

6 BOARD MEMBER FINDLEY: Fourteen.

7 CHAIRMAN MORDAS: Can you pass this down to Jon?

8 BOARD MEMBER DAWKINS: Yes, 14, Kent. It's on the
9 last page of this.

10 BOARD MEMBER FINDLEY: The side of the house to the
11 property line is 21 3. That would be six feet.

12 MR. GIANNOPOULOS: No, it would be more than that
13 because it's actually that corner. Where the
14 shed is, where the present shed is right now, it's actually
15 the two corners.

16 BOARD MEMBER FINDLEY: Well, maybe -- I will admit my
17 eyes seem to be --

18 BOARD MEMBER DAWKINS: It's still 21 something.

19 BOARD MEMBER FINDLEY: Yes. What is this dimension
20 right here?

21 BOARD MEMBER DAWKINS: Twenty-one something.

22 MR. GIANNOPOULOS: You're right. This is the corner,
23 this is the deck.

24 BOARD MEMBER FINDLEY: Agreed. But it's still the
25 corner of the house. Even if the deck is ten feet, it's

1 - RE: TOMMY GIANNOPOULOS -

2 about emergency access; correct?

3 CHAIRMAN MORDAS: Yes. I'm not exactly sure,
4 but if I was to make a guess, it would be for fire safety
5 concerns, and also vehicular access.

6 BOARD MEMBER FINDLEY: That's exactly where it comes
7 from. It comes from the fire code, yes.

8 CHAIRMAN MORDAS: And I have a concern about the -- I
9 mean he's right on with the current shed. If the narrow
10 dimension of the shed is wider than the existing shed he
11 might have to pull this shed a little out, closer to the
12 street --

13 BOARD MEMBER FINDLEY: How big is that --

14 CHAIRMAN MORDAS: -- to keep that ten foot distance.

15 BOARD MEMBER FINDLEY: How big is that current shed?
16 I mean I did drive by this morning or this afternoon. I
17 didn't notice how -- I didn't measure the shed.

18 BOARD MEMBER DAWKINS: It's not a big shed.

19 BOARD MEMBER FINDLEY: That is not -- maybe from the
20 back it is.

21 BOARD MEMBER MORREALE: Yes.

22 BOARD MEMBER FINDLEY: You're on the lake there;
23 right?

24 BOARD MEMBER MORREALE: That's coming off the road. I
25 think that's where he had his shed.

1 - RE: TOMMY GIANNOPOULOS -

2 MS. PLATT: If you want it in the minutes, talk
3 louder.

4 BOARD MEMBER DAWKINS: Kent, the property next door
5 that this shed is abutting is a 15 foot easement so there
6 is no structure there. I just point that out just from the
7 perspective of access to the back of the house would always
8 be accessible through that 15 foot easement. The property
9 is a 15 foot wide property.

10 CHAIRMAN MORDAS: Kent, the existing shed is 10 by 12.

11 BOARD MEMBER FINDLEY: Ten by twelve.

12 CHAIRMAN MORDAS: All right. So the narrow wall of
13 the new shed is going to be six foot wider than the
14 narrower wall of your existing shed.

15 MR. GIANNOPOULOS: Well, that could come up a little
16 bit if I had to. I still have plenty of room.

17 BOARD MEMBER DAWKINS: Have you considered attaching
18 it?

19 MR. GIANNOPOULOS: Yeah, I did, but, you know, it
20 would be like an eyesore. I figured if it's something
21 nice, I could do both at once. That's the idea.

22 MR. HAND: Can you please talk in the mic? We can't
23 hear anything back here, absolutely nothing. All we hear
24 is mumbling.

25 BOARD MEMBER FINDLEY: I think you can -- all right.

1 - RE: TOMMY GIANNOPOULOS -

2 MS. PLATT: They're all working.

3 CHAIRMAN MORDAS: Can we turn up the PA system in the
4 cage there?

5 BOARD MEMBER DAWKINS: So as I understand it, when I
6 looked at the property and when I look at the picture that
7 you've given us --

8 MR. GIANNOPOULOS: Right.

9 BOARD MEMBER DAWKINS: -- when you come in on the
10 driveway and then you make the left-hand turn --

11 MR. GIANNOPOULOS: Right.

12 BOARD MEMBER DAWKINS: -- the driveway is split by two
13 trees.

14 MR. GIANNOPOULOS: Right.

15 BOARD MEMBER DAWKINS: So there's a half of the
16 driveway that's closest to the house and then half that's
17 closest to the road.

18 MR. GIANNOPOULOS: Right.

19 BOARD MEMBER DAWKINS: Will the entrance to the new
20 garage flow from the part that flows to the road.

21 MR. GIANNOPOULOS: Yes, yes. That will go straight
22 in.

23 BOARD MEMBER DAWKINS: Straight in.

24 MR. GIANNOPOULOS: Yes.

25 BOARD MEMBER DAWKINS: And are you going to leave

1 - RE: TOMMY GIANNOPOULOS -

2 those two evergreen trees there?

3 MR. GIANNOPOULOS: If I have to, I will leave them.
4 I'd like to leave them.

5 BOARD MEMBER DAWKINS: And I think there's a oak.

6 BOARD MEMBER FINDLEY: Your driveway is gravel;
7 correct?

8 MR. GIANNOPOULOS: Asphalt.

9 BOARD MEMBER DAWKINS: Asphalt.

10 BOARD MEMBER FINDLEY: And this stone patio down here,
11 I know it says stone, but is it stone with --

12 BOARD MEMBER DAWKINS: Is it bluestone or --

13 BOARD MEMBER FINDLEY: -- grout?

14 MR. GIANNOPOULOS: No, no grout.

15 BOARD MEMBER FINDLEY: Describe it.

16 MR. GIANNOPOULOS: Just basically stone with -- the
17 fill is just dirt. There's no grout, no cement. That's
18 been there over 30 years.

19 BOARD MEMBER DAWKINS: Would we want to take public
20 comment, Matt?

21 CHAIRMAN MORDAS: If the Board doesn't mind taking a
22 little break from their questions we'll start the public
23 comments.

24 BOARD MEMBER DAWKINS: And then we can come back after
25 public comment.

1 - RE: TOMMY GIANNOPOULOS -

2 CHAIRMAN MORDAS: Absolutely.

3 All right. Please, sit down, relax a little bit.

4 (Mr. Giannopoulos complied.)

5 CHAIRMAN MORDAS: Kyra.

6 MS. PLATT: The notices, the numbers match, and we
7 have the newspaper advertisement.

8 CHAIRMAN MORDAS: Thank you very much.

9 MS. PLATT: You're welcome.

10 CHAIRMAN MORDAS: And do we have a list of names?

11 (Ms. Platt produced the sign-in sheet.)

12 CHAIRMAN MORDAS: All right. All these names are for
13 the ...

14 MS. PLATT: Tommy Giannopoulos.

15 CHAIRMAN MORDAS: Okay. Is that Knoll?

16 MS. PLATT: K-N-O-L-L.

17 CHAIRMAN MORDAS: Diane Knoll, please step up and
18 state your peace.

19 MS. KNOLL: Hello. I'm Diane Knoll. I'm at
20 76 North Shore, across the street from the property
21 question.

22 I couldn't hear a thing back there, but what he is
23 asking for as far as the size of the garage. I understand
24 he's replacing what's there with a structure that's going
25 to be 18 feet by something.

1 - RE: TOMMY GIANNOPOULOS -

2 CHAIRMAN MORDAS: It's actually going to be 28 by 16
3 by 20.

4 BOARD MEMBER MORREALE: Here's a picture of it.

5 MS. KNOLL: May I?

6 BOARD MEMBER MORREALE: It's not an exact rendering of
7 what he plans, but very similar to that.

8 BOARD MEMBER FINDLEY: And this is also the --

9 MS. KNOLL: Configuration.

10 BOARD MEMBER FINDLEY: -- configuration, the
11 prescribed footprint.

12 MS. KNOLL: So being --

13 BOARD MEMBER FINDLEY: This is the front of the house.

14 BOARD MEMBER DAWKINS: It will be a one-car garage
15 driving in from the driveway. And then the L would be
16 storage and/or workshop.

17 MS. KNOLL: So what is the total square footage of the
18 buildings on that property, including that new shed? The
19 house, plus the garage would be a total of what square
20 footage?

21 CHAIRMAN MORDAS: I forgot who figured out the square
22 footage at the last meeting. Was it you, Kent?

23 BOARD MEMBER FINDLEY: Well, we figured out the square
24 footage of the shed, I believe. But the house with the
25 front porch is basically 40 by 40, so it's 1600 square

1 - RE: TOMMY GIANNOPOULOS -

2 feet.

3 BOARD MEMBER DAWKINS: And the garage is 464 is what
4 we came up with.

5 BOARD MEMBER FINDLEY: Yes.

6 CHAIRMAN MORDAS: All right. And there's going to be
7 no second story so it's all footprint, 464 square feet.

8 BOARD MEMBER FINDLEY: But I do have questions about
9 the decks in the back.

10 MS. KNOLL: Well, also, a structure on that property
11 is a boat house which is also included in the square
12 footage in the building.

13 BOARD MEMBER FINDLEY: There's another shed in back
14 there, which I was going to ask how many square feet that
15 is or how big it is. I can't tell when I'm looking at it.

16 MS. KNOLL: Well, my biggest concern, I do live,
17 year-round, across the street. Right now, as it stands, he
18 has a light that stays on 24/7 that shines in my house. I
19 can only imagine with a bigger garage that he's going to
20 have a bigger light, that it's going to impinge on my
21 privacy, so to speak, with the lights.

22 Also, for the last five years I have had a bone of
23 contention with this gentleman about snow plowing. Every
24 year his snow plow guy piles the snow across the street
25 into my gardens, and I've asked him, repeatedly, not to do

1 - RE: TOMMY GIANNOPOULOS -

2 this. So my question is if he's taking away his driveway
3 space, where is he going to be putting the snow?

4 BOARD MEMBER FINDLEY: What do you -- putting his
5 what?

6 MS. KNOLL: Snow.

7 BOARD MEMBER FINDLEY: His snow. Okay. I missed that
8 part.

9 MS. KNOLL: That's it. Thank you very much.

10 CHAIRMAN MORDAS: Thank you, Diane.

11 All right. Next on the list is Mr. Alonso Hand.

12 MR. HAND: I have no questions, but I didn't
13 understand a word the guy said up there, so I have no idea
14 what he said.

