

TOWN OF MAMAKATING
ZONING BOARD OF APPEALS

MINUTES

January 26, 2023

TOWN HALL

WURTSBORO, NEW YORK

ZONING BOARD MEMBERS :

MATTHEW MORREALE, Chairman

GEORGIA RAMPE, Board Member

KENT FINDLEY, Board Member

GENEVIEVE MULHARE, Board Member

DAVID LEWIS, Board Member

JON FOURNIER, Alternate Board Member

STEVEN MOGEL, ESQ., Attorney

KYRA PLATT, Building Department

MEGAN COMFORT, Building Department

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

Reported By: Rosemary A. Meyer

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A G E N D A I N D E X

	Pages
Call Meeting to Order	4
Pledge of Allegiance	4
Acceptance of Minutes	4
Beth Helfant-Goldman, Area Variance	3 - 15
Fabio Gomez, Possible Use Variance	16 - 29
Old Roosa Gap Realty LLC, Interpretation and Appeal of Building Inspector Decision, Continuation of Public Hearing	30 - 90
Close Meeting	88

* * * * *

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COUNTY OF SULLIVAN : TOWN OF MAMAKATING
ZONING BOARD OF APPEALS

----- X
Beth Helfant-Goldman
Area Variance for Existing Accessory Structure
Tax Map Section 2; Block 1; Lot 13
Mountain Greenbelt Zone
----- X

Town Hall
Town of Mamakating
January 26, 2023
7:00 P.M.

ZONING BOARD MEMBERS :

- MATTHEW MORREALE, Chairman
- GEORGIA RAMPE, Board Member
- KENT FINDLEY, Board Member
- GENEVIEVE MULHARE, Board Member
- DAVID LEWIS, Board Member
- JON FOURNIER, Alternate Board Member
- STEVEN MOGEL, ESQ., Attorney
- KYRA PLATT, Building Department
- MEGAN COMFORT, Building Department

Also Present: Brian Schug,
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: BETH HELFANT-GOLDMAN -

2 CHAIRMAN MORREALE: Good evening, folks. The January
3 26th ZBA meeting is called to order.

4 Would everyone please stand for the Pledge of
5 Allegiance.

6 (The Pledge of Allegiance was recited.)

7 CHAIRMAN MORREALE: Okay. I'm just going to do a quick
8 attendance.

9 Dave Lewis.

10 BOARD MEMBER LEWIS: Here.

11 CHAIRMAN MORREALE: Genevieve Mulhare.

12 BOARD MEMBER MULHARE: Here.

13 CHAIRMAN MORREALE: Jon Fournier.

14 ALTERNATE BOARD MEMBER FOURNIER: Here.

15 CHAIRMAN MORREALE: Kent Findley.

16 BOARD MEMBER FINDLEY: Here.

17 CHAIRMAN MORREALE: Georgia Rampe.

18 BOARD MEMBER RAMPE: Here.

19 Steve.

20 MR. MOGEL: Here.

21 CHAIRMAN MORREALE: And I'm here.

22 Okay. Did everyone receive the January 5th minutes and
23 were you able to review them?

24 BOARD MEMBER MULHARE: Yes.

25 BOARD MEMBER LEWIS: Yes.

1 - RE: BETH HELFANT-GOLDMAN -

2 CHAIRMAN MORREALE: Okay. Do I have a motion to accept
3 those minutes?

4 BOARD MEMBER LEWIS: Motion.

5 CHAIRMAN MORREALE: I'll second it.

6 All in favor?

7 BOARD MEMBER RAMPE: Aye.

8 BOARD MEMBER FINDLEY: Aye.

9 BOARD MEMBER MULHARE: Aye.

10 BOARD MEMBER LEWIS: Aye.

11 CHAIRMAN MORREALE: Aye.

12 (The motion was approved and carried.)

13 CHAIRMAN MORREALE: Unless anyone objects, given that we
14 have some public comment, I believe, for this evening, both
15 on Zoom and in person, rearranging the order of the agenda so
16 the few applicants that are here before us for the first time
17 can go first. Any thoughts on that?

18 BOARD MEMBER RAMPE: Good idea.

19 CHAIRMAN MORREALE: Okay.

20 BOARD MEMBER FINDLEY: Good.

21 CHAIRMAN MORREALE: I think that's what we're going to
22 do.

23 Given that last minute change, Kyra, who is going to be
24 before us first?

25 MS. PLATT: Beth Helfant-Goldman. And I believe Brian

1 - RE: BETH HELFANT-GOLDMAN -

2 Schug is with her.

3 MR. SCHUG: Yes.

4 MS. PLATT: It's an area variance for an existing
5 accessory structure located closer to the street than the
6 street wall of the dwelling. This property is located at
7 1143 Mountaindale Road, it's actually 1137-1143, Tax Map
8 Section 2; Block 1; Lot 13. It's approximately 3.80 acres
9 and lies in the Mountain Greenbelt Zone.

10 CHAIRMAN MORREALE: Sir, before we get going, Kyra, when
11 did this violation, when was it issued?

12 MS. PLATT: The violation referenced on the letter they
13 prepared was issued July 6, 2022.

14 CHAIRMAN MORREALE: July 6th.

15 MR. MOGEL: When was the appeal filed? November?

16 MS. PLATT: I apologize. I don't have a stamped copy,
17 but it was submitted in time before the January 26th meeting,
18 so it would have been prior to January 13th. Prior to
19 January 13th, the submission deadline.

20 CHAIRMAN MORREALE: Do you see where I'm going here?

21 MR. MOGEL: So we have an application, an appeal of the
22 Notice of -- I mean he can still an area variance, but it's
23 -- well, actually no. The denial is from July and the
24 application for a variance, which is dated the 21st of
25 November. I believe it is what, 60 days from the date?

1 - RE: BETH HELFANT-GOLDMAN -

2 CHAIRMAN MORREALE: I wasn't sure if it was 60 or 90.

3 MR. MOGEL: Yes.

4 MR. SCHUG: So if I may, just real quick, we understand
5 the violation but we're not directly appealing, you know, the
6 violation notice. We've cured the violation through means of
7 having an inspection done by an electrical underwriter and
8 having an architect go ahead and certify the roof structure
9 for the building.

10 MR. MOGEL: Okay.

11 MR. SCHUG: Brian Schug. I'm sorry. My name is Brian
12 Schug, S-C-H-U-G. I'm the president of Catskill Consultants.

13 MR. MOGEL: Did you put in an application thereafter for
14 a building permit which was then subsequently denied?

15 MR. SCHUG: Unfortunately, we did not. I had some
16 conversation with the Building Department regarding the type
17 of variance request that we needed. And we did not submit
18 the application because literally, the application would only
19 state to utilize this accessory building that's been existing
20 as an art studio. So I actually looked at the building
21 permit application and there was almost literally nothing to
22 fill out on it other than a small description. So I -- you
23 know, and we didn't really realize this until last Friday.

24 MR. MOGEL: Right. It's just it's a jurisdictional
25 issue, and the Board has been pretty consistent. I mean if

1 - RE: BETH HELFANT-GOLDMAN -

2 there's a Notice of Violation, I just have to check the code,
3 but if there is a Notice of Violation and there is a timely
4 appeal, then the Board has jurisdiction to hear the appeal.
5 In this case, if you cured the violation --

6 MR. SCHUG: Right.

7 MR. MOGEL: -- then the next step would have been to
8 make an application for a building permit. The denial letter
9 would then start the time running to put in an appeal with
10 the ZBA. You know, I don't relish the idea of, you know,
11 unnecessary appearances or anything, but the Board has been
12 quite consistent with time limits in that regard.

13 Let me just take a quick look. I mean is there anything
14 that would constitute a denial of the building permit
15 subsequent to that?

