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COUNTY OF SULLIVAN : TOWN OF MAMAKATING  
PLANNING BOARD

----- X  
Back River Hope Campground  
Amended Site Plan  
Tax Map Section 14; Block 1; Lot 22.2  
Mountain Greenbelt Zone  
----- X

Town Hall  
Town of Mamakating  
October 8, 2019  
7:00 P.M.

PLANNING BOARD MEMBERS :

- LORRENCE GREEN, Chairman
- ALEX GOODMAN, Board Member
- ERIK COLLIER, Board Member
- JOSEPH RUSSEK, III, Board Member
- KYRA PLATT, Building Department
- JOHN CAPPELLO, ESQ., Attorney
- CHRISTIAN PAGGI, P.E., Engineer
- ADRIANA BELTRANI, Planner

Also Present: James DeWinter, P.E.,  
On Behalf of Applicant

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

Reported by: Rosemary A. Meyer

1                   - RE: BACK RIVER HOPE CAMPGROUND -

2           CHAIRMAN GREEN: So, welcome to the October meeting of  
3 the Town of Mamakating Planning Board.

4           Please rise for the Pledge of Allegiance.

5                   (The Pledge of Allegiance was recited.)

6           CHAIRMAN GREEN: Okay. Did everybody get the minutes?

7                   (No verbal response.)

8           CHAIRMAN GREEN: I know they were sent out.

9           So should we hold off asking for acceptance of them?

10          BOARD MEMBER GOODMAN: There wouldn't be a quorum.

11          CHAIRMAN GREEN: So Item 4, Kyra.

12          MS. PLATT: Continuation of a public hearing for Back  
13 River Hope Campground for amended site plan. The property  
14 is located at 811 Mount Vernon Road, Tax Map Section 14;  
15 Block 1; Lot 22.2. The property lies in the Mountain  
16 Greenbelt Zone and is approximately 45 acres.

17          MR. DeWINTER: Mr. Miller wasn't able to be here  
18 tonight because of the holiday, so I'm the one.

19          Again, based on last month, we provided the Board and  
20 the consultants with a letter, contacts that I made with  
21 the DEC, the Department of Health. I think that's pretty  
22 much ...

23          I advised you, on eight, to be a little more inclusive  
24 as far as the wetland permit requirements. We added an  
25 additional note. We're adding an additional note. We

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2 haven't done it. We didn't change the plans at all yet.  
3 But initially, a note to define the period of time in which  
4 they can do any tree clearing. I contacted the DEC as far  
5 as they do have an active SPDES permit for the septic. I  
6 talked with the gentleman at DEC with the general help  
7 line. I said is there anything special, we have an active  
8 SPDES, it hasn't been operated for a couple years and we're  
9 going to bring it back up, you know, clear grass off the  
10 sand filter, et cetera. Is there anything special we have  
11 to do with DEC. He said no. He said, As long as you  
12 follow what's in the permit, you don't have to contact us  
13 at all, other than we're reopening. I asked him, If I  
14 e-mail that to you will you respond back? No. He says no  
15 way, their response is actually when it sign it, look into  
16 it, you know, six months down the line we'll give you that  
17 statement lingo. But the wetland person was very, very  
18 good. I think you saw the e-mails I had with him, and he  
19 was very helpful.

20               I think we have gotten to the point now where we've  
21 addressed the issues that everyone has had. I had a chance  
22 to look at the letters from your consultants. We can have  
23 them go, however you want to do it. I think we're at a  
24 point where we can get a conditioned approval.

25               CHAIRMAN GREEN: I think the first thing we should do

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2 is just ask if there's any more public comment.

3           MR. C. LESER: Chris Leser.

4           Just one of the concerns, I guess, between the water  
5 that I think I mentioned the last time, the uses for the  
6 campers for their water, and also with their sewer  
7 treatment. The campers are going to need something to that  
8 effect. That's just still some of my concern.

9           Thank you.

10          CHAIRMAN GREEN: Anyone else?

11                   (No verbal response.)

12          CHAIRMAN GREEN: Can we have a motion now to close the  
13 public hearing?

14          BOARD MEMBER GOODMAN: I'll make a motion to close the  
15 public hearing.

16          CHAIRMAN GREEN: Alex.

17          BOARD MEMBER COLLIER: I'll second it.

18          CHAIRMAN GREEN: All in favor?

19          BOARD MEMBER GOODMAN: Aye.

20          BOARD MEMBER COLLIER: Aye.

21          BOARD MEMBER RUSSEK, III: Aye.

22          CHAIRMAN GREEN: Aye.

23                   (The motion was approved and carried.)

24          CHAIRMAN GREEN: Do we want to discuss any issues?

25          MR. CAPPELLO: We do have a letter from Adriana. You

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2 might want to just go through that. And then whatever  
3 Christian might want to add regarding the water and sewer  
4 issues. I know those were outstanding.

5           MS. BELTRANI: Sure. Our initial recommendation had  
6 been to hold off on the requested waivers. So my memo  
7 lists those waivers and if the Planning Board were grant  
8 conditional approval they would be able to provide that,  
9 some of those waivers at this time.

10           With regard to the wetlands, given the note that's  
11 been provided on the site plan we are fine with granting  
12 conditional approval, understanding that the permit will be  
13 a condition of approval.

14           Same for the clearing limits for bat protection.

15           The only last thing that hadn't been discussed or  
16 followed up on from a few memos ago, which is simply the  
17 concern about the lighting. The location of lighting has  
18 been indicated on the site plan, but the light that is  
19 cast, like the foot-candles, was not really addressed on  
20 the site plan. But this is up to the Planning Board's  
21 discretion at this point, whether or not you'd like to see  
22 more information or understand better. I know there had  
23 been some back and forth, but I just wanted to remind you.  
24 I don't know that that was resolved.