15 CHAIRMAN MORDAS: Do you have anything you want to add
16 withstanding that you didn't hear what he said?

17 MR. HAND: Is it my understanding that the shed is six
18 feet, the garage is six feet wider than the shed that he
19 has now?

20 CHAIRMAN MORDAS: On the narrowest portion of the
21 wall. It's an L-shaped building. So closer to the road,
22 that side is 20 feet wide. As you get closer to the house,
23 that side is, I believe 16 feet wide. Is that correct?

24 MR. HAND: But does that give a ten foot space between
25 the house and the L shape of the garage?

1 - RE: TOMMY GIANNOPOULOS -

2 CHAIRMAN MORDAS: We would insist on maintaining that
3 ten foot space. It's got to be that.

4 MR. HAND: Okay. All right.

5 Is there a second story on this garage?

6 CHAIRMAN MORDAS: I don't believe so.

7 Do you have a picture to show Mr. Hand?

8 (Mr. Hand approached the Board.)

9 BOARD MEMBER FINDLEY: If you flip the next two pages
10 it'll show you the footprint, a rendering.

11 BOARD MEMBER DAWKINS: It will have electric and no
12 plumbing.

13 MR. HAND: No electric or plumbing?

14 BOARD MEMBER DAWKINS: No. It will have electric, but
15 no plumbing.

16 MR. HAND: All right. No outhouse, right?

17 All right. Thank you.

18 CHAIRMAN MORDAS: I hope not.

19 Okay. Mr. Chris Leser, would you care to speak at
20 all?

21 MR. LESER: I'm No. 5 on Camp Echo.

22 CHAIRMAN MORDAS: All right. Okay.

23 MR. LESER: Thank you.

24 CHAIRMAN MORDAS: Any further questions from the Board
25 for Mr. Giannopoulos?

1 - RE: TOMMY GIANNOPOULOS -

2 MR. FOWLER: Mr. Chairman, Mr. Chairman. Sorry. I
3 didn't realize I needed to sign in. I have a request.

4 CHAIRMAN MORDAS: Do you have anything you would like
5 to say, Mr. Fowler?

6 MR. FOWLER: I do.

7 CHAIRMAN MORDAS: Please approach the dais.

8 (Mr. Fowler complied.)

9 CHAIRMAN MORDAS: Please state your ...

10 MR. FOWLER: Mark Fowler. I'm with Post 4947, VFW
11 Post 4947.

12 It seems we are in absence of certain protocols.
13 Didn't realize I needed to be on the agenda in order to
14 make a request of the Zoning Board this evening, so thank
15 you for hearing me. What our request is is a variance on
16 one of the --

17 CHAIRMAN MORDAS: Mr. Fowler, I thought you had
18 something to comment on this applicant.

19 MR. FOWLER: I'm sorry.

20 CHAIRMAN MORDAS: Would you be so kind as to be
21 patient? When we're done with this applicant we will slot
22 you in to give your presentation.

23 MR. FOWLER: Okay. New issue. Okay, very good.

24 CHAIRMAN MORDAS: I just want to keep everybody
25 focused on the situation at hand right now --

1 - RE: TOMMY GIANNOPOULOS -

2 MR. FOWLER: Very good.

3 CHAIRMAN MORDAS: -- Mr. Giannopoulos.

4 MR. FOWLER: Okay.

5 CHAIRMAN MORDAS: So please sit down and when we're
6 done with Mr. Giannopoulos we'll call you up.

7 Any questions for Mr. Giannopoulos?

8 BOARD MEMBER DAWKINS: I have one question. There is
9 nothing on your application, nor on the photograph, about
10 gutters. My concern is that with a structure as close as
11 this would be to the property line that we need to protect
12 the adjacent property owner's property from either runoff
13 from this and/or from snow sliding off the roof. I would
14 be concerned that there would be appropriate guttering and
15 appropriate snow guards or snow shields at least on that,
16 on the property line side of the garage. I would also want
17 to see that that guttering would provide, and I don't know
18 the proper terminology, a downspout that could be buried
19 and would move that water into your own yard rather than
20 onto the property of the neighbor.

21 MR. GIANNOPOULOS: I have no problem with that.

22 BOARD MEMBER DAWKINS: Okay. Thank you.

23 BOARD MEMBER FINDLEY: In addition, what about an
24 overhang? Is there an overhang on that side?

25 MR. GIANNOPOULOS: No, there's no overhang.

1 - RE: TOMMY GIANNOPOULOS -

2 BOARD MEMBER FINDLEY: There's zero overhang.

3 BOARD MEMBER DAWKINS: So the measurement from the
4 property line to the structure would count to the overhang.

5 BOARD MEMBER FINDLEY: Right.

6 BOARD MEMBER DAWKINS: Is that what --

7 BOARD MEMBER FINDLEY: I'm getting at --

8 CHAIRMAN MORDAS: I see a little bit of a soffit
9 there. I don't know. It looks maybe like a half foot or
10 something.

11 BOARD MEMBER FINDLEY: Well, that is on the front
12 side.

13 BOARD MEMBER DAWKINS: I'm guessing that the back of
14 the garage would look like that, but both guttering and
15 the snow shield.

16 BOARD MEMBER MORREALE: And another concern, you have
17 to be able to maintain the structure without trespassing on
18 your neighbor's property.

19 MR. GIANNOPOULOS: Well, yeah, definitely, sure.

20 BOARD MEMBER MORREALE: I mean --

21 CHAIRMAN MORDAS: How close are you looking to put
22 this to the easement boundary?

23 MR. GIANNOPOULOS: A couple of feet off, a foot and a
24 half.

25 CHAIRMAN MORDAS: What would be standard in regards

1 - RE: TOMMY GIANNOPOULOS -

2 to --

3 BOARD MEMBER DAWKINS: He just said a foot and a half.

4 CHAIRMAN MORDAS: Is 18 inches enough in regards to
5 maintenance?

6 BOARD MEMBER MORREALE: I think in the past we've
7 talked about two feet. Now, you have some lake property.

8 CHAIRMAN MORDAS: I have concerns about the proximity
9 to the house after viewing the existing shed. I don't
10 know. I feel uncomfortable about going the down road of
11 issuing variances without really -- I just -- I'd feel more
12 comfortable if this footprint of this building was kind of
13 flagged out for me.

14 BOARD MEMBER DAWKINS: More specifically?

15 CHAIRMAN MORDAS: Yes. And I'm sorry,
16 Mr. Giannopoulos. I know it's time, but I really don't
17 feel comfortable voting on this after my site visit. I was
18 wishing maybe I'd asked this at the previous meeting, that
19 you actually flag out the footprint of your proposed
20 structure.

21 MR. GIANNOPOULOS: If you want, I can do that.

22 CHAIRMAN MORDAS: All right.

23 BOARD MEMBER FINDLEY: We also should be reviewing the
24 development area because it looks to me with the driveway
25 it's really encroaching upon the 25 percent. I mean this

1 - RE: TOMMY GIANNOPOULOS -

2 property is only .3 acres.

3 CHAIRMAN MORDAS: How many acres?

4 BOARD MEMBER FINDLEY: .3 acres --

5 CHAIRMAN MORDAS: Okay.

6 BOARD MEMBER FINDLEY: -- which is something like
7 16,552 square feet. The shed is 452.

8 CHAIRMAN MORDAS: How many square feet is that, Kent?

9 BOARD MEMBER FINDLEY: Approximately 16,552. Don't
10 quote me.

11 MR. GIANNOPOULOS: It's .38 acres.

12 BOARD MEMBER FINDLEY: Yes, .38 acres which is about
13 16,553, 54 something square feet.

14 The house, I did count the front porch because that
15 makes it about 40 by 40. It's 1600 square feet.

16 I'm not sure what this back deck is or this upper
17 deck, but it is possible that that's impervious also.

18 I'm not quite sure how we should handle the stone
19 patio as impervious or not.

20 CHAIRMAN MORDAS: Okay.

21 BOARD MEMBER FINDLEY: And the shed, and then the
22 driveway.

23 So I can see, especially with the driveway, we easily
24 exceed. I think we need to be 4,000, under -- I wrote it
25 down somewhere.

1 - RE: TOMMY GIANNOPOULOS -

2 BOARD MEMBER DAWKINS: Kyra, do you have the tax map
3 printout?

4 BOARD MEMBER FINDLEY: It would need to be about
5 4,130. You have 4,138 square feet for developing. I think
6 with the driveway, we would really be approaching that,
7 especially if we increase the driveway to meet the shed.

8 CHAIRMAN MORDAS: I wasn't even aware that there was a
9 boat house in the back.

10 BOARD MEMBER DAWKINS: Yes, it's down by the road.

11 BOARD MEMBER FINDLEY: A shed, a boat house, I'm not
12 sure what that is exactly.

13 CHAIRMAN MORDAS: Do you know what we're discussing
14 here, Mr. Giannopoulos?

15 MR. GIANNOPOULOS: Yes. I think maybe -- what size do
16 you have for the front deck?

17 BOARD MEMBER FINDLEY: I was going solely by this
18 thing here. And I didn't notice, I think when I was
19 looking at that -- let me get to it here. A lot of pages I
20 keep flipping.

21 On this one page of your application it shows, and
22 maybe it's the back deck. I don't --

23 MR. GIANNOPOULOS: The front deck is 8 by 40.

24 BOARD MEMBER FINDLEY: Yes. I believe it's the front
25 say 12 and the house is 28.

1 - RE: TOMMY GIANNOPOULOS -

2 MR. GIANNOPOULOS: Right.

3 BOARD MEMBER FINDLEY: So I call it 40 by 40 because
4 the width of the house is 40. But there is a back deck
5 here, as I understand from this survey.