16 MR. SCHUG: I had written an e-mail to the Building
17 Inspector requesting that we have, you know, a referral
18 letter, for lack of better words, or a referral made to the
19 ZBA so we could potentially get something done tonight, even
20 if it were to possibly schedule a public hearing if the Board
21 felt it was necessary or just have them at least do a brief
22 review of the application. Specifically, the application,
23 and we also are offering a road dedication, also. If we
24 could get just any comment regarding that. We would apply
25 for the building permit if the Board felt that was necessary

1 - RE: BETH HELFANT-GOLDMAN -

2 and we would reappear in March or February. I'm sorry.

3 CHAIRMAN MORREALE: What we're doing, sir, it's not that
4 we don't want to hear what you have to say or aren't
5 interested in what you have to say, it's that we're not sure
6 if we can follow through this proceeding unless we meet
7 certain requirements. That's what I'm asking the Board's
8 counsel.

9 MR. SCHUG: Absolutely. I agree. I completely agree.

10 MR. MOGEL: Again, I don't mean to fixate on a
11 technicality, but the Board has been very consistent over a
12 number of years. 199-57(a), it says: An appeal from an
13 administrative officer has to be taken within 60 days of the
14 filing. And again, that would be either the Notice of
15 Violation, in which case an appeal could be made, or a denied
16 building permit. In the absence of either one, I would
17 indicate to the Board that it's my opinion that the Board
18 would not have jurisdiction to hear this application. I
19 mean, again, it's clear that there's an issue that this board
20 is going to have to hear and I understand and respect that,
21 but I couldn't give an opinion otherwise. But obviously, the
22 Board can listen to me or not listen to me. It's their
23 decision.

24 MR. SCHUG: Sure.

25 MR. MOGEL: But that would be my opinion.

1 - RE: BETH HELFANT-GOLDMAN -

2 MR. SCHUG: Okay. Can I just ask one more question? If
3 I could see what direction it's going to go in at this point.
4 If we were to file for a building permit, say in the next
5 week or so, would we have any issues with receiving the
6 referral letter for an appearance next month?

7 CHAIRMAN MORREALE: As long as you're denied.

8 MR. MOGEL: As long as you're denied, yes.

9 MR. SCHUG: Well, that will be great if we're approved.
10 I won't have to be here next month at all, then.

11 CHAIRMAN MORREALE: Hopefully, it's a win-win for you.
12 But we haven't decided completely.

13 MR. SCHUG: Okay.

14 CHAIRMAN MORREALE: Although I am inclined to agree with
15 Counsel.

16 Does anyone else have anything to say about the matter?

17 BOARD MEMBER FINDLEY: I only have to ask. There's an
18 application here. I mean it's dated. I think it's -- I'm
19 going by the date --

20 MR. SCHUG: I believe it's November 21st.

21 BOARD MEMBER FINDLEY: Yes, 11-21st, '22.

22 MS. PLATT: Yes.

23 BOARD MEMBER FINDLEY: That's my only question regarding
24 that, the actual application to the ZBA. But that 11-22
25 you're saying is after the date.

1 - RE: BETH HELFANT-GOLDMAN -

2 MR. SCHUG: No, sir. That's within the date of the time
3 frame to submit the application for the month, for this
4 month.

5 MS. PLATT: The violation is from July.

6 MR. SCHUG: I understand.

7 BOARD MEMBER FINDLEY: Is there a difference between
8 their -- because you're not actually appealing the violation;
9 is that correct?

10 MR. SCHUG: That's correct. We submitted some
11 information from our architect and we previously submitted a
12 electrical inspection from a New York State certified
13 electrical underwriter that passed the electrical inspection.
14 And the architect certified the roof regarding that
15 violation. I wanted to include that in the package so the
16 ZBA had a clear picture.

17 BOARD MEMBER FINDLEY: What was the response from the
18 Building Department when you submitted that?

19 MR. SCHUG: They were happy that -- it was related to a
20 Building Permit 5612 that I believe was taken out in -- I can
21 tell you when it was taken out. It was taken out in
22 approximately 2007.

23 BOARD MEMBER FINDLEY: Ha, ha, ha.

24 MR. SCHUG: Yeah. And, you know, the people who
25 purchased the property purchased it literally a month after

1 - RE: BETH HELFANT-GOLDMAN -

2 this work was done, prior to these issues coming up. So she
3 was completely unaware. Her and her husband were unaware of
4 the lingering unclosed building permit at that time. But
5 she's, since then, you know, been working to obviously get
6 this whole thing straightened out, and here we are tonight.

7 MS. PLATT: That has been taken care of. That's not an
8 issue before the Board. They just wanted to include because
9 it's on the same violation. But that has been taken care of.
10 That's not what they're appeal to the Board.

11 CHAIRMAN MORREALE: If you look at the Notice of
12 Violation, Kent, there's two on the front page, two on the
13 back. The two on the back have been remedied, if I'm
14 correct --

15 MS. PLATT: Yes.

16 CHAIRMAN MORREALE: -- and the two on the front are
17 current. So the violation in 2007 was never remedied. There
18 had been no permits requested to remove, demolish what had
19 been done. So that's one.

20 MS. PLATT: That's really -- it's the same thing.

21 CHAIRMAN MORREALE: Yes.

22 MR. MOGEL: Is this applicant in the process of selling
23 this property or anything?

24 MR. SCHUG: No, sir. It's just the opposite, actually.
25 She's moving here from New Jersey. She's selling her

1 - RE: BETH HELFANT-GOLDMAN -
2 property in New Jersey and wants to make this her permanent
3 residence.

4 MR. MOGEL: Okay.

5 BOARD MEMBER FINDLEY: Well, when was this application
6 received to appear before the Zoning Board?

7 MS. PLATT: Like I said, I do not have a stamp on it.
8 They dated it for November. We definitely received it before
9 January 13th. I apologize for not stamping it. I don't know
10 why I didn't. But between November and January. That's not
11 a great answer, but ...

12 CHAIRMAN MORREALE: So --

13 MR. SCHUG: It was -- you know, the date on there is
14 November 21st. It was maybe two or three days after November
15 21st that we submitted it. It was prior. Well, maybe it
16 wasn't that, quite that early. But it was definitely prior
17 to the time frame requirements that are set forth by the Town
18 for a timely submission to the Zoning Board.

19 CHAIRMAN MORREALE: I think the procedure would be to go
20 to the Building Department, request a possible demolition
21 permit and/or whatever it is that you'd like, a permit.

22 MS. PLATT: You would be requesting a renovation permit.

23 CHAIRMAN MORREALE: And then based on the determination
24 of the Building Department we can either see you or you're
25 off to the races.

1 - RE: BETH HELFANT-GOLDMAN -

2 MR. SCHUG: Okay.

3 CHAIRMAN MORREALE: But we can't -- we don't really have
4 anything to -- we can't -- we don't have anything to vote on.
5 We don't have anything to discuss, we don't have anything to
6 even open a public hearing for right now.

7 MR. SCHUG: Well, I won't ask you to open it. Maybe set
8 it for next month, if that's possible.

9 CHAIRMAN MORREALE: Well, right now we have nothing to
10 set it for.

11 MR. SCHUG: Okay.

12 BOARD MEMBER FINDLEY: If get your denial before the due
13 date --

14 CHAIRMAN MORREALE: Yes.

15 BOARD MEMBER FINDLEY: -- you will be in next month's.

16 MR. SCHUG: All right.

17 CHAIRMAN MORREALE: Exactly.

18 MR. SCHUG: I appreciate that. Thank you.

19 Any other questions that you have for me?

20 CHAIRMAN MORREALE: No. And personally, sir, I'm sorry
21 for the confusion, that you had to come here tonight.

22 MR. SCHUG: That's okay. We understand. Have a good
23 night. Thank you.

24 (Time noted: 7:16 p.m.)