25           CHAIRMAN GREEN: I thought at some point you said we

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2 were just going to have them add that to the master site  
3 plan instead of.

4           MS. BELTRANI: Right. So what was added was the  
5 location of lighting. But typically, when you look at a  
6 lighting plan you see the kind of cone of influence of that  
7 light.

8           CHAIRMAN GREEN: Okay.

9           MS. BELTRANI: So it doesn't really give you a sense  
10 of how well the site is lit, just that light exists.

11          MR. DeWINTER: I can certainly answer. The lights  
12 that are there, the existing lights, and then we will show,  
13 they're basically typical floodlights that you have in your  
14 home. They have double ones. They're located, like, at  
15 the bathrooms and the shower rooms and their main buildings  
16 out front. Other than that, they don't have any real  
17 lighting throughout the system because each camper, and  
18 being a camper I know how this works, there's lights on the  
19 campers. A lot of people, they put them on the awnings,  
20 they put additional lighting for themselves. People don't  
21 want a lot of lighting. In fact, in the campground that  
22 I'm at, people complain because some people have too much  
23 lighting because that's what they're going camping for, to  
24 be in the dark, so to speak.

25          CHAIRMAN GREEN: Adriana, is your concern that it's

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2 not lit well enough or that there's too much lighting?

3           MS. BELTRANI: So part of the special use permit  
4 requirements are to demonstrate that the lighting is safe,  
5 provides for a safe environment. It had been part of  
6 previous discussions whether or not the lighting was safe  
7 because we weren't able to see the lighting. I don't have  
8 a particular concern one way or the other. I understand  
9 the point and I think it's a well made point. But from the  
10 perspective of having lighting, lighting is shown on the  
11 plan but not in terms of foot-candle. I just wanted to  
12 bring that to your attention in terms of the future of that  
13 site plan.

14           BOARD MEMBER GOODMAN: As far as safety for a  
15 campground, what would we be looking for? We ready  
16 discussed how they want to keep it at a minimum because  
17 it's a campground --

18           MS. BELTRANI: Right.

19           BOARD MEMBER GOODMAN: -- and that the lighting on  
20 these buildings are really just to direct people so they  
21 can find them. It's not that it's going to be lighting up  
22 the area so that if it's illuminated like we would in other  
23 venues.

24           MS. BELTRANI: Right. Yes, no. I think that the  
25 floodlighting, as indicated, where it's located is

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2 appropriate. However, I guess more for Mary's sake when  
3 she's looking at the site plan at a later date, my only  
4 reservation, and it's a very small reservation, is just  
5 that the foot-candles are not shown. If someone were to go  
6 visit the site later on and you determine that floodlights  
7 are appropriate for in front of the bathrooms and the  
8 entryway buildings, the location of the light is shown but  
9 the intensity of that light is not shown; right? So that  
10 is my only point. Typically, a lighting plan would be  
11 accompanied by this and a lighting plan shows foot-candles.  
12 You've offered to waive the lighting plan, so I just want  
13 to bring to your attention that that means that only the  
14 location of the light bulb is now shown.

15           BOARD MEMBER GOODMAN: I'm kind of wondering what it  
16 would take to get to that point. Just is there a table,  
17 something that would say if we have 150 floodlight that is  
18 15 foot off the ground and it ...

19           MR. CAPPELLO: Do you have cutouts of what the  
20 lights --

21           MR. DeWINTER: I don't have it. They were all  
22 existing. But I mean I could certainly add it to the plan  
23 if the Board really wants it. But, you know, I can do  
24 that. There's one light that I don't have and I probably  
25 can't. Orange and Rockland has a large light at the

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2 entrance on Mount Vernon that shines into the site. But  
3 that --

4           BOARD MEMBER GOODMAN: I'm just wondering if it was a  
5 simply thing to calculate.

6           MR. DeWINTER: Yeah, it's a matter of drawing. It's  
7 not going to show much because two 150 watt floodlights  
8 doesn't give that much but it gives enough so that people  
9 are safe going into the, you know, to walk into the  
10 building. It's an exercise.

11           BOARD MEMBER COLLIER: Can we require some criteria,  
12 that's just what they have to meet at these location?

13           MS. BELTRANI: Sure. I mean a lighting plan would  
14 show that.

15           MR. DeWINTER: I can show the foot-candles on our  
16 plan.

17           MS. BELTRANI: Right.

18           MR. DeWINTER: Like I said, they're double  
19 floodlights. So if you have the double floodlight out the  
20 back yard, that's the kind of lights they're going to have.  
21 The idea is it's not there to scare the bears away or, you  
22 know, for security purposes. It's basically just so people  
23 know where the entrances into the buildings and it's you  
24 can see the steps and so forth. But I can certainly show  
25 it. That can be a condition of approval, as well. I'll

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2 show that on the plan because we do have it.

3           CHAIRMAN GREEN: You mean it was operating with that  
4 lighting in the past.

5           MR. DeWINTER: Yes.

6           BOARD MEMBER GOODMAN: I'm not saying I think I need  
7 it, that it's necessary. If it's a simple thing to do it  
8 would help tie this up.

9           MR. DeWINTER: If the Board would like it, I certainly  
10 can provide it for you, but I'd like to have that as a  
11 condition of approval. Again, as I said before, for them  
12 to get started and get some financing, conditional approval  
13 is really needed.