6 MR. GIANNOPOULOS: And the back deck is 12 by 40.

7 CHAIRMAN MORDAS: Twelve by?

8 MR. GIANNOPOULOS: Forty.

9 BOARD MEMBER DAWKINS: Forty.

10 BOARD MEMBER FINDLEY: It's too many pages.

11 So you have this back deck. Maybe I was looking at
12 the front deck. But there's two decks is my point.

13 BOARD MEMBER DAWKINS: There's a porch on the road
14 side and there are decks on the lake side.

15 BOARD MEMBER FINDLEY: Are your decks covered?

16 MR. GIANNOPOULOS: The front.

17 BOARD MEMBER FINDLEY: The front is and --

18 MR. GIANNOPOULOS: The porch.

19 BOARD MEMBER DAWKINS: The roadside porch is covered.

20 MR. GIANNOPOULOS: Right.

21 BOARD MEMBER DAWKINS: The lake side decks are or are
22 not?

23 MR. GIANNOPOULOS: Sixteen feet -- twelve feet is
24 covered because we have a balcony on the second floor.

25 BOARD MEMBER FINDLEY: So is there a roof over it?

1 - RE: TOMMY GIANNOPOULOS -

2 MR. GIANNOPOULOS: No.

3 BOARD MEMBER FINDLEY: But the deck is ...

4 BOARD MEMBER DAWKINS: The upper deck covers the lower
5 deck.

6 BOARD MEMBER FINDLEY: Okay. So I'm not even sure how
7 you would necessarily count that. I don't know how you
8 would count the stone patio. But even the blacktop alone
9 might be an issue.

10 Are you going to expand your driveway?

11 MR. GIANNOPOULOS: No. The driveway stays as is.

12 CHAIRMAN MORDAS: Would the new shed encroach on the
13 existing driveway?

14 MR. GIANNOPOULOS: With a car, where the car is going
15 to be.

16 CHAIRMAN MORDAS: That's why it's really important
17 that you flag this out for us, I feel. I hope the rest of
18 the Board.

19 BOARD MEMBER DAWKINS: The development area.

20 CHAIRMAN MORDAS: All right.

21 BOARD MEMBER MORREALE: For the Applicant's benefit, I
22 think we should give him a punch list of things that when
23 he decides the location, ten feet from the nearest
24 structure. You know, give him a little bit of a road map
25 so you don't have to go through another meeting.

1 - RE: TOMMY GIANNOPOULOS -

2 CHAIRMAN MORDAS: All right. So what are you
3 concerned about, Matt?

4 BOARD MEMBER MORREALE: I'm concerned about him being
5 able to maintain the structure without going on his
6 neighbor's property, the overhang Kent brought up and also
7 the emergency vehicle access to the lake side of the home.

8 CHAIRMAN MORDAS: So that's the ten foot separation --

9 BOARD MEMBER MORREALE: Correct.

10 CHAIRMAN MORDAS: -- you're concerned about.

11 BOARD MEMBER MORREALE: Yes.

12 CHAIRMAN MORDAS: Okay.

13 All right. So not to beat a dead horse, but you need
14 some way to flag out the footprint of your proposed
15 structure. I do feel the Board is unanimous in feeling
16 that's important.

17 Do we want to close the public hearing and just
18 extend?

19 BOARD MEMBER FINDLEY: I think we should leave it
20 open.

21 CHAIRMAN MORDAS: Okay. All right.

22 BOARD MEMBER DAWKINS: And I would just point out that
23 I would just encourage you to look, this is very attractive
24 garage, the house is a very attractive house, is there a
25 way to elegantly attach the two structures as one rather

1 - RE: TOMMY GIANNOPOULOS -

2 than having a primary and an accessory because it could
3 achieve bringing the garage in closer to the house, giving
4 us a much better side yard setback and addressing some of
5 the concerns that Matt has had. I don't know if it's
6 feasible. I'm not trying to tell you how do it. I would
7 just say that if you've got an extra month to think about
8 it, if there's a way to do that.

9 MS. PLATT: If he attaches them he'll have to meet the
10 setbacks that a house would require.

11 BOARD MEMBER DAWKINS: So it would be a different
12 variance.

13 BOARD MEMBER FINDLEY: It would be a different
14 variance.

15 BOARD MEMBER DAWKINS: But in some way it would be
16 easier to deal with, that whole ability to maintain the
17 property, and it's the same size structure. I would just
18 encourage you to think about it.

19 CHAIRMAN MORDAS: All right. Okay.

20 Do we have to make a motion to keep the meeting open?

21 MS. WEISS: Yes, you do.

22 CHAIRMAN MORDAS: Okay. A motion to extend the public
23 hearing 'til next month?

24 BOARD MEMBER MORREALE: I'll make that motion.

25 CHAIRMAN MORDAS: Do I have a second?

1 - RE: TOMMY GIANNOPOULOS -

2 BOARD MEMBER DAWKINS: Second.

3 CHAIRMAN MORDAS: All in favor?

4 CHAIRMAN MORDAS: All in favor?

5 BOARD MEMBER DAWKINS: Aye.

6 BOARD MEMBER FINDLEY: Aye.

7 BOARD MEMBER MORREALE: Aye.

8 ALTERNATE BOARD MEMBER FOURNIER: Aye.

9 CHAIRMAN MORDAS: Aye.

10 (The motion was approved and carried.)

11 CHAIRMAN MORDAS: All right. I appreciate your
12 patience, Mr. Giannopoulos. Please help us help you. Flag
13 that building out. I think you can take this weekend off,
14 but soon after that ...

15 MR. GIANNOPOULOS: So you want me to flag it?

16 CHAIRMAN MORDAS: Yes. Paint it, chalk it --

17 MR. GIANNOPOULOS: All right.

18 CHAIRMAN MORDAS: -- on the grass. Put some kind of
19 marker so we get a basic idea of the setting of this
20 building. It'll give us time to do a more thorough job in
21 calculating --

22 MR. GIANNOPOULOS: All right. I'll have it by the
23 following weekend.

24 CHAIRMAN MORDAS: -- the density that Kent brought up.

25 BOARD MEMBER FINDLEY: I would also like our counsel

1 - RE: TOMMY GIANNOPOULOS -

2 to give us a little guidance if stone patios are
3 impervious, considered impervious.

4 MS. WEISS: It would depend on how impervious the
5 stone is. What kind of stone is it?

6 MR. GIANNOPOULOS: So basically, the stone, it's just
7 stone. There's no border and there's no cement. They're
8 just filled with dirt.

9 BOARD MEMBER DAWKINS: Is it natural stone?

10 MR. GIANNOPOULOS: Yes, it's natural.

11 BOARD MEMBER DAWKINS: Yes, natural stone.

12 MR. GIANNOPOULOS: Natural from the property.

13 Basically, it absorbs the water. I never had a water
14 issue.

15 MS. WEISS: I would say that it probably counts as
16 impervious surface. I cannot say a hundred percent, but I
17 will review that and talk with Steve more about it. That's
18 an issue that can be discussed at the next meeting.

19 MR. GIANNOPOULOS: All right.

20 CHAIRMAN MORDAS: And Steve is our usual attorney.

21 MS. WEISS: Yes. I'm sorry.

22 MR. GIANNOPOULOS: I'll have it flagged by the
23 following weekend, and then we go from there.

24 CHAIRMAN MORDAS: Thank you, Mr. Giannopoulos.

25 MR. GIANNOPOULOS: Whatever it is, it is.

1 - RE: TOMMY GIANNOPOULOS -

2 CHAIRMAN MORDAS: Any more additions before --

3 BOARD MEMBER FINDLEY: Well, how will we know it's
4 flagged? Is Kyra going to send us an e-mail and say, Oh,
5 it's flagged now, go look if you want?

6 MR. GIANNOPOULOS: I'll have it flagged by the
7 following weekend. How's that?

8 BOARD MEMBER FINDLEY: All right. And we can just ...

9 MR. GIANNOPOULOS: Yeah, you can go there. You be
10 okay to go there.

11 BOARD MEMBER FINDLEY: Okay.

12 CHAIRMAN MORDAS: Thank you very much.

13 MR. GIANNOPOULOS: I'll have it by the following week.

14 CHAIRMAN MORDAS: Mr. Giannopoulos, can we keep this?

15 MR. GIANNOPOULOS: Yeah, you can keep it. I have
16 another copy.

17 CHAIRMAN MORDAS: Thank you. All right.

18 BOARD MEMBER FINDLEY: You have a question.

19 CHAIRMAN MORDAS: Please, come on up.

20 BOARD MEMBER DAWKINS: You had a question, Kent?

21 BOARD MEMBER FINDLEY: No.

22 MS. KNOLL: I'm not really sure what your job is or
23 even what my position is.

24 With in regards to if this goes through with the
25 lighting, is there anything that I can be assured of and

1 - RE: TOMMY GIANNOPOULOS -

2 you can assure me that any outdoor lights that he has are
3 not going to be infringing upon me? How do I go about
4 that?

5 CHAIRMAN MORDAS: Even though I can relate to what
6 you're saying because I've lived through that situation
7 myself, unfortunately, the Board doesn't have much say
8 other than possibly making suggestions in regards to any
9 lighting attached to the shred. Maybe we can make some
10 kind of recommendation or condition.

11 BOARD MEMBER FINDLEY: I'm not a hundred percent sure,
12 but you might be able to look in the code. There might
13 actually be something --

14 CHAIRMAN MORDAS: We'll look into it.

15 MS. KNOLL: Thank you.

16 BOARD MEMBER FINDLEY: -- about the lighting.

17 CHAIRMAN MORDAS: But as far as the situation that's
18 been occurring over the years as to what you're saying, we
19 really have no power over that.

20 MS. KNOLL: I understand that. Who does have the
21 power for that?

22 MS. WEISS: It would be a building code enforcement
23 issue at this point where it was impeding on your personal
24 welfare. That's something you could contact the Building
25 Inspector about. It would be up to his discretion as to

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- RE: TOMMY GIANNOPOULOS -

what he wanted to do about the matter. Like he said, they would have to look at the code more to see if there is a provision we could hook on to other than just a general public welfare.

MS. KNOLL: Thank you.

CHAIRMAN MORDAS: All right.

MS. WEISS: I apologize. I didn't know the Building Inspector was a woman.

(Time noted: 7:31 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 Tommy Giannopoulos, 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: June 21, 2019

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COUNTY OF SULLIVAN : TOWN OF MAMAKATING
ZONING BOARD OF APPEALS

----- X

VFW Post 4947

----- X

Town Hall
Town of Mamakating
May 23, 2019
7:31 P.M.

ZONING BOARD MEMBERS :

- MATTHEW MORDAS, Chairman
- CATHY DAWKINS, Board Member
- GEORGIA RAMPE, Board Member
- KENT FINDLEY, Board Member
- MATTHEW MORREALE, Board Member
- JON FOURNIER, Alternate Board Member
- MARISSA WEISS, ESQ., Attorney
- MARY GRASS, Building Department

Also Present: Mark Fowler, Applicant

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

Reported by: Rosemary A. Meyer

1 - RE: VFW POST 4947 -

2 CHAIRMAN MORDAS: All right. Mr. Fowler, we have some
3 gentlemen on the agenda that are being paid very well to be
4 here. Please state your case and be as brief as possible.