25 * * * * *

1

2

3

REPORTER'S CERTIFICATION

4

5

6

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

7

8

9

10

11

12

13

That the foregoing transcript is an accurate record
of the proceedings in the matter of Beth Helfant-Goldman,
to the best of my knowledge and belief, having been
stenographically recorded by me and transcribed under my
supervision.

14

15

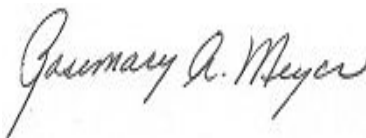
16

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.

17

18

19



20

ROSEMARY A. MEYER

21

22

23

24

Date Transcribed: February 16, 2023

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COUNTY OF SULLIVAN : TOWN OF MAMAKATING
ZONING BOARD OF APPEALS

----- X
Fabio Gomez
Possible Use Variance, "Other" Checked Off
Tax Map Section 39; Block 3; Lot 3
Interchange Commercial Zone
----- X

Town Hall
Town of Mamakating
January 26, 2023
7:16 P.M.

ZONING BOARD MEMBERS :

- MATTHEW MORREALE, Chairman
- GEORGIA RAMPE, Board Member
- KENT FINDLEY, Board Member
- GENEVIEVE MULHARE, Board Member
- DAVID LEWIS, Board Member
- JON FOURNIER, Alternate Board Member
- STEVEN MOGEL, ESQ., Attorney
- KYRA PLATT, Building Department
- MEGAN COMFORT, Building Department

Also Present: Elizabeth Gomez,
On Behalf of Applicant
(via Zoom)

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

Reported By: Rosemary A. Meyer

1 - RE: FABIO GOMEZ -

2 CHAIRMAN MORREALE: Kyra.

3 MS. PLATT: The next applicant is Fabio Gomez. It's a
4 possible use variance is what I'm calling it, but they marked
5 "other" on the application. The dwelling was demolished
6 entirely without approval. The owner would like to rebuild
7 structure. They're in a zone that doesn't allow for a
8 single-family dwelling anymore. The property is located at
9 24 Panuto Road, Tax Map Section 39; Block 3; Lot 3. It's
10 approximately 0.28 acres and lies within the Interchange
11 Commercial Zone.

12 And Mr. Gomez is on Zoom. He will be unmuted
13 momentarily.

14 CHAIRMAN MORREALE: While we're waiting for that, Kyra,
15 not to sound like a broken record, but what was the referral
16 date?

17 MS. E. GOMEZ: Hello. Fabio Gomez is here. I'm his
18 daughter. I'll be translating. He understands perfectly
19 fine and speaks it well, but it's just in cause, like, you
20 don't understand him.

21 MS. PLATT: Just hold on one second, please.

22 MS. E. GOMEZ: Could you repeat that, please?

23 CHAIRMAN MORREALE: Please give us a minute before you
24 start your presentation.

25 MS. E. GOMEZ: All right.

1 - RE: FABIO GOMEZ -

2 MS. PLATT: So there was a -- the property was purchased
3 at an auction. It's an unsafe seasonal dwelling. He started
4 doing work to it and then applied for a permit. The permit
5 was to renovate the existing structure. He ended up
6 demolishing it entirely, which was outside of the scope of
7 the work for permit.

8 On October 17, 2022 the Building Department wrote a
9 letter stating that because of this he would need to, there's
10 a letter included in your packet saying that he would need to
11 apply for a demolition permit.

12 The application was received December 14, 2022.

13 MR. MOGEL: It's a timely application.

14 CHAIRMAN MORREALE: So we're good?

15 MR. MOGEL: Yes.

16 CHAIRMAN MORREALE: Okay.

17 MS. PLATT: Again, they marked "other" on their
18 application. I don't know if he just wasn't sure what to
19 mark. That's why I wrote on the agenda possible use
20 variance, but that is up to the Applicant and the Board.

21 CHAIRMAN MORREALE: Okay. Thank you, Kyra.

22 Ma'am, can you hear me?

23 MS. E. GOMEZ: Yes.

24 CHAIRMAN MORREALE: Can you please state your name and
25 begin your presentation?

1 - RE: FABIO GOMEZ -

2 MS. E. GOMEZ: All right. My name is Elizabeth Gomez.
3 I'm his daughter. Fabio Gomez is right here.

4 MR. GOMEZ: Hi.

5 MS. E. GOMEZ: I'll be speaking mostly or translating
6 because he understands English perfectly fine and he could
7 speak it, but it's just in case so it can get through more
8 clearly.

9 CHAIRMAN MORREALE: Okay.

10 MS. E. GOMEZ: All right. So the architect isn't here
11 with us because we only just got the notification for this
12 meeting at five p.m., so he's not with us. Can we still do
13 this presentation?

14 CHAIRMAN MORREALE: Yes, absolutely. If you feel
15 comfortable continuing, we will be happy to hear you.

16 MS. E. GOMEZ: All right. Okay.

17 So this is our first house and we're building it
18 ourselves. And we bought the house on a sub estate so we
19 didn't know that it was within a interchangeable commercial
20 zone. This house is mostly going to be for ourselves and
21 maybe for even something we plan to move in.

22 So it says that the house was demolished, but the house
23 actually fell when we were trying to reinforce the
24 foundation. And we have a building permit that allows for
25 the complete renovation of an unsafe structure and to allow

1 - RE: FABIO GOMEZ -

2 us to use the existing foundation, but the house fell while
3 we were trying to do that. We just want to reconstruct the
4 house the way it was. Like, we don't want to do any changes,
5 but we want the house the way it exactly was.

6 CHAIRMAN MORREALE: Is the foundation still there?

7 MR. F. GOMEZ: It's one, 30 percent of the foundation is
8 there.

9 CHAIRMAN MORREALE: Ma'am, could you please say that for
10 us?

11 MS. E. GOMEZ: Thirty percent of the foundation is
12 there.

13 CHAIRMAN MORREALE: Thirty percent. Okay. Thank you
14 for that clarification.

15 Is there anything you'd like to ...

16 MS. E. GOMEZ: We never lied. We didn't know that it
17 was like a commercial zone because there were three houses
18 alongside with us, as well. We just wanted to renovate it.
19 We just wanted it -- we just wanted the cabin, is all, as it
20 was. We never meant for any of, like, the changes or the
21 demolition to happen at all.

22 MR. MOGEL: Is it returning to a seasonal dwelling or
23 will it be a year-round dwelling?

24 MS. E. GOMEZ: We want it year-round because the septic
25 is, like, it's all done and everything. So we wanted it

1 - RE: FABIO GOMEZ -

2 something as year-round.

3 MR. F. GOMEZ: And the well.

4 MS. E. GOMEZ: And the well is there, as well. I'm
5 sorry.

6 MR. MOGEL: When did the structure collapse,
7 approximately?

8 MR. F. GOMEZ: In June.

9 MS. E. GOMEZ: In June of this year.

10 CHAIRMAN MORREALE: Is the remnants of the structure
11 still on the property?

12 MS. E. GOMEZ: A part of it is still there. The other
13 he cleaned up.

14 CHAIRMAN MORREALE: Okay. Okay. So the Applicant would
15 like to rebuild. Correct me if I'm wrong. You'd like to
16 rebuild a home that is no longer there in a zone that it
17 currently is not zoned for. You had a -- what type of permit
18 did you have? A renovation permit?