14          MS. BELTRANI: I think that's appropriate.

15          MR. DeWINTER: So you would like to have that?

16          CHAIRMAN GREEN: Yes.

17          BOARD MEMBER GOODMAN: Yes.

18          CHAIRMAN GREEN: Adriana.

19          MS. BELTRANI: No, that's the extent of my comments.

20          MR. C. PAGGI: So with regard to the water and sewer,  
21 they provided anticipated water usage information for the  
22 proposed site plan and some historical data for the two  
23 wells on the site indicating that each well has a specific  
24 yield of, historically, 11 gallons a minute, and based on  
25 the design calculations that they were showing, it

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2 demonstrated that they have adequate capacity.

3           Ultimately, it's going to be up to the Health  
4 Department as far as how they calculate these capacities  
5 and the design flows. But I think the point, as far as  
6 water is concerned, is even if they need to drill a new  
7 well to provide additional capacity, given the fact that  
8 they had two existing wells on the site, I would think that  
9 they're showing a viable system is possible.

10           With regard to the sewer, they weren't really able to  
11 provide much information on the existing system yet. It  
12 has a SPDES permit like we've been talking about. That  
13 demonstrates that at one point there was a viable system  
14 designed and built. The question is whether or not it's  
15 still functioning. So given the DEC's response that  
16 they're not going to really provide a response or even  
17 require anything, this was kind of, from the beginning,  
18 just to protect the Applicant and the camp goers and all of  
19 that, to make sure that the system is functioning the way  
20 it's supposed to be functioning. So at the very least, we  
21 would recommend if the Planning Board is considering  
22 approving this without providing any more information on  
23 the sewer system or any additional evaluation of the sewer  
24 system that they require that a certification be provided  
25 by a professional engineer prior to occupancy, just prior

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2 to a CO being granted, so it doesn't hold up any approvals  
3 or anything like that. I think that will be reasonable and  
4 it shows that the Planning Board is doing their due  
5 diligence to make sure that the system is adequate.

6           So basically, we were asking them to provide enough  
7 information for water and sewer to demonstrate that a  
8 viable system is possible. We don't need detail design.  
9 Those are kind of out of our hands. I do believe that  
10 they've done that given the comments I've just mentioned.

11           MR. DeWINTER: Christian, do you want that as a note  
12 on the plan?

13           MR. C. PAGGI: That would be appropriate, I think.

14           MR. DeWINTER: Okay.

15           MR. C. PAGGI: Yes.

16           MR. DeWINTER: That's fine.

17           BOARD MEMBER GOODMAN: That seems prudent.

18           MR. DeWINTER: We have no problem.

19           CHAIRMAN GREEN: To me, the way I've been looking at  
20 this, I understand the situation you're in. You need some  
21 sort of assurance that the project can go forward before  
22 you get people investing any money in it. People aren't  
23 going to invest money until they get some sort of  
24 assurance. What this came down to, to me, is that you're  
25 sort of asking us to give you a conditional approval on the

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2 ideal situation, which is fine. You have to be aware that  
3 we're going to be judging this on the actual reality when  
4 it happens. This is your risk. If it turns out, well, we  
5 turned on the well and it just didn't work at all, we're  
6 going to want certain conditions, before it goes operation,  
7 that it's got all those things.

8           MR. DeWINTER: And what I would offer you is that a  
9 conditional approval is just that. If we can't meet the  
10 conditions, we don't have an approval, and we understand  
11 that. But everything -- like I said, the Health Department  
12 did have it at 11 gallons per minute for each well. And as  
13 the Health Department said to me, that's maybe what the  
14 pumps that they have in the well is pumping, it may not be  
15 the actual yield of the well. They've already told me that  
16 before they'll give a water approval we have to do well  
17 pits on them, so that's a given. I understand if we don't  
18 have it, we either have to put another well in, as  
19 Christian was mentioning, and then we'll come back here  
20 with whatever changes it is.

21           CHAIRMAN GREEN: Yes, no problem.

22           Anybody?

23           BOARD MEMBER RUSSEK, III: I wasn't at the last  
24 meeting, but was there any wrap up to clearing up the  
25 violations or a timeline for clearing up the violations?

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2           MR. DeWINTER: Yes. Well, again that's one of the  
3 conditions of approval. We have that in a note, that  
4 before they can get -- you know, those aren't started. I  
5 know the owner has someone ready go in and take all those  
6 units out of there. However, you know ...

7           CHAIRMAN GREEN: So is that something that would start  
8 before you get the financing?

9           MR. CAPPELLO: I think --

10          MR. DeWINTER: Well, we --

11          MR. CAPPELLO: -- right now we've kind of stopped  
12 asking and tell them what we want. Notes on a plan are  
13 fine, but if the Board is going to do a condition, what I  
14 would suggest is we go through the conditions, the Board  
15 votes. The Board can vote, which means they would have  
16 their conditional approval tonight. But I what I would  
17 suggest is that if you do so, we prepare a written  
18 resolution for the Board to consider, confirm at your next  
19 meeting. We want to use that resolution, as we've done in  
20 others, as the template that Mary and the consultants will  
21 then be able to say, Before the map is signed A, B and C  
22 need to be done, before any building permits are issued, D,  
23 E and F need to be done, before it can be occupied, F, G  
24 and H need to be done.

25          CHAIRMAN GREEN: I think that's good. I've spoken

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2 before, I'd like also to propose for this and conditional  
3 approvals in the future, that we make one of the conditions  
4 that you have to report back at some time interval, perhaps  
5 every 30 days, perhaps every 60 days, not just for you, but  
6 for everybody. Send a note to Mary that she can then  
7 incorporate into our database so that we can know we've  
8 given a conditional approval and at 30 or 60 day intervals  
9 here's where we are just so we have a way of tracking, and  
10 also to keep track of are the escrow accounts all fully  
11 paid up at that time. I'd like that to be a condition of a  
12 conditional approval, so if it's not met, it's as serious  
13 as any of the other conditions.