5 MR. FOWLER: Okay. Once again, Mark Fowler, VFW Post
6 4947.

7 We are attempting, and we're finding out where we
8 don't have our protocols all in order because I don't know
9 what's proper. Okay?

10 So what we're basically requesting and what I'm asking
11 if there's any chance that the Zoning Board would give us a
12 variance on a storage shed. And we're looking at a trailer
13 bed. Now, I understand that's against the ordinance.

14 We are parked on VFW Road, well off in the trees, the
15 old O and W Railroad Station --

16 CHAIRMAN MORDAS: Old railroad.

17 MR. FOWLER: -- so we're pretty much off the beaten
18 path. And where we intended to stage this trailer bed was
19 on the other side of our barbecue pit. If anybody has ever
20 been up there, that's also in the trees. So I guess the
21 basic bottom line is educate me on your protocol if there
22 is a chance that the Board may give us a variance and
23 authorize this storage shed.

24 CHAIRMAN MORDAS: I really can't answer that.

25 BOARD MEMBER DAWKINS: I think what if we talked about

1 - RE: VFW POST 4947 -

2 what we have talked about in the past that's a matter of
3 record. We have been asked in the past, by applicants,
4 whether or not they could use trailer bodies as storage on
5 at least two occasions that I'm aware of since I've been on
6 the Board. Do you want to talk about the history?

7 CHAIRMAN MORDAS: It's hasn't been a good history.
8 Myself, as a voting member of this board, don't look
9 favorably upon the use of using trailer bodies or cargo
10 containers as storage sheds for residences or facilities.
11 It's pretty much against the code. I try to be as
12 consistent as possible in those regards. But like I said,
13 I'm said only one vote.

14 BOARD MEMBER DAWKINS: I would say the two instances
15 that I can recall where we've addressed this issue were
16 both instances where the trailer bodies were not visible
17 from the road and in both instances we declined to give a
18 variance.

19 I agree with Matt, that I would be loath to be unfair
20 in how we treat different residents of the town.

21 MR. FOWLER: So there may be a possibility that we'll
22 get the variance?

23 CHAIRMAN MORDAS: It depends how everybody votes.

24 MR. FOWLER: Okay.

25 Now, so, do I need to request to be on the next

1 - RE: VFW POST 4947 -

2 agenda --

3 CHAIRMAN MORDAS: I would talk to Kyra.

4 MR. FOWLER: -- to push forward with the official? I
5 want to do this the right thing.

6 And believe me, what I'm trying to do is keep --

7 CHAIRMAN MORDAS: Listen, if you're going to hit the
8 ball you've got to step into the batter's box. Talk to
9 Kyra and we'll see what happens.

10 You've heard from two out of five voting members. No
11 one spoke else up.

12 MR. FOWLER: I appreciate it.

13 CHAIRMAN MORDAS: We're all different people. We all
14 interpret the codes. Sometimes we're in unanimity, other
15 times we have different opinions on things.

16 MR. FOWLER: Okay.

17 CHAIRMAN MORDAS: Feel free to set it up for the next
18 meeting.

19 MR. FOWLER: Okay.

20 CHAIRMAN MORDAS: Talk to Kyra.

21 MR. FOWLER: Okay. Very good. Thank you very much
22 for your time.

23 CHAIRMAN MORDAS: Thank you.

24 MR. FOWLER: And remember Memorial Day weekend is fast
25 approaching. We're going to be out there, especially

1 - RE: VFW POST 4947 -

2 Monday. Parade, Wurtsboro.

3 CHAIRMAN MORDAS: Thank you very much, Mr. Fowler.

4 MR. FOWLER: Summitville is another.

5 CHAIRMAN MORDAS: What's Summitville?

6 MR. FOWLER: Summitville is 12 o'clock.

7 CHAIRMAN MORDAS: At the firehouse.

8 MR. FOWLER: Thank you very much.

9 (Time noted: 7:36 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 VFW Post 4947, 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: June 22, 2019

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COUNTY OF SULLIVAN : TOWN OF MAMAKATING
ZONING BOARD OF APPEALS

----- X
Camp Echo (Shab Holdings LLC)
Height Variance - Public Hearing
Tax Map Section 10; Block 1; Lot 50.1
Burlingham Residential Zone
----- X

Town Hall
Town of Mamakating
May 23, 2019
7:37 P.M.

ZONING BOARD MEMBERS :

- MATTHEW MORDAS, Chairman
- CATHY DAWKINS, Board Member
- GEORGIA RAMPE, Board Member
- KENT FINDLEY, Board Member
- MATTHEW MORREALE, Board Member
- JON FOURNIER, Alternate Board Member
- MARISSA WEISS, ESQ., Attorney
- MARY GRASS, Building Department

Also Present: Larry Marshall, P.E.
On Behalf of Applicant

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

Reported by: Rosemary A. Meyer

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -

2 CHAIRMAN MORDAS: All right. Next on the agenda is a
3 public hearing for Camp Echo.

4 You're Mr. Marshall?

5 MR. MARSHALL: Yes, sir.

6 BOARD MEMBER FINDLEY: Are you going to have a vote to
7 open the public hearing?

8 BOARD MEMBER DAWKINS: We're not ready yet.

9 MR. MARSHALL: Oh, okay. Go ahead.

10 CHAIRMAN MORDAS: Well, let's do it.

11 First off, were the mailings done correctly, local
12 postmark?

13 MS. PLATT: They were correct

14 CHAIRMAN MORDAS: Excellent.

15 BOARD MEMBER DAWKINS: And what was the postmark date?

16 MS. PLATT: May 16th.

17 BOARD MEMBER DAWKINS: Thank you.

18 CHAIRMAN MORDAS: Do I have a motion to open the
19 public hearing?

20 BOARD MEMBER RAMPE: I make a motion.

21 BOARD MEMBER DAWKINS: I'll second it.

22 CHAIRMAN MORDAS: All in favor?

23 CHAIRMAN MORDAS: All in favor?

24 BOARD MEMBER DAWKINS: Aye.

25 BOARD MEMBER RAMPE: Aye.

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -

2 BOARD MEMBER FINDLEY: No.

3 BOARD MEMBER MORREALE: No.

4 CHAIRMAN MORDAS: Aye.

5 (The motion was approved and carried.)

6 CHAIRMAN MORDAS: Also, Georgia is back as a voting
7 member and Jon Fournier is back to an alternate.

8 Please proceed.

9 MR. MARSHALL: Sure.

10 Good evening. I'd like to first thank the Board for
11 seeing this application on very quick notice. I appreciate
12 all the accommodations that the Board and the Town have
13 made in this application.

14 This application is for a height variance for a
15 proposed pavilion to be installed over top of existing
16 tennis courts found in the Camp Echo site. This
17 application has been before the Planning Board for numerous
18 months and it was just discovered at the last Planning
19 Board meeting that the proposed pavilion requires a
20 variance for the overall height.

21 To bring the Board up to speed, we provided some
22 documentation to the Board for reference, but this is a
23 replacement of a pavilion. It is a new location, as well.
24 But there was a pavilion that was previously destroyed by
25 the localized tornadoes that we had in 2018. There was a

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 pavilion that was located on the southerly side of the main
3 access drive that accessed, that you drive into Camp Echo.
4 It's labeled on your site plan as the hockey rink. There
5 was a pavilion that was over top of that. It was
6 constructed back in 2002. That fell down during the
7 hurricane. It has since been removed. They didn't rebuild
8 it last year because they just didn't have time. They had
9 lost several bunks in the storm event. They were more
10 focused on residences than the pavilion. But they are
11 back. They presented this in front of the Planning Board
12 back at the January and February meetings. Like I said, we
13 said, the Board had just realized that the pavilion itself
14 required a variance.

15 We are requesting a seven and a half foot height
16 variance as the new pavilion is approximately 22 and a half
17 feet in height in accordance with your code definition for
18 building height. The old pavilion that was previously
19 destroyed was 23 and a half feet in height, so this is a
20 foot shorter in elevation than the previous one. It's of
21 similar size. This one is a little bit larger than the
22 previous one. But --

23 BOARD MEMBER DAWKINS: Could you give us the old and
24 new dimensions, please?

25 MR. MARSHALL: Sure. The old dimensions were 70 foot

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 by 104 foot and this is 100 foot by 144 foot.

3 BOARD MEMBER DAWKINS: Wow.

4 BOARD MEMBER MORREALE: In the documents that we have
5 it shows 26 feet.

6 MR. MARSHALL: Okay. So if I could, I'd like to
7 provide the Board with -- there were some requests for some
8 old information as far as photographs of the old pavilion.
9 Included in here is the old building, the actual building
10 permit, the building plans for the old pavilion, some
11 photographs of the pavilion after it was destroyed and then
12 some photographs of --

13 BOARD MEMBER FINDLEY: His question --

14 MR. MARSHALL: I'll get to that.

15 BOARD MEMBER FINDLEY: Okay.

16 MR. MARSHALL: I'll get to it. I'd just like to
17 provide the Board with all the documentation, if you
18 wouldn't mind.

19 And some photographs of the pavilion as it stood back
20 in February of 2018.

21 BOARD MEMBER DAWKINS: So it was built in '02?

22 BOARD MEMBER FINDLEY: '02, yes.

23 BOARD MEMBER DAWKINS: And did they get a variance at
24 that time?

25 MR. MARSHALL: Not that I'm aware of. I cannot say

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 for sure. We were not representatives of the --

3 CHAIRMAN MORDAS: Your client bought this in 2007?

4 MR. ROSENBLUTH: 2008.

5 MR. MARSHALL: That's Scott Rosenbluth for the camp.

6 So regarding the overall height, it is my
7 understanding that the Town of Mamakating Zoning Code
8 defines height as the mean distance between the peak and
9 the eave of a roof. So yes, the overall height of this
10 proposed building is 26 and a half feet, but the eave is 18
11 feet so when you go median distance between the peak and
12 the eave, we have an overall height of actually 22 and a
13 quarter feet which is the variance that we're requesting,
14 seven and a half.

15 And then similarly, the building permit for the
16 previous pavilion, we had an overall height of 32 and a
17 half feet for the pavilion that was lost and an eave height
18 of 14 and a half feet.