19 MR. F. GOMEZ: Yes.

20 CHAIRMAN MORREALE: Okay

21 MS. E. GOMEZ: We had a TCB complete renovation.

22 CHAIRMAN MORREALE: Okay. And now --

23 MS. E. GOMEZ: Do you want to read the --

24 CHAIRMAN MORREALE: -- structure with the exception of
25 30 percent of the foundation is left.

1 - RE: FABIO GOMEZ -

2 MS. E. GOMEZ: Yes.

3 CHAIRMAN MORREALE: Approximately.

4 MS. E. GOMEZ: Yes, 30 percent.

5 CHAIRMAN MORREALE: I guess, kind of splitting hairs
6 here, but when is it considered the house gone?

7 MR. MOGEL: Well, if this is -- if you're talking about
8 a nonconforming use, 199-52 says termination, but it's
9 discontinuance or nonconforming use for a period of two
10 years.

11 BOARD MEMBER FINDLEY: It also says, under that -- I was
12 just reading that. It doesn't -- this section, that 199-52,
13 Termination, it says: This section does not apply to
14 residential lots. The following provisions under 199-54 ...

15 MS. PLATT: Speak more into the mic, please, Kent.

16 BOARD MEMBER FINDLEY: I'm just questioning this last
17 sentence of the termination. It kind of says residential
18 doesn't apply.

19 MR. MOGEL: Right. But it says 199-54 is dwellings on
20 nonconforming lots within districts that permit residential
21 uses, which this no longer permits residential uses. So it's
22 a nonconforming use, but obviously, it's -- how long was the
23 property -- was the property vacant when you purchased it at
24 auction?

25 MS. E. GOMEZ: Yes, it was.

1 - RE: FABIO GOMEZ -

2 MR. F. GOMEZ: The house was built in '62, 1962.

3 MS. E. GOMEZ: The house was built in 1962.

4 MR. MOGEL: Okay. And how long was it -- had it been
5 out of use as a seasonal dwelling for a long period of time?

6 MR. F. GOMEZ: Yes. Around maybe eight years. And the
7 house have the windows broken, some trees --

8 MS. E. GOMEZ: It was empty for around eight years. And
9 a lot of the windows were broken and the --

10 MR. F. GOMEZ: The roof.

11 MS. E. GOMEZ: And the roof. The roof wasn't in good
12 condition, either. Like, the house was already pretty beat
13 up.

14 CHAIRMAN MORREALE: So seasonal dwelling, vacant for
15 eight years, demolished. Are we talking about --

16 MS. E. GOMEZ: I just --

17 CHAIRMAN MORREALE: Yes.

18 MS. E. GOMEZ: I just want to be sure that you know
19 that, like, it fell while we were just trying to, like,
20 reinforce the foundation and that we didn't know that it was
21 in an interchangeable commercial zone. That's what we just
22 want to make clear.

23 CHAIRMAN MORREALE: I'm sorry. About that commercial
24 zone, that last part?

25 MS. E. GOMEZ: We didn't know that is was in an

1 - RE: FABIO GOMEZ -

2 interchangeable commercial zone. We didn't know that.

3 CHAIRMAN MORREALE: Got it.

4 MR. MOGEL: Kyra, when was the zone changed to disallow
5 residential uses?

6 MS. PLATT: 2017 it was adopted.

7 CHAIRMAN MORREALE: So we're talking about a use
8 variance.

9 MR. MOGEL: You're talking about a use variance, yes.

10 CHAIRMAN MORREALE: Well, you'll say it a lot better
11 than I will.

12 MR. MOGEL: Okay. Well, there's a number of issues
13 here, obviously. The way that the code -- if a use is no
14 longer permitted in a zone, a nonconforming use, that no
15 longer permitted use, can be continued. But if that use is
16 abandoned for a period of two years or more it can't be
17 continued anymore, it's deemed abandoned. So at this point,
18 you have a property that you would like to use in a fashion
19 that is not permitted in that zone. As a consequence, you
20 would need to obtain a use variance.

21 A use variance, it is a very high hill to climb. Among
22 other things, you need to show, by what's stated as competent
23 economic evidence, that there is no other use, no other
24 economically feasible use, that that property could be put
25 to, meaning that you would have to look through the schedule

1 - RE: FABIO GOMEZ -

2 MS. E. GOMEZ: Okay.

3 MR. MOGEL: In terms of how to proceed, do you want to
4 set it for --

5 CHAIRMAN MORREALE: Now, what our board's attorney has
6 explained to you, it is a lot, and like he said, a tough hill
7 to climb. If you were to proceed with us, we would highly
8 suggest you speak with an attorney. But the question is do
9 you want to proceed.

10 BOARD MEMBER FINDLEY: They don't need to answer that
11 now.

12 MS. E. GOMEZ: I'm going to explain to him, please.

13 CHAIRMAN MORREALE: Kent, you're ...

14 You don't have to decide right now, either.

15 MS. E. GOMEZ: All right.

16 CHAIRMAN, MORREALE: But it's more of a, I guess
17 rhetorical question. It's going to be a very hard road and I
18 think you have to really wrap your head around it. That's at
19 least my thought.

20 We can go ahead and schedule a public hearing, but I
21 don't think that would be in your best interest. I think it
22 would be prudent to hold off and really wrap your head around
23 this.

24 MS. E. GOMEZ: Okay.

25 BOARD MEMBER RAMPE: When did they purchase this?

1 - RE: FABIO GOMEZ -

2 CHAIRMAN MORREALE: When did you purchase this property?

3 MR. F. GOMEZ: October 2020.

4 MS. E. GOMEZ: October of 2020.

5 CHAIRMAN MORREALE: October of 2020.

6 BOARD MEMBER FINDLEY: October 2022?

7 MR. MOGEL: 2020.

8 MS. E. GOMEZ: 2020.

9 CHAIRMAN MORREALE: Yes. If you'd like to contact the
10 Building Department with your decision at some later date, we
11 can pick up from there.

12 MS. E. GOMEZ: Okay. All right. Just give me a second
13 to tell him all this.

14 (Ms. E. Gomez and Mr. F. Gomez conferring in
15 Spanish.)

16 MS. E. GOMEZ: All right. So we would have to contact
17 the Building Department?

18 CHAIRMAN MORREALE: Right. I suggest that you contact
19 an attorney.

20 MS. E. GOMEZ: Yes.

21 CHAIRMAN MORREALE: And then from there, after
22 discussion with your counsel, speak to the Building
23 Department.

24 MS. E. GOMEZ: All right.

25 CHAIRMAN MORREALE: You know, an idea was just raised.

1 - RE: FABIO GOMEZ -

2 We could potentially schedule a public hearing that you could
3 withdraw from, but I think at this point it's completely up
4 to you. I think it would be putting the cart before the
5 horse.

6 MS. E. GOMEZ: Would the public hearing be neighbors?

7 MR. MOGEL: Yes.

8 CHAIRMAN MORREALE: Yes, and anyone else from the town
9 that felt they had something to say.

10 MS. E. GOMEZ: Because he says that the three neighbors
11 on the same road, we have a good relationship with them and
12 they want us to rebuild the house the way it was. But you're
13 also saying that, like, there would people also interested in
14 the town, as well, not just the neighbors; right?

15 MR. MOGEL: Correct.

16 CHAIRMAN MORREALE: Correct. And also, the process is
17 still a, frankly, a tough one. Speaking to your attorney
18 would be very, very wise before you committed.

19 MS. E. GOMEZ: All right, we'll speak to the attorney.

20 CHAIRMAN MORREALE: Okay. So thank you, and we look
21 forward to hearing from you, or at least the Building
22 Department, regarding your case.

23 MS. E. GOMEZ: All right.

24 MR. F. GOMEZ: Okay. Thank you.

25 (Time noted: 7:34 p.m.)