14           MR. DeWINTER: I would ask, and again, this is really  
15 yours, that it would be like a six month period. That  
16 would give us time because we have to go through some of  
17 these agencies and as you know agencies take a long time.

18           CHAIRMAN GREEN: Not that anything has to have been  
19 done. It's just that I want some sort of accountability  
20 from the applicants at this point because what we do is we  
21 issue the conditional approvals and then we have to go and  
22 chase to find out who's actually doing what. I'm looking  
23 at this as more of just a report at a given time for all  
24 the people that we did give conditional approval.

25           MR. DeWINTER: Would that be in the form of a letter

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2 report?

3           CHAIRMAN GREEN: Right, right.

4           MR. DeWINTER: In other words, not necessarily  
5 appearance?

6           MR. CAPPELLO: We can discuss it. I think maybe just  
7 a written status report every 60 days or something --

8           CHAIRMAN GREEN: Right. Yes, that's fine.

9           MR. CAPPELLO: -- this is where we're are.

10          CHAIRMAN GREEN: I just wanted to bring it up now  
11 because --

12          MR. DeWINTER: Yeah. No, that's fine. We can  
13 certainly do that. I believe it's in our interest to get  
14 this all done as quickly as possible, too.

15          CHAIRMAN GREEN: It wasn't directed --

16          MR. DeWINTER: I understand.

17          CHAIRMAN GREEN: -- at you.

18          MR. DeWINTER: I understand. You've had other ones  
19 that have probably gone on years.

20          BOARD MEMBER COLLIER: Can you just rehash the wavier  
21 for the lavatories and showers?

22          MR. DeWINTER: What that was --

23          BOARD MEMBER COLLIER: What's supposed to be required  
24 and what is there --

25          MR. DeWINTER: Yeah.

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2           BOARD MEMBER COLLIER: -- the difference?

3           MR. DeWINTER: What's required in the zoning is a  
4 calculation as to the number of lavatories and showers on  
5 the campsite. I believe when that was written it was more  
6 geared toward tent camping where facilities don't have. We  
7 do have a note there. All these units have their own  
8 bathroom and they have their own shower. So the way --  
9 it's an exercise in futility as far as doing the  
10 calculations because we have 158 units, I have 158  
11 bathrooms, plus whatever already are there, a couple, the  
12 two, plus the showers. Each have a shower. There's no  
13 tent camping going to be permitted on the site.

14           BOARD MEMBER COLLIER: How many do you have? What was  
15 required?

16           MR. DeWINTER: One hundred fifty-eight units.

17           BOARD MEMBER COLLIER: No. How many facilities?

18           MR. DeWINTER: We have two bathroom facilities and  
19 each of them have -- I know I had it in my last submission  
20 letter. It was like -- I think it was like one of them had  
21 seven, between the men's and women's bathroom, and six  
22 showers. And the other one had six showers and maybe five.  
23 But I mean it was -- it served the previous one. But like  
24 I said, every one of the units is going to have their own  
25 hook-ups. Everybody hooks into the sewer system so it's

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2 not like they're taking it away with them. Everything is  
3 going to go in the system it's going in. So it's -- you  
4 know, the only reason we would have those others, keep  
5 those other facilities up, is if someone's out in the  
6 ballfield and all of a sudden they feel the urge, that they  
7 have a place to go rather than back to the campground.

8           BOARD MEMBER COLLIER: There's no contingencies that  
9 a certain amount of those campers, their facilities aren't  
10 working where they need this backup?

11           MR. DeWINTER: No. As far as I know, there may be a  
12 couple units that may be used because of their unique  
13 criteria, today's code. In other words, maybe has to cut  
14 out a side or something. But they'll all been hooked into  
15 the system. There are no units what will not be hooked  
16 into the system.

17           CHAIRMAN GREEN: So --

18           BOARD MEMBER RUSSEK, III: Conditional.

19           CHAIRMAN GREEN: -- I guess a motion to --

20           MR. CAPPELLO: Well, first, the Board would have to  
21 consider SEQRA and consider a Negative Declaration under  
22 SEQRA based upon your review and based upon the reports  
23 submitted by the Applicant regarding water, sewer service,  
24 wetlands disturbance.

25           Was there a drainage SPDES?

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2           MR. DeWINTER: We had a SWPPP --

3           MR. CAPPELLO: SWPPP.

4           MR. DeWINTER: -- and found that we had reduced the  
5 impervious by 25 percent.

6           MR. C. PAGGI: You still need a SPDES permit  
7 construction activities.

8           MR. DeWINTER: Yes.

9           MR. C. PAGGI: That will be prior to a building  
10 permit.

11           MR. CAPPELLO: So based upon all those studies and all  
12 those reports and the letters from the Applicant,  
13 specifically October 8th, 2019, the Board can consider  
14 adopting a Negative Declaration under SEQRA. Also, in  
15 consideration that this is an existing campsite and there  
16 will be little additional clearing or disturbance involved.

17           CHAIRMAN GREEN: I guess we need a motion for that.

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

19           CHAIRMAN GREEN: Second?

20           BOARD MEMBER COLLIER: Second.

21           CHAIRMAN GREEN: Erik.

22           All in favor?

23           BOARD MEMBER GOODMAN: Aye.

24           BOARD MEMBER COLLIER: Aye.

25           BOARD MEMBER RUSSEK, III: Aye.

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2           CHAIRMAN GREEN: Aye.