19 CHAIRMAN MORDAS: You said 32? I thought you said 23
20 and a half for the old.

21 BOARD MEMBER DAWKINS: That was according to the code,
22 the average.

23 MR. MARSHALL: Yes.

24 BOARD MEMBER DAWKINS: Say it again.

25 MR. MARSHALL: Yes. The zoning code defines building

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 height as the median distance between the peak and the eave
3 of a roofline, so it's the median roofline level. It's not
4 to the peak itself, it's not to the eave. It's actually
5 midline distance in between. So when we look at it, yes,
6 the building height can exceed. The overall peak of the
7 roof can exceed the variance that we're asking for just
8 because of the definition in the code.

9 So in utilizing that definition, in your zoning code
10 the old pavilion had a height of 23 and a half, using that.
11 But it's also 32 and a half feet to the peak. We're about
12 six feet lower in overall peak height, but in definition of
13 height of building, we're about --

14 BOARD MEMBER DAWKINS: So the peak is 26 and a half?
15 Am I correct in that?

16 MR. MARSHALL: Yes. Yes, 26 and a half.

17 BOARD MEMBER FINDLEY: What is the height of the other
18 structures on this property?

19 MR. MARSHALL: They vary in height. It's difficult
20 for me to answer that because there's a significant number
21 of structures.

22 BOARD MEMBER FINDLEY: And --

23 MR. MARSHALL: Individual bunkhouses are generally
24 confined to 15 feet. But the larger facilities like the
25 Olympic hall, the health center and the cafeteria are

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 higher than 15 feet. They all are significant in age and
3 have been there for a long time.

4 BOARD MEMBER FINDLEY: And why wasn't the structure
5 that was destroyed rebuilt? I mean you can do that without
6 anything; right? They still could do it; correct? I mean
7 they have two years, right, if something is destroyed by
8 natural weather?

9 MR. MARSHALL: Why wasn't it rebuilt in the same
10 location?

11 BOARD MEMBER FINDLEY: Yes.

12 MR. MARSHALL: So because of the number of rain events
13 that we've been experiencing lately, there's a need to get
14 the children in the camp outside. What they found was
15 having the pavilion over top of a hockey rink didn't really
16 provide them with a central location to house the children
17 during rain events. Basically, Olympic hall is a location
18 that the kids gather during inclement weather and they hold
19 events there. So by having the proposed pavilion over top
20 of the tennis court which is right adjacent to that, it's a
21 much shorter walk than going across the street to the
22 hockey rink. It keeps everything a little bit closer
23 together.

24 BOARD MEMBER DAWKINS: So I'm looking at the
25 photograph and it looks to me like -- I don't know. When I

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 read this in your document it sounded like you were
3 building sort of a sports pavilion. Or is this more of a
4 meeting pavilion?

5 And it also looks like, from the pictures of the old
6 pavilion, that it was heavily used for storage, as well.

7 MR. MARSHALL: Sure. The photographs that we provided
8 you regarding the existing pavilion, the previous pavilion,
9 not the ones that show it destroyed but the other ones,
10 were from February.

11 BOARD MEMBER DAWKINS: Yes.

12 MR. MARSHALL: So yes, it was used for --

13 BOARD MEMBER DAWKINS: Off season storage.

14 MR. MARSHALL: -- off season storage. They stored
15 tractors, lawn mowers, things that they didn't want sitting
16 out in the winter weather.

17 BOARD MEMBER DAWKINS: Will that be the case with the
18 new one, as well?

19 MR. MARSHALL: Likely.

20 MR. ROSENBLUTH: Yes.

21 MR. MARSHALL: Yes.

22 BOARD MEMBER DAWKINS: And would you describe this as
23 more of a horse arena or a meeting arena or both?

24 MR. MARSHALL: It's an open-sided pavilion.

25 BOARD MEMBER DAWKINS: This is the new one.

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2 MR. MARSHALL: Yes.

3 BOARD MEMBER DAWKINS: Oh, so it's not going to have
4 walls.

5 MR. MARSHALL: No.

6 BOARD MEMBER DAWKINS: Thank you.

7 CHAIRMAN MORDAS: All right. And the tennis courts
8 underneath it, are they going to stay?

9 MR. MARSHALL: Yes, they will.

10 CHAIRMAN MORDAS: Okay.

11 BOARD MEMBER DAWKINS: Okay.

12 MR. MARSHALL: What we described, when we provided a
13 description of it being a sports arena, what we were
14 providing to the Board was the reason why we wanted a --

15 BOARD MEMBER DAWKINS: Height.

16 MR. MARSHALL: -- eave height of 14, as you can see,
17 if you look at some of the -- I don't know if you can see
18 it in the photographs of the old pavilion. There was
19 basketball hoops underneath there, as well as there was
20 also a hockey rink. They wanted a use similar to that, not
21 for hockey but for tennis, and also the ability to put in
22 basketball hoops. Basically, it's a place for -- being a
23 camp facility, during inclement weather it's difficult how
24 to keep the kids active because that's the whole purpose of
25 the summer camp. It's not to sit inside. It's not -- you

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 know, they don't have significant TVs or devices to
3 entertain children, so this allows them that flexibility of
4 having a covered area.

5 BOARD MEMBER DAWKINS: My question, and it's a little
6 bit beyond, I think, our scope, Matt, it's Planning Board
7 scope, I'm pleased that there are no walls on the structure
8 because I would have viewed that as a safety issue for
9 sports, indoor sports. But I do have a little bit of
10 concern about the posts that will be used. But that's up
11 you and the Planning Board, I think.

12 Am I correct, Matt?

13 CHAIRMAN MORDAS: I believe so. And they pretty much
14 have approved this except for the realization that they
15 needed the height variance.

16 MR. MARSHALL: Correct.

17 BOARD MEMBER DAWKINS: I would just call your
18 attention to the fact that everything I read on the
19 Internet said that when you're playing basketball in a
20 structure that has walls or pillars, you need padding
21 because head injuries can and do happen.

22 MR. MARSHALL: Noted.

23 CHAIRMAN MORDAS: I'm sorry, Mr. Marshall. Where was
24 the old pavilion?

25 MR. MARSHALL: If you look on the plan --

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -

2 CHAIRMAN MORDAS: Over the hockey rink?

3 MR. MARSHALL: Yes.

4 CHAIRMAN MORDAS: Okay.

5 MR. MARSHALL: It's over top of that. The hockey rink
6 still exists, it's just no longer a covered hockey rink.

7 CHAIRMAN MORDAS: Okay.

8 BOARD MEMBER DAWKINS: With padding.

9 CHAIRMAN MORDAS: Any further questions from the
10 Board?

11 BOARD MEMBER MORREALE: The height, it's not as high
12 as the old structure; correct?

13 BOARD MEMBER DAWKINS: Correct.

14 MR. MARSHALL: Correct. Based upon -- it's going to
15 be a foot lower in height in accordance with your
16 definition.

17 BOARD MEMBER MORREALE: Correct

18 MR. MARSHALL: And it will also be six feet lower in
19 height to the peak of the roof.

20 BOARD MEMBER MORREALE: Right.

21 BOARD MEMBER DAWKINS: So the calculated height will
22 be a foot lower and the actual height will be six feet
23 lower.

24 MR. MARSHALL: Correct.

25 BOARD MEMBER MORREALE: And the actual perimeter of

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 the pavilion, is it larger?

3 MR. MARSHALL: It is larger.

4 BOARD MEMBER MORREALE: It is.

5 MR. MARSHALL: Yes.

6 BOARD MEMBER DAWKINS: Is your thing that you're
7 showing us show us where this is going to be on the
8 footprint of the property?

9 MR. MARSHALL: Yes. This is the same as what the
10 Board has. For the Board's reference, it's shown in blue
11 on the left-hand side. You can see ...

12 BOARD MEMBER DAWKINS: Okay, I got it.

13 MR. MARSHALL: If you'd like, I can show you in
14 reference to the entire property. It's a little bit harder
15 to see where it is. I apologize for that. But basically,
16 this -- what's shown on the right-hand side, the parcel
17 overview, that's the overall bounds of the property, right
18 here.

19 CHAIRMAN MORDAS: That's the old one; right?

20 MR. MARSHALL: Yes.

21 BOARD MEMBER DAWKINS: And the old one was here?

22 MR. MARSHALL: Right there.

23 CHAIRMAN MORDAS: I'm sorry, Mr. Marshall. The peak
24 of the new structure is 26.5.

25 MR. MARSHALL: Correct.

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2 CHAIRMAN MORDAS: And the peak of the old structure?

3 MR. MARSHALL: Was 32.5.

4 CHAIRMAN MORDAS: 32.5. All right.

5 And the median height is one foot less for the new
6 structure.

7 MR. MARSHALL: Correct.

8 And the old structure was a wood frame structure,
9 probably --

10 CHAIRMAN MORDAS: This will be steel.

11 MR. MARSHALL: This is going to be steel. So
12 hopefully what happened to the last one won't happen with
13 this one.

14 BOARD MEMBER RAMPE: Was that last May that this
15 happened?

16 MR. MARSHALL: Yes; May 2018, yep.

17 BOARD MEMBER FINDLEY: In your drawings here on S-5,
18 it shows like there's a basement or some sublevel.

19 MR. MARSHALL: S-5. No, no sublevel.

20 CHAIRMAN MORDAS: All right. So there's going to be a
21 slab foundation.

22 MR. MARSHALL: So what happens, along the rear,
23 basically the northwest corner of the proposed building the
24 grade drops down. So what the architect has designed is
25 essentially a foundation wall. So the piers, you can see

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 all the piers, and that's Mr. Findley, as you pointed out,
3 that's what's shown on the end wall elevation, 3 S-6. And
4 4 S-5, the side elevation, as it steps down, that's nothing
5 more than a stepped footing to provide the proper
6 foundation for that corner. So instead of requiring about
7 five feet of fill in the northwest corner of the proposed
8 pavilion, they're going to put up a foundation wall.

9 BOARD MEMBER DAWKINS: So where that rear foundation
10 wall is and where there's a drop off, how high is the
11 foundation wall again?

12 MR. MARSHALL: At its highest point it will be about
13 four to five feet.

14 CHAIRMAN MORDAS: Is that going to be filled in or is
15 it going to be air?

16 MR. MARSHALL: I'm sorry.

17 CHAIRMAN MORDAS: Behind the drop wall, retaining
18 wall, foundation, is that going to be air space or is that
19 going to be filled with material?