* * * * *

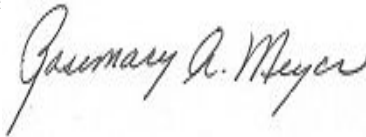
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 Fabio Gomez, 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: February 16, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COUNTY OF SULLIVAN : TOWN OF MAMAKATING
ZONING BOARD OF APPEALS

----- X
Old Roosa Gap Realty LLC c/o Moshe Smilowitz
Interpretation and Appeal of Building Inspector Decision
To Deny Two Production Wells
Continuation of Public Hearing
Tax Map Section 46; Block 2; Lot 41.1
Village Adjacent Zone
----- X

Town Hall
Town of Mamakating
January 26, 2023
7:34 P.M.

ZONING BOARD MEMBERS :

- MATTHEW MORREALE, Chairman
- GEORGIA RAMPE, Board Member
- KENT FINDLEY, Board Member
- GENEVIEVE MULHARE, Board Member
- DAVID LEWIS, Board Member
- JON FOURNIER, Alternate Board Member
- STEVEN MOGEL, ESQ., Attorney
- KYRA PLATT, Building Department
- MEGAN COMFORT, Building Department

Also Present: Steven Barshov,
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: OLD ROOSA GAP REALTY LLC -

2 MS. PLATT: Okay. Continuation of public hearing for
3 Old Roosa Gap Realty LLC, care of Moshe Smilowitz.

4 Interpretation and appeal of Building Inspector decision to
5 deny drilling two, I put production, they said it's test
6 wells, on a property with an existing single-family home,
7 well and septic. The property is located on 32 Old Roosa Gap
8 Road, Tax Map Section 46; Block 2; Lot 41.1. It's
9 approximately 18.39 acres and lies within the Village
10 Adjacent Zone.

11 CHAIRMAN MORREALE: Okay. And I know it's a
12 continuation of a public hearing, but the mailers were done
13 correctly?

14 MS. PLATT: The mailings were done, yes.

15 CHAIRMAN MORREALE: I'm just reiterating.

16 Okay. Do we have anybody who would like to ...

17 MS. PLATT: Do you want Mr. Barshov to reiterate first?

18 CHAIRMAN MORREALE: Yes, that would be good idea.

19 MR. BARSHOV: Good evening, everybody. Steven Barshov,
20 Sive Paget and Riesel for the Applicant.

21 The last that I recall, when I was sitting in a closet
22 in the Penn Club appearing virtually, and by the way, I
23 appreciate the courtesy of allowing me to do that, we had
24 held the public hearing open so that people could submit
25 written comments. I believe there was one e-mail that came

1 - RE: OLD ROOSA GAP REALTY LLC -

2 in. I don't believe that there were any other comments that
3 were submitted. We haven't submitted any additional
4 material. So I think we're here this evening to see if there
5 are any additional public comments that the public would like
6 to give to the Board.

7 My understanding was that there were some members of the
8 public that felt that because of the inclement weather and
9 the snowstorm that occurred last time that some people that
10 might have wanted to have attended the public hearing weren't
11 able to do so. So I think, really, there's nothing further
12 for me this evening. I'm really here to hear what the public
13 has to say.

14 MR. MOGEL: Mr. Barshov, did anybody contact you
15 directly? I know you had given out your private information.

16 MR. BARSHOV: Yes. I have not received any direct
17 e-mail contact since the last public hearing.

18 CHAIRMAN MORREALE: Thank you.

19 MS. PLATT: So first on the list is Chelsea Roth.

20 MS. C. ROTH: Dear Zoning Board:

21 I've made my case a couple of times before, but I just
22 wanted to first say, you know, there was a comment of
23 Mr. Barshov last time of review that he didn't want to hear
24 any repetitive comment. This is a public hearing. If we all
25 want to say that we're concerned about our water, we can all

1 - RE: OLD ROOSA GAP REALTY LLC -

2 say that whether or not it's repetitive or not. So I just
3 wanted to say that because I felt like some people may have
4 been discouraged from saying that themselves.

5 There's no reason that you need to approve these wells.
6 Mary Grass knew that she didn't have to approve them, and it
7 still stands. Please do not open up this Pandora's box that
8 will lead to many issues, potentially.

9 Please do not allow our water to be taken from an
10 unconsolidated aquifer to be given to the village who has
11 already mismanaged, horribly, their water resources.

12 Thank you so much.

13 MS. PLATT: Next is Hunter Zaman.

14 MR. H. ZAMAN: Thank you.

15 I, too, would like to tell the Zoning Board to please
16 uphold the Building Department decision to deny the drilling
17 of these commercial wells. It will definitely impact the
18 character of the neighborhood as there is already a water
19 shortage. It's also not zoned for this type of commercial
20 use, for this commercial hydrogeological extraction, so why
21 would we start changing that at this point? And we do not
22 want to do any changes to the zoning, especially when it
23 concerns something as sensitive as our water.

24 Thank you.

25 MS. PLATT: Next is Sal Genco.

1 - RE: OLD ROOSA GAP REALTY LLC -

2 MR. S. GENCO: I just wanted to find out how the process
3 goes. Like, they're going to do the test well and then
4 they're going to do that three day whatever, okay, and they
5 get approval. So from that point on, how does it work? Does
6 it get approved here, this board, or a different board or to
7 zoning or how does -- where does it go from that point on?

8 CHAIRMAN MORREALE: There could be a couple of
9 scenarios.

10 MR. S. GENCO: Okay. So assuming, you know, they do the
11 test and they do that three day thing that's going to pass,
12 then what? How does it work after that? Does it get voted
13 on here, does it get voted on by a different board or what?
14 I don't know the process after that.

15 CHAIRMAN MORREALE: Possibly both. There are going to
16 be two boards that have to vote, or one, depending on how
17 they proceed. But the first thing they ought to do is apply
18 for a permit for production wells.

19 MR. S. GENCO: Okay. So how does that work?

20 CHAIRMAN MORREALE: Well, they'll go to the Building
21 Department --

22 MR. S. GENCO: Okay.

23 CHAIRMAN MORREALE: -- and they'll fill out an
24 application for --

25 MR. S. GENCO: One person approves that?

1 - RE: OLD ROOSA GAP REALTY LLC -

2 CHAIRMAN MORREALE: If there is reason for denial it
3 will either go to us if it's a zoning denial use or area. I
4 believe, in the zone, it would be a special use permit and
5 that has to go before the Planning Board, so that will be a
6 different board than us. This is not going to be the last
7 step in their process.

8 MR. S. GENCO: So how do we know that we don't miss the
9 meeting that determines it? It's one meeting, one vote? How
10 does that -- is that how it's going to be?

11 CHAIRMAN MORREALE: No. It'll be publicly. Those
12 within a certain radius will be notified by mail. there'll
13 be advertisements -- or not advertisements. There will be
14 notifications in the paper. But it'll certainly be on our
15 web site, the town web site. Like, this is not just going to
16 happen and you'll find out the day after.

17 MR. S. GENCO: Okay. And it goes on record who voted
18 yes, who voted no?

19 CHAIRMAN MORREALE: Yes, it's public record.

20 MR. S. GENCO: Okay. All right. Thank you.

21 CHAIRMAN MORREALE: You're welcome.

22 MS. PLATT: Texter, Gary Texter.

23 MR. G. TEXTER: Good evening. I would just like to
24 stand by what I said last time. Nothing has changed my
25 opinion in that we do have limited resources. It's not

1 - RE: OLD ROOSA GAP REALTY LLC -

2 zoned, the property, for additional wells. This would be a
3 variance, in my understanding, that would have to be granted.

4 And I think we should just -- we should commend our
5 building inspector for upholding the existing zoning law. In
6 my opinion, the zoning law is to help protect those that are
7 in the area that have vested interest, like wells that we
8 don't want to go dry, like water that we don't want to be
9 having less quality for, limited resources. We live in a
10 beautiful area, all of us, and it would be a shame to rape
11 the resources right out of the area.