3                   (The motion was approved and carried.)

4           MR. CAPPELLO: Now, the next one to consider is  
5 conditional special permit and site plan approval. The  
6 first thing for the Board to consider in that is one, the  
7 six waivers requested and as set forth in the October 8th,  
8 2019 letter from your planner.

9           The first one is permitting the site to front to a  
10 town road rather than a county or state road.

11           The second one is permitting existing roadways to be  
12 gravel and not macadam.

13           The third one is permitting campsite pads and parking  
14 areas to be gravel and not macadam.

15           The fourth one is a waiver from the required number of  
16 lavatories and showers and the Applicant to provide those  
17 numbers shown on the plan.

18           The fifth one is a waiver from the required number of  
19 trash receptacles.

20           Do you know what we're reducing from?

21           MR. DeWINTER: Well, that key, the way the code is  
22 written, and I think backing up, is that each one had to  
23 have its own trash receptacle. But I think that's -- but  
24 each one will have. Even though each one has a garbage  
25 can, they'll take it down. We're going to have a trash

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2 compactor.

3           MR. CAPPELLO: All right.

4           And the last one is a waiver from including a separate  
5 landscape, lighting or grading plan due to the fact that  
6 the site is extensively wooded and while a full lighting  
7 plan hasn't been provided, the location of lights and a  
8 cutout showing the details of the lights will be provided.

9           MS. BELTRANI: Actually, I'm sorry.

10          MR. CAPPELLO: Yes.

11          MS. BELTRANI: The agreement was that they weren't  
12 going to be separate. Landscaping and lighting and grading  
13 were on one plan; correct?

14          MR. DeWINTER: Yeah, but we have two plans. We  
15 actually have a --

16          MS. BELTRANI: I just wanted to specify.

17          MR. DeWINTER: Yeah. I mean --

18          MR. CAPPELLO: Oh, from a separate. Okay.

19          MS. BELTRANI: Yes, they're not separate --

20          MR. CAPPELLO: So we do have the plans, they're just  
21 not separate.

22          MS. BELTRANI: Yes.

23          MR. CAPPELLO: Okay.

24          MS. BELTRANI: Especially now that the correct  
25 lighting will be shown.

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2           MR. CAPPELLO: Got you. Okay.

3           So unless the Board has any questions, you want to  
4 consider them all as six or individual?

5           BOARD MEMBER GOODMAN: I think we can consider them  
6 all. I have no issue with any of them.

7           BOARD MEMBER RUSSEK III: So that's all for conditions  
8 or that's just for the --

9           MR. CAPPELLO: No, that's the waivers.

10          CHAIRMAN GREEN: That's just waivers. These are  
11 waivers of town code.

12          MR. CAPPELLO: I mean I'll put it all in one  
13 resolution, but I'd rather have a record that --

14          BOARD MEMBER RUSSEK, III: Waivers.

15          MR. CAPPELLO: -- you voted and granted the waivers.

16          BOARD MEMBER RUSSEK, III: Motion.

17          MR. CAPPELLO: Joe made the motion.

18          CHAIRMAN GREEN: Second?

19          MR. CAPPELLO: Lorry.

20          BOARD MEMBER GOODMAN: Second.

21          CHAIRMAN GREEN: Alex.

22          All in favor?

23          BOARD MEMBER GOODMAN: Aye.

24          BOARD MEMBER COLLIER: Aye.

25          BOARD MEMBER RUSSEK, III: Aye.

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2           CHAIRMAN GREEN: Aye.

3                   (The motion was approved and carried.)

4           MR. CAPPELLO: So now we have that.

5           Now, the next one would be to consider conditional  
6 special use and site plan approval for the facility. Let's  
7 go through the conditions so we just have them down.

8           No. 1, on sewer we would want -- well, you said  
9 there's no SPDES so we will want prior to issuance of any  
10 Certificate of Occupancy that a certified engineer report  
11 be provided that the system has been examined and confirm  
12 that it's in working order, meets all requirements of the  
13 SPDES.

14          MR. C. PAGGI: And they'll add a note to the plan  
15 about that?

16          MR. CAPPELLO: Yes, yes.

17          MR. DeWINTER: Yes.

18          MR. CAPPELLO: That's prior to signing, obviously, the  
19 note.

20          MR. DeWINTER: Yes.

21          MR. CAPPELLO: Water, that prior to any Certificate of  
22 Occupancy, that Health Department approval be shown and  
23 that the system be in operable form.

24          MR. C. PAGGI: That would be prior to signing the  
25 plan; right?

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2           MR. CAPPELLO: Well, I don't know. What do you want?  
3 Do you want to do testing or would you get the permit prior  
4 to signing?

5           MR. DeWINTER: Well, we have to test. We have to do  
6 the test.

7           MR. CAPPELLO: Yes.

8           MR. DeWINTER: But I mean if you want to make it  
9 prior ...

10          MR. CAPPELLO: Prior to building permits?

11          MR. DeWINTER: Prior to building permits.

12          MR. CAPPELLO: Okay.

13          MR. DeWINTER: I mean or occupancy of the campground.  
14 Part of the Health Department is they inspect the  
15 campground and they give, actually, an occupancy permit and  
16 part of that would be the water anyways.

17          MR. C. PAGGI: Can we have the plan signed without a  
18 water supply system that's approved yet, though? They have  
19 the sewer system approved.