20 MR. MARSHALL: There will be a portion of it that is
21 filled in, but it will be, you know, somewhat elevated.
22 And then they'll put the proper railings on in that area of
23 the pavilion.

24 BOARD MEMBER DAWKINS: So it will be protected. There
25 will be fencing, there will be railings.

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2 MR. MARSHALL: Yes.

3 BOARD MEMBER DAWKINS: So when the kids come screaming
4 from shooting their baskets it's going to be high enough
5 that they can't ...

6 BOARD MEMBER FINDLEY: So there is a lower area.
7 Where is that area in this footprint?

8 BOARD MEMBER DAWKINS: The northwest, he said. The
9 northwest corner.

10 MR. MARSHALL: There's no --

11 CHAIRMAN MORDAS: I mean this isn't going to be a
12 basement or anything. There's no entranceway to it?

13 MR. MARSHALL: No. It's nothing more than what you
14 would see, like a foundation. If you were building a slab
15 on grade house and you had a grade drop, they dropped the
16 footings down to meet all the necessary frost levels and
17 those --

18 CHAIRMAN MORDAS: Sure.

19 MR. MARSHALL: This is actually a stepped footing that
20 you would see, a foundation. And then they backfill the
21 inside and then put in footings, finish grade on the
22 inside. On the outside it would be backfilled.

23 CHAIRMAN MORDAS: I just want to make sure it's not
24 going to be a basement or anything.

25 MR. MARSHALL: No basement.

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2 CHAIRMAN MORDAS: Okay.

3 BOARD MEMBER FINDLEY: Will there be any second
4 levels?

5 MR. MARSHALL: Not for this, no.

6 BOARD MEMBER DAWKINS: So this fencing, I'm back to
7 safety issues. This fencing on that northwest end where
8 you're going to have to raise the footing, what kind of
9 safety do you have to protect the children from going over
10 the edge?

11 MR. MARSHALL: It'll meet all required building --

12 CHAIRMAN MORDAS: I think the Planning Board is --

13 BOARD MEMBER DAWKINS: I understand.

14 MR. MARSHALL: That's a building code issue so there
15 are --

16 BOARD MEMBER DAWKINS: But it's more of an issue for
17 me.

18 MR. MARSHALL: No, no, no. And understand that this
19 is a camp and a well regarded camp that takes care of the
20 kids.

21 BOARD MEMBER DAWKINS: Yes.

22 MR. MARSHALL: So they're going to make sure that the
23 kids are not -- obviously, with it being a sports facility,
24 you don't want exactly what you said. Somebody hits a shot
25 in basketball or hits the ball in tennis, you know, you

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 don't want them tumbling over the edge of a foundation.
3 It'll be properly protected.

4 BOARD MEMBER FINDLEY: I think I heard you say, when I
5 asked if there will be a second floor, you said not
6 quickly.

7 BOARD MEMBER DAWKINS: No. He said not --

8 BOARD MEMBER FINDLEY: Not proposed.

9 BOARD MEMBER DAWKINS: Not proposed.

10 BOARD MEMBER FINDLEY: Not proposed.

11 CHAIRMAN MORDAS: All right. So no viewing pavilion
12 or anything like that?

13 MR. MARSHALL: There is nothing proposed, correct.

14 BOARD, MEMBER DAWKINS: So we could stipulate that,
15 Kent, I think.

16 Could we not, Matt?

17 CHAIRMAN MORDAS: Yes, I think that you can make that
18 a condition.

19 BOARD MEMBER DAWKINS: Would you be comfortable with
20 that, Kent --

21 BOARD MEMBER FINDLEY: Yes.

22 BOARD MEMBER DAWKINS: -- to make that stipulation?

23 CHAIRMAN MORDAS: How would you word it, that this
24 building, conditioned upon the height variance, the
25 building remains a single story structure?

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -

2 BOARD MEMBER DAWKINS: A single story, yes.

3 CHAIRMAN MORDAS: Okay.

4 CHAIRMAN MORDAS: All right. Can I open up for some
5 comments from the public? Is the Board done with their
6 questions?

7 (No verbal response.)

8 CHAIRMAN MORDAS: Sure. Yes, go ahead.

9 MS. PLATT: So it's going to be an completely open air
10 pavilion, three open walls, and then a fenced area on the
11 back drop.

12 MR. MARSHALL: Yes.

13 MS. PLATT: Yes.

14 MR. MARSHALL: Yes. Those are the building plans that
15 have been submitted for consideration this evening, yes.
16 And also, I believe provided to the Building Department.

17 MS. PLATT: Okay.

18 BOARD MEMBER FINDLEY: Do we have the Planning Board
19 submission here?

20 MS. PLATT: I can go get it.

21 BOARD MEMBER FINDLEY: I'd love to take a look.

22 MS. PLATT: Okay.

23 BOARD MEMBER FINDLEY: Thank you.

24 (Ms. Platt was excused from the meeting and
25 returned with the requested documents.)

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2 CHAIRMAN MORDAS: I guess in the interim, we can take
3 some public comments.

4 All right. Mr. Chris Leser.

5 MR. LESER: I am Chris Leser and I was at the Planning
6 Board meeting the other night and these gentlemen were
7 there.

8 One of the issues, I don't know if that was ever
9 resolved, was John Cappello, if you recall, the lawyer,
10 said that he couldn't find in his code book the difference
11 of one elevation, the height, maximum is 15 feet and the
12 other was 30 feet. So that was in the Planning Board that,
13 Larry, you were asked. I don't know if that was ever
14 determined to be.

15 CHAIRMAN MORDAS: I'm also a little confused as to how
16 we ascertain the height. Do we go by the median height or
17 the peak roof?

18 BOARD MEMBER FINDLEY: I looked that up while I was
19 sitting here and his definition or his explanation is
20 correct.

21 CHAIRMAN MORDAS: Okay. Good.

22 MR. MARSHALL: If you don't mind, can I answer
23 Mr. Leser's question?

24 CHAIRMAN MORDAS: Please. I'm sorry.

25 MR. MARSHALL: So the reference that John Cappello had

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 made was him looking through the regulations for this
3 zoning district. And based upon this zoning district, the
4 height regulations, depending on the different uses, varied
5 between 30 feet and 15 feet as in the maximum height
6 permitted.

7 MR. LESER: Right.

8 MR. MARSHALL: For a summer camp, the maximum height
9 permitted for any structure is 15 feet. What he was
10 referencing is any use for this zoning district, it varies.
11 The maximum height varies. So he was saying that there's
12 definitions of maximum height of 30 feet and maximum height
13 of 15 feet. But for the existing summer camp use and the
14 proposed facility and for those buildings, the maximum
15 height is 15 feet.

16 MR. LESER: So you're well over that 15 feet.

17 MR. MARSHALL: We are requesting a variance of seven
18 and a half feet.

19 MR. LESER: I just want that ...

20 CHAIRMAN MORDAS: And the 30 foot is basically the two
21 and a half story residential.

22 MR. MARSHALL: That would apply to single family
23 residential uses. There are some other uses in this --

24 MS. WEISS: It also applies to agricultural
25 operations, golf course, public utilities, restaurants, art

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 galleries and gift shops.

3 MR. MARSHALL: Yes. But for this use, we're under the
4 summer camp operation, which we're limited to the
5 15 foot height.

6 BOARD MEMBER FINDLEY: Now, I haven't looked through
7 everything. I really don't know exactly what I'm looking
8 at from the Planning Board, but this appears to be the
9 floor plan of -- I'm looking for a dimension up here. It
10 looks to be about the size, 100 by ...

11 BOARD MEMBER DAWKINS: 100 by 144.

12 BOARD MEMBER FINDLEY: Yes, it's about that. There's
13 no ...

14 CHAIRMAN MORDAS: It's about twice the size of the old
15 structure.

16 BOARD MEMBER FINDLEY: In this the very first page it
17 shows me a mezzanine level, stairs, walls, doors. I mean
18 this is the first thing I opened.

19 MR. MARSHALL: We can provide clarification for that.
20 So the Planning Board is considering -- well, it's actively
21 looking at the pavilion itself, and that is what was
22 approved, it's is an open-sided pavilion, by the Board
23 conditioned upon this board approval it. We,
24 simultaneously --

25 BOARD MEMBER FINDLEY: I don't meant to cut you off,

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 but I think we really do need to know what we're
3 considering.

4 BOARD MEMBER DAWKINS: But I want to know --

5 MR. MARSHALL: You're considering what's before the
6 Board and that is the only thing that was acted upon by the
7 Planning Board and referred to this board, was the
8 open-sided no enclosure pavilion of 100 foot by 144 foot.

9 BOARD MEMBER DAWKINS: And we make a stipulation that
10 it be single story and that it's --

11 CHAIRMAN MORDAS: A mezzanine would be considered a
12 second story?

13 BOARD MEMBER DAWKINS: Yes.

14 MR. MARSHALL: Possible, yes.

15 BOARD MEMBER FINDLEY: Well, possibly.

16 MR. MARSHALL: It's not for me to determine. I don't
17 make these determinations. It's the Building Department's.

18 BOARD MEMBER FINDLEY: But it was very clear. I asked
19 you a question, are you planning a second floor.

20 MR. MARSHALL: There is no proposed second floor in
21 this facility.

22 BOARD MEMBER FINDLEY: How do you -- did I pass that
23 down?

24 How do you explain this, then? This is the very first
25 thing I took out of the -- I never saw this file before.

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 Kyra pulled this out, handed it to me. The very first page
3 I open up says: Activity room, mezzanine. There's obvious
4 walls and windows without me looking at the sections.
5 There's doors, exit signs, a mezzanine plan. I feel like
6 this meeting was very rushed. I feel like you're not
7 presenting the true story here.

8 MR. MARSHALL: No. No. What we're presenting is the
9 application that we provided. It's an open-sided pavilion.
10 What is before the Planning Board -- now, keep in mind the
11 Planning Board originally approved this open-sided pavilion
12 back in February. The Applicant ordered the building.

13 BOARD MEMBER FINDLEY: So did you come to the last
14 Planning Board meeting with a change?

15 MR. MARSHALL: Yes. It has not been approved. It has
16 not -- the Board has not taken action on it in any way.
17 There are modifications that -- there are other
18 modifications to the site plan that are proposed and
19 currently before the Planning Board. The application that
20 is being sought -- the portion of the application that was
21 acted upon by the Planning Board was the open-sided
22 pavilion. The application made before this Zoning Board of
23 Appeals is the open-sided pavilion. If this board choose
24 to restrict that to a single story structure with no second
25 story, with no enclosure, then any modification to that

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 structure will require a modification to the variance. We
3 are here before this board seeking an open-sided pavilion
4 with a maximum height of 22 and a half feet.