12 Thank you.

13 MR. MOGEL: Just as a point of clarification, the
14 application that's in front of the Board is not for a
15 variance for any deviation from what's actually in the code.
16 It's an interpretation.

17 MR. G. TEXTER: Okay.

18 MR. MOGEL: It's an interpretation and appeal of a
19 violation.

20 MS. PLATT: A Building Inspector decision, no violation.

21 MR. MOGEL: Oh, that's correct. I'm sorry. A Building
22 Inspector decision.

23 CHAIRMAN MORREALE: And since we're on the subject, it
24 might be -- maybe if we read what's being applied for and
25 what was denied. Is that in our packet on the table or is it

1 - RE: OLD ROOSA GAP REALTY LLC -

2 in the Dropbox?

3 MS. PLATT: It would have been in the Dropbox.

4 BOARD MEMBER FINDLEY: It's right here, too.

5 MS. PLATT: Oh, you have it?

6 CHAIRMAN MORREALE: Yes.

7 BOARD MEMBER RAMPE: Exhibit A in the packet.

8 MS. PLATT: For those of you who brought your old
9 application, yes.

10 MR. MOGEL: This is the preliminary statement.

11 CHAIRMAN MORREALE: Yes.

12 BOARD MEMBER FINDLEY: So specifically, the
13 interpretation we're evaluating --

14 MS. PLATT: Into the microphone, please.

15 BOARD MEMBER FINDLEY: I'm sorry.

16 So specifically, the interpretation.

17 CHAIRMAN MORREALE: Yes.

18 BOARD MEMBER FINDLEY: What code are we interpreting?

19 MR. MOGEL: Okay. Well, the denial letter ...

20 MS. PLATT: The one from May is the first one.

21 MR. MOGEL: The one from May. Okay.

22 The determination of the Building Inspector was that in
23 the Town of Mamakating, the code, that production wells are
24 not a permitted use in the Village Adjacent area, the VA
25 Zone. That is the sum and substance of the Building

1 - RE: OLD ROOSA GAP REALTY LLC -

2 Inspector's determination, that production wells are not a
3 permitted use.

4 The application, the appeal of this, throughout this
5 process the Applicant has made it clear that the application
6 that is currently before the Building Department is not for
7 production wells, but for test wells. So that has been
8 clarified through this process, that this is for test wells,
9 not production wells.

10 CHAIRMAN MORREALE: Thank you. That's what I was hoping
11 to reiterate.

12 MS. PLATT: The next in-person is Susan McLoughlin.

13 MS. McLOUGHLIN: Hi. I spoke once before.

14 This project, proposed project, is right behind my
15 property, like, one acre away from me. So I was just
16 wondering, let's say that you vote that they can, that these
17 things go into production. If my well goes dry what can I do
18 legally about it?

19 CHAIRMAN MORREALE: Ma'am, we're not voting on whether
20 or not they can --

21 MS. McLOUGHLIN: Right. You guys are voting on whether
22 or not they can drill these test wells --

23 CHAIRMAN MORREALE: Right.

24 MS. McLOUGHLIN: -- to later go into production if
25 they're successful --

1 - RE: OLD ROOSA GAP REALTY LLC -

2 CHAIRMAN MORREALE: Right.

3 MS. McLOUGHLIN: -- after a 72-hour period.

4 CHAIRMAN MORREALE: But even after that 72-hour period,
5 and even if their tests come back with what they want to see,
6 that doesn't mean that they can just start --

7 MS. McLOUGHLIN: Right, I understand they have other
8 processes to go through.

9 CHAIRMAN MORREALE: With us, perhaps, or another board.

10 MS. Mc LOUGHLIN: Right. But let's say all of that
11 happens --

12 CHAIRMAN MORREALE: Okay.

13 MS. McLOUGHLIN: -- and my well goes dry.

14 CHAIRMAN MORREALE: Got it.

15 MS. McLOUGHLIN: What can I do about it legally? Like,
16 can I stop them from producing water that's making my well go
17 dry? Or I mean do I have to drill another well, do I just
18 have to make like a class action lawsuit with all of my
19 neighbors against it? Like, you know, I'm, like, totally
20 screwed. If I have no well, I have no water and my property
21 is unlivable. So I'm superconcerned. Like, this has kept me
22 up for, like, three months at night. What am I going to do
23 if I have no water anymore in my house? And that's really
24 all I want to convey to you, is that this, you know, is
25 really freaking serious.

1 - RE: OLD ROOSA GAP REALTY LLC -

2 CHAIRMAN MORREALE: Well, let me just -- my first home I
3 purchased was in Wurtsboro Hills. That neighborhood had
4 community water and when that community water was removed by
5 the town it basically destroyed the neighborhood. Those
6 homes, either they couldn't put wells on, they couldn't
7 afford to put wells on. And I saw, firsthand, what not being
8 able to have water in your neighborhood will do to that
9 neighborhood. It'll destroy it. So I understand exactly
10 what your concerns are.

11 MS. McLOUGHLIN: Okay. Well, I just wanted to make them
12 clear.

13 CHAIRMAN MORREALE: Yes. No, I get it.

14 MS. McLOUGHLIN: Okay. Thank you very much.

15 CHAIRMAN MORREALE: Yes.

16 MS. PLATT: Cathy Dawkins.

17 MS. C. DAWKINS: Good evening. My name is Cathy
18 Dawkins. In light of asking questions, I'll ask a question.

19 So my understanding from what legal counsel just read is
20 that this is an interpretation with respect simply to the
21 test well. So then projecting, if the test wells were to
22 test positively and the Applicant were to come back and
23 request a permit for a production well, then at that point,
24 if and when the Building Department were to deny that, it
25 would perhaps come back before the same Zoning Board of

1 - RE: OLD ROOSA GAP REALTY LLC -
2 Appeals asking for a use variance? Am I correct in that?

3 MR. MOGEL: Yes. I think it might be beneficial for
4 everybody to get a sense of how this -- there are many
5 mights. You know, there's a lot of caveats here.

6 So obviously, if this board were to determine, to
7 interpret this provision and say that Ms. Grass was
8 incorrect, that test wells are permitted, if that were the
9 case and this board would vote to overturn the interpretation
10 of the Building Inspector, then this applicant would then be
11 able to go forward with their well permit application and
12 drill the test wells.

13 If, then they were to find out that those wells were
14 adequate and then they then wanted to turn them into
15 production wells, they would have to go back to the Building
16 Department to make an application to have them as production
17 wells. At that point, the Building Inspector, being the
18 first line of interpretation of the code, will make a
19 determination as to whether production wells are a permitted
20 use on that property.

21 Now, there are many possibilities. The Building
22 Inspector could decide that they are not a permitted use.
23 The Building Inspector could decide that they are a permitted
24 use and send it for special permit over to the Planning
25 Board. The Building Inspector could determine that they are

1 - RE: OLD ROOSA GAP REALTY LLC -

2 an accessory use and are permitted on that property as an
3 accessory use. I won't opine as to what the value or the
4 sustainability of any of those possibilities are because that
5 individual, Mary Grass, is the person who is empowered by law
6 to make those initial determinations.

7 If any of those determinations that Mary Grass makes are
8 objected to either by the Applicant or by other aggrieved
9 persons, which I won't get into the definition of what an
10 aggrieved person is in the code, then they can appeal that
11 determination to this board, the Zoning Board of Appeals. So
12 the Board would hear the appeal and they could make a
13 determination on that basis. And then, of course, I won't go
14 beyond that and say were members of the public or the
15 Applicant, if they didn't agree with this board's
16 determination, what their options would then be to go forward
17 in the courts. But there are a number of different
18 possibilities, as the Chairperson mentioned. There are many
19 possibilities. This could go back to this board, this could
20 go directly over to the Planning Board or the wells could be
21 duds.