20          MR. DeWINTER: Well --

21          MR. C. PAGGI: They have a SPDES permit with the sewer  
22 so --

23          MR. DeWINTER: We can provide a letter from the Health  
24 Department, not that -- you know, I don't know if -- I'm  
25 sure they'll give it that the system ...

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2           MR. CAPPELLO: Well, you'll have the resolution so  
3 when the plan is going to get signed versus --

4           MR. DeWINTER: We're going to start working on it.

5           MR. CAPPELLO: --- if it needs to be signed for the  
6 water, we're going to need that.

7           CHAIRMAN GREEN: That, again, comes back to what I was  
8 saying before. We're not going to sign it until we know  
9 that the sewer system actually works as designed and the  
10 water actually works.

11          MR. CAPPELLO: Well, you might need to sign the plan  
12 based on -- because they do have the SPDES so they did  
13 provide you with approval. But what we're asking is before  
14 it actually gets used, that once all the work's been done  
15 that they demonstrate that it works.

16          CHAIRMAN GREEN: Right.

17          MR. CAPPELLO: So that wouldn't be necessarily signing  
18 of the plan, but let's go on.

19          The third one I have is violations. You want all the  
20 violations addressed prior to signing the map?

21          MR. DeWINTER: Would that be prior or prior to our  
22 occupancy?

23          MR. CAPPELLO: Prior to signing the map. This has  
24 been going on --

25          MR. DeWINTER: Let me ask, just a clarification. Can

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2 they go in and do work in there without having a signed  
3 plan or --

4           MR. CAPPELLO: Yes. I mean if the work is cleaning  
5 up, you could have cleaned up the site and removed the  
6 violations yesterday.

7           MR. DeWINTER: Well --

8           MR. CAPPELLO: You don't need any approval to go --

9           MR. DeWINTER: Well, I'm just --

10          MR. CAPPELLO: -- site plan approval take crap out.

11          MR. DeWINTER: But they're talking electric work and  
12 all that kind of stuff.

13          MR. CAPPELLO: Well, that, you know --

14          BOARD MEMBER RUSSEK, III: That's still permitting  
15 through the Building Department, for the demo permits, the  
16 electrical.

17          MR. CAPPELLO: Well, demo permit. If there's new  
18 electric that's associated with the new units you would  
19 need a building permit. So we'll address it.

20          MR. DeWINTER: Yeah.

21          MR. CAPPELLO: We'll allow any permits to be issued to  
22 address the violations.

23          MR. DeWINTER: I just don't want to get hung up.

24          MR. CAPPELLO: Yes, I understand.

25          You guys understand?

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2           BOARD MEMBER RUSSEK, III: And that's prior to what  
3 point?

4           MR. CAPPELLO: Well, the violations would have to be  
5 -- the debris removed prior to signing the map. But  
6 something in there that it would authorize to do --

7           BOARD MEMBER RUSSEK, III: Yeah.

8           MR. CAPPELLO: -- any testing on the sewer or water  
9 pump test, any work that needs to be done associated with  
10 that. Any work that needs to be done associated with  
11 improving the electrical system can be done.

12          CHAIRMAN GREEN: Do you plan on starting to actually  
13 remove those violations, removed those --

14          MR. DeWINTER: Actually, Mr. Diaz had contacted me  
15 about a week ago. He has somebody ready to go in and start  
16 digging them out, but I told him to wait because I didn't  
17 want to get in conflict. You know, they're doing something  
18 and, you know, have Mary tell us to stop. You know, she's  
19 anxious to get these things done. We're anxious, he's  
20 anxious to get these things done, too.

21          CHAIRMAN GREEN: Something has been brought up that  
22 it's been pretty long-standing at this point. We'd like to  
23 see you get started to haul out.

24          MR. DeWINTER: Yeah. I mean I'm sure he'll start  
25 yesterday.

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2           CHAIRMAN GREEN: Good.

3           MR. CAPPELLO: For wetlands, prior to signing the map  
4 a permit, any permits.

5           MR. DeWINTER: Let me ask you. I just want some  
6 clarification.

7           MS. BELTRANI: Yes.

8           MR. DeWINTER: If they were not -- well, they're going  
9 to remove those. That's going to be -- they may not  
10 complete those sites so it's just to get a permit?

11          MS. BELTRANI: You've got to get someone from DEC out  
12 to the site because that was what they said in the e-mail.  
13 They're not going to issue a wetland disturbance permit  
14 until they actually have a chance to get on the ground and  
15 to review the site further; right?

16          MR. DeWINTER: Well, he -- Mike actually is the one  
17 that established.

18          MS. BELTRANI: He's the one that delineated it; right?

19          MR. DeWINTER: Yes.

20          MS. BELTRANI: But from the e-mail he said --

21          MR. DeWINTER: We'll get the wetland permit. As long  
22 as there's no time limit that they have. You know, I  
23 know ...

24          MS. BELTRANI: Yes. We still need to know, again,  
25 that back and forth.

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2           MR. DeWINTER: Yes.

3           MS. BELTRANI: You need one. He's not going to  
4 determine whether or not you need one until you start the  
5 permitting process.

6           MR. DeWINTER: Yes, okay.

7           CHAIRMAN GREEN: So these were the permits that were  
8 needed just to haul the derelict vehicles out?

9           MS. BELTRANI: Potentially.

10          MR. DeWINTER: No, no. Not -- only -- this is the  
11 area where the wetland, adjacent.

12          CHAIRMAN GREEN: Right.

13          MR. DeWINTER: We're not even in the wetland, at all.  
14 It's the adjacent area. It's only this group here that's  
15 affected. We can start -- we'll start -- we'll get the  
16 permits we need from Mary to start that right away.