5 BOARD MEMBER DAWKINS: Mechanicals, you're going to
6 have electric.

7 MR. MARSHALL: Yes.

8 BOARD MEMBER DAWKINS: Any plumbing?

9 MR. MARSHALL: No.

10 BOARD MEMBER FINDLEY: Not planned now.

11 CHAIRMAN MORDAS: All right. I don't feel that the
12 height with the variance he's asking for is ...

13 MR. LESER: I just didn't know what was going to
14 transpire. I had a couple more comments, but this is
15 getting --

16 CHAIRMAN MORDAS: I am concerned about this being used
17 possibly in the future in regards to the addition of a
18 mezzanine. As Kent brought up, which is a valid point, we
19 really haven't had much time to research this, but I'm not
20 against issuing a variance here, but I really feel that I
21 would like to attach some conditions to it.

22 Please speak, Cathy.

23 BOARD MEMBER DAWKINS: I have three stipulations that
24 I would demand in order to consider this. One is that
25 there not initially, nor never be any exterior walls for

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 this structure. That there not initially nor never be a
3 second story either for personal use or storage. And that
4 there not initially nor never be plumbing.

5 BOARD MEMBER FINDLEY: I mean truly get the concerns.
6 I just object to the word "never". I actually agree with
7 Matt. I don't particularly have a huge case or a huge
8 issue with the height.

9 BOARD MEMBER DAWKINS: It's a huge structure.

10 BOARD MEMBER FINDLEY: It is a huge structure.

11 BOARD MEMBER DAWKINS: I don't have a problem with it
12 as a pavilion as it's being pitched right now. But if it
13 were to be enclosed and all of a sudden it becomes some
14 sort of dormitory or housing or some other structure, I
15 would have real objections and I would regret my ...

16 BOARD MEMBER FINDLEY: And I'm going to be honest with
17 you. That's very possible.

18 BOARD MEMBER DAWKINS: We do the same with garages.
19 We're very concerned --

20 CHAIRMAN MORDAS: Well, let's make it that if that is
21 the course that wants to be taken in the future, they've
22 got to come in front of the Zoning Board.

23 BOARD MEMBER DAWKINS: They've got to come back, yes.

24 MR. MARSHALL: Could I just ask verification on the
25 last restriction? You said no plumbing? Plumbing would

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -

2 include a water fountain.

3 BOARD MEMBER DAWKINS: You're right.

4 MR. MARSHALL: Would the Board restrict that you can't
5 put a water fountain in?

6 BOARD MEMBER DAWKINS: I would assume that there are
7 lots of water fountains around the property.

8 CHAIRMAN MORDAS: How about no lavatories?

9 BOARD MEMBER DAWKINS: I want no plumbing.

10 CHAIRMAN MORDAS: All right.

11 BOARD MEMBER DAWKINS: I think that's Pandora's box.
12 You open up Pandora's box and it's Pandora's box. I feel
13 the same way about garages. I don't want plumbing in
14 garages. It invites future violation of the variances that
15 we grant.

16 CHAIRMAN MORDAS: All right. There's nothing
17 preventing you from putting up water fountains right next
18 to it.

19 BOARD MEMBER DAWKINS: That's exactly right.

20 MR. MARSHALL: I was just asking for a clarification.

21 CHAIRMAN MORDAS: All right.

22 BOARD MEMBER FINDLEY: The gym on this map, how far
23 away is the gym from this proposed structure?

24 MR. MARSHALL: I don't have a scale with me. It's
25 about 25 feet, I would say.

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2 BOARD MEMBER FINDLEY: All right. And without --
3 right in here, maybe it is here -- proposed silt fence. Is
4 it the same grade as the gym?

5 MR. MARSHALL: No, it is not. It is above the gym.

6 BOARD MEMBER FINDLEY: Is there a fence around the
7 mini tennis courts?

8 MR. MARSHALL: It was knocked down in the May 2018
9 storm. There is no fence around it.

10 BOARD MEMBER FINDLEY: What is the distance between
11 this corner, which, let me see, I guess that would be the
12 west corner, southwest corner to the nearest thing.

13 CHAIRMAN MORDAS: The mini tennis courts?

14 BOARD MEMBER FINDLEY: Yes, whatever it is. It almost
15 looks like a fence but you're saying there isn't. What is
16 the distance there?

17 MR. MARSHALL: Again, I don't have a scale. I
18 apologize. Probably about ten feet.

19 BOARD MEMBER FINDLEY: I think that's another very
20 important issue, I believe, because --

21 BOARD MEMBER DAWKINS: Separation between the
22 structures.

23 BOARD MEMBER FINDLEY: Right. Just talking about
24 them --

25 MR. MARSHALL: Well, but the mini tennis courts is not

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 a structure.

3 BOARD MEMBER DAWKINS: Oh, it's impervious.

4 MR. MARSHALL: It's pavement that's been painted.

5 BOARD MEMBER FINDLEY: And there's no fence around
6 it --

7 MR. MARSHALL: Right.

8 BOARD MEMBER FINDLEY: -- that contains balls or
9 anything.

10 MR. MARSHALL: Right.

11 CHAIRMAN MORDAS: All right. So you can fit like a
12 vehicle.

13 MR. MARSHALL: Yes.

14 BOARD MEMBER FINDLEY: I could drive a fire engine
15 over that.

16 BOARD MEMBER DAWKINS: Right over top of that.

17 MR. MARSHALL: Absolutely.

18 CHAIRMAN MORDAS: Okay. All right. So basically, for
19 summer camps it's ten foot separation between buildings
20 except 30 foot separations for domiciles.

21 BOARD MEMBER FINDLEY: What about the basketball
22 court? What is around that? Anything?

23 MR. MARSHALL: No. You could drive -- as long as you
24 avoid the basketball hoop itself, you could drive right in
25 over top.

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2 BOARD MEMBER FINDLEY: And what is B-1?

3 MR. MARSHALL: It's a dormitory.

4 BOARD MEMBER FINDLEY: And what distance do we have
5 from the corner of that dormitory to whatever that is, the
6 structure, the outline of the structure?

7 MR. MARSHALL: The proposed pavilion?

8 BOARD MEMBER FINDLEY: Yes.

9 MR. MARSHALL: Approximately 30 feet.

10 BOARD MEMBER FINDLEY: It also looks like that's a
11 very steep incline by the, what I believe are gradients.

12 MR. MARSHALL: Yes.

13 BOARD MEMBER FINDLEY: What are the grade difference
14 and is that undriveable?

15 MR. MARSHALL: Is it undriveable? Yes. I'm assuming
16 by -- you're asking by a car or a truck?

17 BOARD MEMBER FINDLEY: An emergency vehicle, yes.

18 MR. MARSHALL: Yes, it would be undriveable.

19 CHAIRMAN MORDAS: Kent, let the Planning Board do some
20 of this lifting here. Let's stay focused on this, doing a
21 good job of our variances in regards to --

22 BOARD MEMBER FINDLEY: But that's something we
23 consider with every applicant. We consider that in every
24 applicant.

25 BOARD MEMBER MORREALE: We considered it 30 minutes

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 ago.

3 BOARD MEMBER FINDLEY: Yes, we considered it 30
4 minutes ago.

5 CHAIRMAN MORDAS: What are you getting at, the
6 density?

7 BOARD MEMBER FINDLEY: I don't see a dimension between
8 this proposed open-sided pavilion and B-1. And is there
9 emergency access, which we always look at, in this B-1,
10 this blown up view.

11 MR. MARSHALL: There's emergency access on all sides
12 of the proposed pavilion, on all sides of B-1 with
13 exception of the westerly side of B-1. That is the only
14 portion that inaccessible. You could drive right around
15 B-1 on the easterly side and then along the back northerly
16 side of the building and access the pavilion. You can
17 drive right from the access drive up to the side of the
18 pavilion and drive right up to the side of B-1. The only
19 portion is the approximately 40 feet of the side of B-1
20 that would be undriveable.

21 And then regarding the other three sides of the
22 proposed pavilion, all three sides are accessible.

23 BOARD MEMBER FINDLEY: Kyra, I don't know if you were
24 at the Planning Board meeting. Were you at the Planning
25 Board meeting?

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2 MS. PLATT: I was not. We should have minutes for it.
3 There will be minutes.

4 BOARD MEMBER FINDLEY: So we don't have minutes yet
5 for this.

6 STENOGRAPHER: No.

7 MS. PLATT: I can e-mail them to you guys, but they
8 haven't been approved by the Board yet. I'm sorry. No,
9 those, we don't have May yet.

10 BOARD MEMBER FINDLEY: So we're not a hundred percent
11 sure that the Planning Board considered the access yet.

12 CHAIRMAN MORDAS: No, I'm not.

13 MR. MARSHALL: The zoning code requires an unsprinkled
14 building to be accessible within 150 feet of all areas that
15 they can park. So a fire truck has to be within 150 feet
16 of any portion of the pavilion. It doesn't mean that you
17 have to fully be able to drive around the facility or drive
18 around the pavilion. You just have to get within 150 feet
19 of all parts of it.

20 The proposed pavilion, gym, the Olympic hall, B-1,
21 they all meet those regulations. They all are accessible
22 within 150 feet of those buildings. A fire truck could
23 access it. A fire truck, an emergency vehicle, it can
24 access it. They can be within 150 feet, which is what the
25 building code requires.

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -

2 BOARD MEMBER MORREALE: Any more questions from the
3 Board?

4 (No verbal response.)

5 CHAIRMAN MORDAS: Do I have a motion to close the
6 public hearing?

7 MR. LESER: I was just to going --

8 CHAIRMAN MORDAS: I'm sorry, Mr. Leser. Go ahead.

9 MR. LESER: This is going to be a regular Butler
10 building, a regular structural steel building?

11 MR. MARSHALL: It will not -- I don't believe it's a
12 Butler building. They're typically shells.

13 MR. LESER: Similar to?

14 MR. MARSHALL: This is a steel framed pavilion, yes.

15 MR. LESER: Purlins and the whole type thing, the
16 metal roof, perhaps?

17 MR. MARSHALL: Yes. Just no sheathing on the outside.

18 MR. LESER: Right.

19 MR. MARSHALL: No enclosure, just on the roof.

20 MR. LESER: I was going to ask some questions, but
21 Cathy brought up some good points, but I guess that's for
22 the Planning Board for safety. I think it would be a good
23 idea.