22 MS. DAWKINS: Thank you.

23 CHAIRMAN MORREALE: Thanks, Steve.

24 MR. MOGEL: Sure.

25 MS. PLATT: There were a couple people on Zoom who

1 - RE: OLD ROOSA GAP REALTY LLC -

2 raised that they wanted to talk. Do you want to start with
3 them and then ask if anybody else wants to talk or do you
4 want to hear the public first and then ...

5 CHAIRMAN MORREALE: Well, if we've exhausted the list
6 that you have, then we'll go to Zoom, then see if anyone else
7 wants to speak.

8 MS. PLATT: I'm telling Megan to start. She's going to
9 unmute Janet Lybolt first.

10 MS. J. LYBOLT: Thank you. Good evening. Can you hear
11 me?

12 CHAIRMAN MORREALE: Yes. Can you hear us?

13 MS. J. LYBOLT: Thank you.

14 Okay. I believe that based on our town codes that the
15 interpretation of our Building Inspector's decision to deny
16 two drilling production wells was correct. I'm asking the
17 ZBA to uphold the interpretation of the Building Department
18 and to deny these production wells as was originally
19 requested. This may set a precedent of multiple wells on
20 residential lots in our town. Production wells are not
21 permitted use in this zone. And I want the Board to please
22 ask yourself why would the Applicant spend money on test
23 wells if the Applicant didn't want them to become production
24 wells.

25 Thank you.

1 - RE: OLD ROOSA GAP REALTY LLC -

2 CHAIRMAN MORREALE: Thank you.

3 MS. PLATT: Next we have, the name is Tina and Steve.

4 I'm not sure what their names are.

5 CHAIRMAN MORREALE: Oh. Can you please say your names
6 for the record?

7 MR. S. SWIFT: Steve Swift.

8 CHAIRMAN MORREALE: Thank you.

9 MR. S. SWIFT: I'm at 40 Grandview. And I moved here
10 from Maine eight years ago because I liked the rural
11 character of the area, the trails the Basha Kill, everything.

12 I have to ask myself would I have bought this house had
13 I known there would be a threat to the water supply, and now,
14 can I sell this house without disclosing that there's a
15 threat to the water supply. So in your deliberations and
16 decision-making please consider the abutters and the people
17 who live a quarter of a mile from the farm. Put yourself in
18 our shoes. Would you buy a house on our street? Would you
19 buy a house on Roosa Gap? That's all I'm asking. Put
20 yourself in our shoes.

21 Thank you.

22 CHAIRMAN MORREALE: Thank you, sir.

23 MS. PLATT: There were two messaging comments. I'm
24 going to read those in. One was from Jeanne Herbert,
25 J-E-A-N-N-E.

1 - RE: OLD ROOSA GAP REALTY LLC -

2 "I live across the street from this site. My well is
3 deep and it will go dry with extended use and take one to two
4 hours to recharge. Please don't overrule the Building
5 Department's decision."

6 And then there was a comment from Jen Crane.

7 "Going to agree with the others. We should not be
8 messing with our water table. This could be detrimental to
9 many, many residents. We need to stand by our zoning laws as
10 Miss Grass had clearly done."

11 And that's all.

12 CHAIRMAN MORREALE: So that's it on Zoom?

13 MS. PLATT: Those are the comments so far.

14 CHAIRMAN MORREALE: Okay.

15 MS. PLATT: Matthew Mordas just signed up to comment.

16 MR. M. MORDAS: Good evening. I'm Matthew Mordas,
17 Shawanga Lodge Road.

18 As an observant citizen of these proceedings I'd feel
19 much more comfortable if the Building Inspector was able to
20 evaluate this property based on the fact that the Applicant
21 really wanted to put test wells here. I feel this kind of --
22 I feel uncomfortable that -- I feel the Building Inspector
23 should have an opportunity to go out, review the application
24 and approve or deny based on whether these were test wells or
25 not. I kind of feel that you're sort of taking the tools out

1 - RE: OLD ROOSA GAP REALTY LLC -

2 of her hands on this question. There should be a denial or
3 an approval based on test wells, not production wells.

4 Thank you.

5 One thing, what I'm really trying to ask is are test
6 wells a permitted use on a residential lot.

7 Thank you.

8 MS. PLATT: Chris Leser has signed up.

9 MR. C. LESER: It seems to me that there are quite a few
10 people here that are concerned about their wells. I've had
11 minimal experience previously with people with concerns about
12 their wells actually in the Village of Bloomingburg. My
13 recommendation is generally to the people out here that are
14 concerned about their wells, to hire a competent, I'll say
15 company, because I don't know the exact company name or
16 whatever that would do this, to test their present wells,
17 verify, if it needs to be in a court of law, how much
18 standing water they do have by various pump downs and what
19 they do to determine how much water that they have in their
20 system consistently. I think that's the only way to defend
21 their position in a legal thing. They can't say that Chris
22 Leser, Chris Leser said or George Washington said. That
23 would not hold up in a court of law. So I would highly
24 recommend that the people who are concerned hire the
25 competent people to validate their present water system.

1 - RE: OLD ROOSA GAP REALTY LLC -

2 Thank you.

3 CHAIRMAN MORREALE: Thanks, Chris.

4 Anyone else, Kyra?

5 MS. PLATT: Nobody at -- no.

6 CHAIRMAN MORREALE: Okay.

7 Well, let's consider some of the comments that were
8 made. Well, all of them. But some of them kind of are
9 asking or at least bringing to attention similar things.

10 Starting with the last one, we'll work our way back, are
11 test wells permitted. I don't think, when I looked for it,
12 test wells are even in the code, but it's also not in the
13 application. If I recall, it just says wells. And yes, we
14 understand they are test wells, but whether or not what
15 they --

16 MR. M. MORDAS: I'm sorry for interrupting. Shouldn't
17 the Building Inspector be the one to decide that?

18 CHAIRMAN MORREALE: I think she did. I think --

19 MR. M. MORDAS: She did, based on production wells. If
20 you're making a determination that these are now test wells,
21 then she should be able to go out there and make that
22 decision.

23 CHAIRMAN MORREALE: She made a determination based on
24 what was stated in the application. We're considering the
25 application that was denied and whether or not it was denied

1 - RE: OLD ROOSA GAP REALTY LLC -

2 appropriately or not. That's what we're going to do tonight.

3 MR. M. MORREALE: Pardon me. I'm sorry.

4 CHAIRMAN MORREALE: Let me rephrase, if you don't mind,
5 your question. Are multiple wells allowed on the property?
6 Is there a code restricting multiple wells? Is anyone
7 familiar with a code?

8 Kyra, are you familiar with ...

9 MS. PLATT: I'm looking up the code right now.

10 CHAIRMAN MORREALE: Okay.

11 MR. MOGEL: 195 is the only section that pertains to
12 well drilling.

13 MS. PLATT: Yes. It's not here, the book there. I
14 don't believe. You have 199.

15 CHAIRMAN MORREALE: Yes, 199, that's it.

16 MR. MOGEL: It's online.

17 MS. PLATT: Yes.

18 MR. MOGEL: 195.1 specifics the purpose. It says that
19 the town chooses, has the intent to regulate the installation
20 of wells consistent with New York State Health Department
21 administration rules and regulations pertaining to rural
22 water supply to promote general health, safety and welfare.
23 And as a consequence, it enacts this provision. 195.2 says
24 it applies to well drilling and installation of wells upon
25 all lands, public or private, within this town, outside of

1 - RE: OLD ROOSA GAP REALTY LLC -

2 the villages of Wurtsboro and Bloomingburg.