17          CHAIRMAN GREEN: I thought in the note that they said  
18 that if all you were doing was just hauling things out,  
19 that you didn't need a permit.

20          MR. DeWINTER: No, no. If -- where the units are  
21 there now, we need to get a permit, all right, because some  
22 of them are a little more than just --

23          CHAIRMAN GREEN: Right. But that is what I thought  
24 the permit was.

25          MR. DeWINTER: But once we have the new sites

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2 constructed, bringing a camper in, setting it on the pad,  
3 hooking it up or pulling it out when the time, when they're  
4 done doesn't need a permit for that. All right? And  
5 that's why I put the addition to the note, saying any work  
6 within that area, they're to contact DEC because of what  
7 Mike was saying. They would rather have them call every  
8 day and talk to them every day and they can say, No, we  
9 don't need a permit for that, yes, we need it for that.  
10 They'd rather have you contact them ahead of time. That's  
11 why I put that little extra in the note.

12           MR. CAPPELLO: The fifth condition is no tree removal  
13 from --

14           BOARD MEMBER COLLIER: November.

15           BOARD MEMBER RUSSEK, III: November to April?

16           MR. CAPPELLO: No. You can't do it in October.  
17 From March 31st to October 31st.

18           MR. C. PAGGI: April 1st to October 31st.

19           MR. DeWINTER: It's on the note.

20           MR. CAPPELLO: Yes. So the last day you can do it ...

21           MR. DeWINTER: Now, is that a condition or it's that a  
22 note?

23           MR. CAPPELLO: That's --

24           MR. DeWINTER: All right.

25           MR. CAPPELLO: No. That'll be a condition, too --

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2           MR. DeWINTER: Okay.

3           MR. CAPPELLO: -- just so we have it because if you  
4 violate it, you violate your special use permit.

5           MR. DeWINTER: No problem.

6           MR. CAPPELLO: But it should be a note on the map,  
7 too.

8           MS. BELTRANI: There is a note.

9           MR. CAPPELLO: Anything else?

10          MR. C. PAGGI: Satisfying our comments.

11          MR. CAPPELLO: Yes, we have the typical ones.  
12 Compliance with the site plan.

13          BOARD MEMBER RUSSEK, III: GREEN: Did you make the  
14 lights conditional, the mapping of the lights?

15          MR. CAPPELLO: Oh, yes, cutout for lights. Provide  
16 cutout and foot-candles.

17          MR. DeWINTER: Okay, foot-candles.

18          MR. CAPPELLO: That's prior to signing the map,  
19 obviously.

20          Payment of all fees.

21          MR. DeWINTER: Oh, we've got to do that?

22          BOARD MEMBER RUSSEK III: Tomorrow, just for that.

23          MR. CAPPELLO: I'll put posting appropriate  
24 inspections prior to relevant work.

25          And ten, providing a bi-month --

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2           Is it bi-month means twice a month?

3           MR. DeWINTER: It means both. It can go either way.

4           CHAIRMAN GREEN: A status report.

5           MR. CAPPELLO: I'll say providing a status report to  
6 the Planning Board and the building inspector every 60  
7 days.

8           MR. DeWINTER: And that's just a reporting? That's  
9 what it is?

10          MR. CAPPELLO: As to where you are on all of these.

11          MR. DeWINTER: Not an appearance, just a report.

12          MR. CAPPELLO: No. Just a letter to the building  
13 inspector.

14          Anything else?

15          BOARD MEMBER COLLIER? For D and E, a waiver from, it  
16 doesn't say how many.

17          MR. DeWINTER: What's that?

18          BOARD MEMBER COLLIER: From D and E, above, requested  
19 waivers, does it show on the plans how many showers? I  
20 know you mentioned it, but does it show how many  
21 receptacles?

22          MR. DeWINTER: I believe there is a note in the plan.

23          BOARD MEMBER COLLIER: Okay.

24          MR. CAPPELLO: Jim, if you could just e-mail us the  
25 number of lavatories that would have been required and what

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2 you're providing and then also the number of trash  
3 receptacles you would be required.

4           MR. DeWINTER: Well, it's a waiver from having a trash  
5 receptacle at every one because they each have, you  
6 know ...

7           BOARD MEMBER COLLIER: It says "required" so it's --

8           MR. CAPPELLO: Well, but two central. Something I can  
9 put in there that --

10          MR. DeWINTER: Okay.

11          MR. CAPPELLO: -- 162 were required, individual, and  
12 instead, we're having two central or wherever you're having  
13 them.

14          MR. DeWINTER: Okay. Now, do you want that note on  
15 the plan? Is that what you're looking for?

16          MR. CAPPELLO: No. You have it on. Just so when we  
17 write the resolution we can include it.

18          MR. DeWINTER: I will.

19          MR. CAPPELLO: You don't need to find it now.

20          MR. DeWINTER: I know. I know it was in one of my  
21 response letters.

22          MR. CAPPELLO: Yes. Just if you could put it in an  
23 e-mail.

24          MR. DeWINTER: Okay.

25          MR. CAPPELLO: Anything else?

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2                   (No verbal response.)

3           MR. CAPPELLO: Then the Board can vote. The vote will  
4 be to grant the conditional approval. So it's granted, but  
5 we will confirm with a written resolution. I will try to  
6 send it out you and --

7           MR. DeWINTER: Okay.

8           MR. CAPPELLO: -- the attorney prior to the meeting.  
9 Can I be authorized for that just so I can get their  
10 comments and make it easier?

11          CHAIRMAN GREEN: Yes.

12          MR. CAPPELLO: Then the next part wouldn't be granting  
13 an approval, it would just be confirming that everything  
14 you said is included in the written resolution.