24 Thank you.

25 CHAIRMAN MORDAS: All right. Anybody else wish to

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -

2 speak?

3 Go ahead.

4 MR. HAND: My name is Alonso Hand.

5 What is supposed to be under this pavilion or what is
6 this pavilion going to be used for? I missed that in the
7 very beginning.

8 MR. MARSHALL: It's a covering for the existing tennis
9 court.

10 MR. HAND: How many tennis courts are you putting in?

11 MR. MARSHALL: There are two currently, and that's
12 what will remain. And then --

13 MR. HAND: So the structure is covering 14,200 square
14 feet and a tennis court is only 2808 feet. Are you putting
15 five tennis courts in here, or what?

16 MR. MARSHALL: I don't know what the size of the
17 tennis courts are. They are referencing the actual playing
18 surface. They are referencing what's in bounds, maybe
19 that.

20 MR. HAND: A professional tennis court is 2808 square
21 feet.

22 MR. MARSHALL: The actual playing surface.

23 MR. HAND: Yes.

24 MR. MARSHALL: But that doesn't account for what's on
25 the edges of the playing surface and before and after. A

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 tennis court is much larger than that. We have two
3 side-by-side tennis courts and they're shown on the plan.

4 BOARD MEMBER DAWKINS: Alonso, to answer your
5 question, when we asked that question earlier we were told
6 that it would be used for off season storage, for sporting
7 activity and for congregation and assembly.

8 MR. HAND: Okay. Thank you.

9 CHAIRMAN MORDAS: It's going to be double the size.
10 board member dawkins: It's double the size.

11 BOARD MEMBER RAMPE: But they've already approved the
12 size, or we don't know?

13 MS. PLATT: It's the height that they were --

14 BOARD MEMBER RAMPE: Right. They've already approved
15 the square footage.

16 BOARD MEMBER FINDLEY: Did they give a --

17 MS. KNOLL: I just have a one question.

18 MS. PLATT: Step up and state your name.

19 CHAIRMAN MORDAS: Ms. Knoll, please step up.

20 MS. KNOLL: Just out of curiosity, the last existing
21 structure was destroyed by a hurricane. This is a metal
22 structure. What are the guidelines? Are they being met
23 for any future disasters as far as hurricanes or heavy
24 snows being that this is a metal structure?

25 CHAIRMAN MORDAS: I can't answer that. I'm hoping

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 that the Planning Board has addressed those issues.

3 BOARD MEMBER FINDLEY: Right. And it's designed and
4 stamped, I'm sure. I don't know if this is a stamped
5 version, but I'm a hundred percent sure you stamped it with
6 either an engineer or architect to meet all the structural
7 codes.

8 MS. KNOLL: Thank you.

9 MR. MARSHALL: The proposed structure is a much
10 stronger structure than the one that's there.

11 CHAIRMAN MORDAS: What are the wind speeds? Is there
12 an 80 miles an hour or something like that? Is there a ...

13 MR. MARSHALL: Whatever the building code requires. I
14 did not design the building itself. I'm not a structural
15 engineer so I can't answer those questions. It meets,
16 according to the engineer that put the plans together, John
17 Fuller, it meets all the code requirements, and likely far
18 exceeds them.

19 CHAIRMAN MORDAS: Thank you, Mr. Marshall.

20 Do I have a motion to proceed to a vote on this?

21 BOARD MEMBER RAMPE: You have to close the hearing.

22 CHAIRMAN MORDAS: Did we close yet?

23 BOARD MEMBER FINDLEY: No.

24 CHAIRMAN MORDAS: I'm sorry.

25 Motion to close the public hearing.

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -

2 BOARD MEMBER RAMPE: I'll make the motion.

3 CHAIRMAN MORDAS: Do I have a second?

4 BOARD MEMBER DAWKINS: I'll second.

5 CHAIRMAN MORDAS: All in favor?

6 CHAIRMAN MORDAS: All in favor?

7 BOARD MEMBER DAWKINS: Aye.

8 BOARD MEMBER RAMPE: Aye.

9 BOARD MEMBER FINDLEY: No.

10 BOARD MEMBER MORREALE: Aye.

11 CHAIRMAN MORDAS: Aye.

12 (The motion was approved and carried.)

13 CHAIRMAN MORDAS: Okay. All right.

14 In regards to this applicant's request for relief from
15 the bulk table regarding summer camps height restriction of
16 15 feet, one story, the Applicant is requesting relief in
17 the order of seven and a half feet.

18 MR. MARSHALL: Correct.

19 CHAIRMAN MORDAS: And the Zoning Board would like to
20 apply conditions to that variance. No exterior walls, no
21 second story or mezzanine or enclosures, and no plumbing.
22 And this building, as stated, is for sporting activities
23 and camper congregation.

24 BOARD MEMBER DAWKINS: And off season storage.

25 CHAIRMAN MORDAS: And off season storage.

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -

2 And the camper congregation is, I guess in conjunction
3 with events and the possibility of stormy weather.

4 How does the Board?

5 BOARD MEMBER DAWKINS: The criteria.

6 CHAIRMAN MORDAS: In making its determination the
7 Zoning Board shall take into consideration the benefit to
8 the Applicant if the variance is warranted as weighed
9 against the detriment to the health, safety and welfare of
10 the neighborhood or community by such grant.

11 In making such determination the Board shall also
12 consider whether an undesirable change will be produced in
13 the character of the neighborhood or a detriment to nearby
14 properties will be created by the granting of the area
15 variance.

16 I say no.

17 Georgia.

18 BOARD MEMBER RAMPE: No.

19 CHAIRMAN MORDAS: Cathy.

20 BOARD MEMBER DAWKINS: No.

21 CHAIRMAN MORDAS: Matt.

22 BOARD MEMBER MORREALE: No.

23 CHAIRMAN MORDAS: Kent.

24 BOARD MEMBER FINDLEY: Abstain.

25 CHAIRMAN MORDAS: Whether the benefit sought by the

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 Applicant can be achieved by some method feasible for the
3 Applicant to pursue other than an area variance.

4 Matt.

5 BOARD MEMBER MORREALE: Yes.

6 CHAIRMAN MORDAS: Kent.

7 BOARD MEMBER FINDLEY: Abstain.

8 CHAIRMAN MORDAS: Cathy.

9 BOARD MEMBER DAWKINS: Yes.

10 CHAIRMAN MORDAS: Georgia.

11 BOARD MEMBER RAMPE: Yes.

12 CHAIRMAN MORDAS: I'll say yes on that, too.

13 Whether the requested area variance is substantial.

14 I'll say yes.

15 Georgia.

16 BOARD MEMBER RAMPE: Yes.

17 CHAIRMAN MORDAS: Cathy.

18 BOARD MEMBER DAWKINS: Yes.

19 CHAIRMAN MORDAS: Matthew.

20 BOARD MEMBER MORREALE: Yes.

21 CHAIRMAN MORDAS: Kent.

22 BOARD MEMBER FINDLEY: Abstain.

23 CHAIRMAN MORDAS: Whether the proposed variance will
24 have an adverse effect or impact on the physical or
25 environmental conditions in the neighborhood or district.

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -
2 Kent.

3 BOARD MEMBER FINDLEY: Abstain.

4 CHAIRMAN MORDAS: Matthew.

5 BOARD MEMBER MORREALE: No.

6 CHAIRMAN MORDAS: Cathy.

7 BOARD MEMBER DAWKINS: Repeat again.

8 CHAIRMAN MORDAS: Whether the proposed variance will
9 have an adverse effect or impact on the physical or
10 environmental conditions in the neighborhood or district.

11 BOARD MEMBER DAWKINS: No.

12 CHAIRMAN MORDAS: Georgia.

13 BOARD MEMBER RAMPE: No.

14 CHAIRMAN MORDAS: I'll say no.

15 Whether the alleged difficulty was self-created, which
16 consideration shall be relevant to the decision of the
17 Zoning Board but shall not necessarily preclude the
18 granting of the area variance.

19 I will say yes.

20 Georgia.

21 BOARD MEMBER RAMPE: Yes.

22 CHAIRMAN MORDAS: Cathy.

23 BOARD MEMBER DAWKINS: Yes.

24 CHAIRMAN MORDAS: Matthew.

25 BOARD MEMBER MORREALE: Yes.

1 - RE: CAMP ECHO - SHAB HOLDINGS LLC -

2 CHAIRMAN MORDAS: Kent.

3 BOARD MEMBER FINDLEY: Abstain.

4 CHAIRMAN MORDAS: Okay. All right.

5 In regards for the request for relief from the bulk
6 regulations, Burlingham Zone on camp buildings
7 aforementioned, how does the Board vote?

8 Kent.

9 BOARD MEMBER FINDLEY: Abstain.

10 CHAIRMAN MORDAS: Matthew.

11 BOARD MEMBER MORREALE: No.

12 CHAIRMAN MORDAS: Cathy.

13 BOARD MEMBER DAWKINS: With the stipulations, yes.

14 CHAIRMAN MORDAS: Georgia.

15 BOARD MEMBER RAMPE: And this is for seven and a half
16 feet.

17 CHAIRMAN MORDAS: Yes.

18 BOARD MEMBER RAMPE: Yes, I vote yes.

19 CHAIRMAN MORDAS: I'll vote yes.

20 (The motion was approved and carried.)

21 CHAIRMAN MORDAS: Okay.

22 MR. MARSHALL: Thank you very much.

23 CHAIRMAN MORDAS: Thank you.

24 All right. Motion to close to meeting.

25 BOARD MEMBER DAWKINS: Motion.

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- RE: CAMP ECHO - SHAB HOLDINGS LLC -

CHAIRMAN MORDAS: Second?

BOARD MEMBER MORREALE: I'll second it.

CHAIRMAN MORDAS: All in favor?

CHAIRMAN MORDAS: All in favor?

BOARD MEMBER DAWKINS: Aye.

BOARD MEMBER RAMPE: Aye.

BOARD MEMBER FINDLEY: Aye.

BOARD MEMBER MORREALE: Aye.

CHAIRMAN MORDAS: Aye.

(The motion was approved and carried.)

(Time noted: 8:24 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 Camp Echo (Shab Holdings LLC), 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: June 23, 2019

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