15          MR. DeWINTER: Right.

16          CHAIRMAN GREEN: So can I have a motion for that?

17          BOARD MEMBER RUSSEK, III: I'm make the motion.

18          CHAIRMAN GREEN: Joe.

19          Second?

20          BOARD MEMBER GOODMAN: Second.

21          CHAIRMAN GREEN: Alex.

22          All in favor?

23          BOARD MEMBER GOODMAN: Aye.

24          BOARD MEMBER COLLIER: Aye.

25          BOARD MEMBER RUSSEK, III: Aye.

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2           CHAIRMAN GREEN: Aye.

3                   (The motion was approved and carried.)

4           MR. DeWINTER: Thank you.

5           CHAIRMAN GREEN: You're welcome.

6           MR. DeWINTER: I'd like to say thank you for your  
7 cooperation. The Board, you've been very helpful. Thank  
8 you.

9                   (Time noted: 7:43 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 Back River Hope Campground, to the best of my knowledge and belief, having been stenographically recorded by me and transcribed under my supervision.

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



ROSEMARY A. MEYER

Date Transcribed: November 8, 2019

	<p><b>agreement (1)</b> 23:11</p>	<p>36:9</p>	<p>10:15,23;11:4,11; 12:6,9,17;13:21;14:4, 17;15:23;16:13,14, 15,18;18:20,23;19:2, 14,17;20:8,18,20; 21:13,18,20,23,24, 25;22:6;24:3,5,7,14, 16,20,23,24,25; 28:14;29:2,7;32:14, 15;33:13,22;34:6,15, 18,23;35:7;36:3,17, 20,23,24,25;37:7</p>	<p>35:1;36:1;37:1</p>
<b>A</b>	<p><b>ahead (1)</b> 32:10</p>	<p><b>aware (1)</b> 15:2</p>	<p><b>Board's (1)</b> 7:20</p>	<p><b>camping (3)</b> 8:23;19:6,13</p>
<p><b>able (5)</b> 4:17;7:8;9:7; 13:10;16:21</p>	<p><b>Alex (3)</b> 6:16;24:21;36:21</p>	<p><b>away (3)</b> 11:21;20:2;31:16</p>	<p><b>both (1)</b> 34:3</p>	<p><b>campsite (3)</b> 19:5;21:15;22:13</p>
<p><b>above (1)</b> 34:18</p>	<p><b>Allegiance (2)</b> 4:4,5</p>	<p><b>awnings (1)</b> 8:19</p>	<p><b>bring (4)</b> 5:9;9:12;10:13; 18:10</p>	<p><b>can (39)</b> 5:4,22,24;6:12; 8:11;9:21;10:23; 11:11,15,24,24,25; 12:10;14:21;16:4,15, 23;17:6,7;18:6,12,20, 21;13:22,25;24:5; 26:17,23;27:25; 29:11;31:15;32:8,20; 34:3;35:8,17;36:3,9, 9,16</p>
<p><b>acceptance (1)</b> 4:9</p>	<p><b>allow (1)</b> 28:21</p>	<p><b>Aye (16)</b> 6:19,20,21,22; 21:23,24,25;22:2; 24:23,24,25;25:2; 36:23,24,25;37:2</p>	<p><b>bringing (1)</b> 32:2</p>	<p><b>capacities (1)</b> 13:4</p>
<p><b>accompanied (1)</b> 10:11</p>	<p><b>amended (1)</b> 4:13</p>	<b>B</b>	<p><b>built (1)</b> 13:14</p>	<p><b>capacity (2)</b> 13:2,7</p>
<p><b>accountability (1)</b> 17:19</p>	<p><b>amount (1)</b> 20:9</p>	<p><b>BACK (44)</b> 4:1,12,5:1,9,14; 6:1;7:1,23;8:1;9:1; 10:1;11:1,20;12:1; 13:1;14:1;15:1,19; 16:1;17:1,4;18:1; 19:1;20:1,7;21:1; 22:1;23:1;24:1;25:1; 26:1;27:1,7;28:1; 29:1;30:1,25;31:1; 32:1;33:1;34:1;35:1; 36:1;37:1</p>	<p><b>buildings (4)</b> 8:15;9:20;10:8; 11:23</p>	<p><b>CAPPELLO (69)</b> 6:25;10:19;16:9, 11;18:6,9;20:20; 21:3,11;22:4;23:3,10, 18,20,23;24:2,9,12, 15,17,19;25:4,16,18, 21;26:2,7,10,12;27:2, 5,11,17,23;28:4,8,10, 13,17,21,24;29:4,8; 30:3;32:12,16,20,23, 25;33:3,6,9,11,15,18, 23;34:5,10,12,24; 35:8,11,16,19,22,25; 36:3,8,12</p>
<p><b>accounts (1)</b> 17:10</p>	<p><b>anticipated (1)</b> 12:21</p>	<p><b>backing (1)</b> 22:22</p>	<b>C</b>	<p><b>carried (4)</b> 6:23;22:3;25:3; 37:3</p>
<p><b>acres (1)</b> 4:16</p>	<p><b>anxious (3)</b> 29:19,19,20</p>	<p><b>backup (1)</b> 20:10</p>	<p><b>calculate (2)</b> 11:5;13:4</p>	<p><b>cast (1)</b> 7:19</p>
<p><b>active (2)</b> 5:5,7</p>	<p><b>anyways (1)</b> 26:16</p>	<p><b>ballfield (1)</b> 20:6</p>	<p><b>calculation (1)</b> 19:4</p>	<p><b>central (2)</b> 35:8,12</p>
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