3 The definition section does not distinguish between
4 production or test wells. It says, Well or water source, the
5 definition that's put forth here, includes any source of
6 water used for drinking or any other personal use, whether
7 hand dug or drilled. And it references the New York State
8 Health Department rules and regulations pertaining to rural
9 water supply, which is a publication.

10 195.4 says that a permit is required and a fee is
11 required. That a permit needs to be obtained from the
12 Building Inspector for the drilling of a new well or water
13 source or any repair requiring redrilling of an existing
14 well.

15 It says that the fee schedule is set forth, an
16 application is set forth, and by issuing a permit the Town
17 doesn't represent that the well, the water supply complies
18 with any regulations, that it's adequate or safe, et cetera.
19 And the issuance of a permit is deemed only as confirmation
20 that the applicant provided proper certification to the Town
21 that they complied with these regulations.

22 There's 195.5 goes through the construction
23 specifications, what they must be constructed of, the
24 location. And let's see. The depth, the casing, again, the
25 construction, grouting, a yield test. Before being put into

1 - RE: OLD ROOSA GAP REALTY LLC -

2 use the well shall be tested for yield and drawdown.
3 Disinfection, capping, log, water samples, well seals,
4 adapter, and then a Certificate of Compliance as set forth in
5 195.6.

6 And there's a section to be enforced by the Town
7 Building Inspector and there is a section for penalties for
8 offenses.

9 CHAIRMAN MORREALE: Thanks, Steve.

10 MR. MOGEL: Sure.

11 MS. PLATT: Cathy Dawkins signed up to talk again. I
12 don't know if you want to keep discussing or not.

13 CHAIRMAN MORREALE: No, no, no. I'll give precedence to
14 the public.

15 MS. C. DAWKINS: Thank you. Since the public hearing is
16 still open, thank you.

17 So listening to the Chair and Counsel speak, it sounds
18 like there are really two issues at hand. One is whether or
19 not we are allowing multiple wells on a residential lot and
20 the other is whether or not test wells are defined in the
21 code and it sounds as if test wells are not defined in the
22 code and that brings us to a question of logic. Why would
23 someone spend the time, energy and money to drill test wells
24 if they have no intention of ever using those test wells? So
25 the question then seems come to down to does the code allow

1 - RE: OLD ROOSA GAP REALTY LLC -

2 multiple wells and does the code allow for production wells
3 since a test well, certainly, by logic, implies the eventual
4 intended use of a production well. So it's clear, to me,
5 that the code has even anticipated the very question that is
6 facing this board.

7 Thank you.

8 CHAIRMAN MORREALE: Thank you.

9 MS. S. McLOUGHLIN: Can I just add one thing? My name
10 is Susan McLoughlin.

11 Before the first public hearing, sorry, I requested all
12 of the materials that pertain to this, saw the application
13 and the letters back and forth. It's like 47 pages. And
14 within that there was something, I think it was from the Army
15 Corps of Engineers that was like part of their process, that
16 they had to get approvals, and it said production wells.
17 Now, I don't know who wrote that, but it was pretty clear.
18 It's in that 47 page packet somewhere so if you want to look
19 for it, you'll see it.

20 CHAIRMAN MORREALE: Thank you.

21 I don't think the Applicant has ever denied what their
22 intended use is. I think it's they're going to -- correct me
23 if I'm wrong, but I think they would like to the test wells
24 for production in the future.

25 Sir, is that correct?

1 - RE: OLD ROOSA GAP REALTY LLC -

2 MR. BARSHOV: So I believe I addressed this previously
3 so I'll repeat what I had said.

4 The purpose for doing test wells is to do testing in
5 order to find out what the quantity and quality of water is
6 on the site. We don't know what will happen after the wells
7 are tested. There's a 72-hour pump test that needs to be
8 done. We want to be sure that that test is done properly,
9 and that is to ascertain whether those wells, at whatever
10 their capacity and production rate would be, would have a
11 negative impact on wells that are in the surrounding area.
12 Depending upon what those results are, what the tests yield,
13 what the 72-hour pump test yields, then there will be a
14 technical evaluation made by geotechnical and hydrological
15 engineers who will make a recommendation to my client as to
16 what, if anything, should be done.

17 Is there a possibility that the Applicant, today, could
18 come back in and seek applications to be filed in the future
19 to put wells, one or more wells into production, to replace
20 wells that are on the site, do a variety of things, use it as
21 a domestic water supply for that site, do something else with
22 it? Yes, all of those things are possible. Everyone who is
23 speaking today is speaking, today, as if you approve a test
24 well today, you have a production well today. That's just
25 not true. So what is going to happen is what we are saying

1 - RE: OLD ROOSA GAP REALTY LLC -

2 will happen. It will be tested. And I hope, because we need
3 the permission of all of the property owners that are in the
4 area, to go onto their property and monitor their wells
5 during the 72-hour pump test. We don't have the ability to
6 force that. So I hope that those people who are concerned
7 about their wells will give us access so we can put
8 monitoring equipment on their wells and be sure that when the
9 72-hour pump test is done that we know is there a drawdown or
10 not. Those are data that are important.

11 The implication that is made tonight, and it's been
12 stated previously, is that my clients have absolutely no
13 regard for their neighbors, that they would turn around and
14 pump the water dry no matter what the tests result were.
15 That's just not true and there's no basis for that other than
16 people turning around and saying that they have no
17 information as to what will happen if there's a test, but
18 they are sure that if there is going to be a test it will be
19 negative and that my clients will find a way to pump the
20 water anyway and make them have to lose their homes. That's
21 just absolutely not what my clients have in mind. They want
22 to develop, if they can, a water supply that is done in a way
23 that is technically and geologically responsible, and I have
24 no idea what that is, nobody does, until the wells are
25 tested. So the short answer to your question is I don't

1 - RE: OLD ROOSA GAP REALTY LLC -

2 know. Whatever those tests result yield will then inform
3 what the next steps are and nobody can know anything beyond
4 that. That's why you test.

5 CHAIRMAN MORREALE: All right. Thank you for the
6 clarification.

7 MR. MOGEL: I'd just like to comment. I understand the
8 perspective of the Building Inspector in terms of this
9 denial. I see this application as akin to a perc test. It's
10 an effort to see whether that what is desired. Now, when you
11 have a perc test you have a perc test because ultimately, you
12 desire to put in a septic. Okay? So if you're having a test
13 well you're obviously desiring to have a well. Okay? Now,
14 not denying anything what Mr. Barshov just said in terms of
15 not knowing the future, that's completely understood. But
16 one of the questions here is is this -- you know, when you
17 have a perc test do you need to get a permit for a perc test?
18 No, you do not. There is a section, 195, in the code that
19 governs wells and it does not distinguish between test wells
20 or production wells. Okay? Nor does it say whether
21 production wells should be deemed a use, a primary use, an
22 accessory use, a utility or anything. None of that has been
23 determined. The application that is in front of this board
24 is for testing. It's for test wells. The Board has the
25 ability to interpret. However the Board interprets it is

1 - RE: OLD ROOSA GAP REALTY LLC -

2 however the Board interprets it. But again, for the point of
3 clarity, this is for testing. I think this is akin to a perc
4 test.

5 CHAIRMAN MORREALE: Thank you.

6 BOARD MEMBER FINDLEY: I understand what you're saying.
7 I'm just going to offer one further thought to that. A test
8 well is a utility in place.

9 MS. PLATT: A little louder, please, Kent.

10 BOARD MEMBER FINDLEY: The test well is the utility in
11 place. A perc test is you dig a hole in the ground and put
12 water. To me, it is different than a perc test. I just want
13 to clarify.

14 MR. MOGEL: Okay. Well, I guess the question also,
15 then, one of the questions would be whether it's a use. So
16 is a test well a use? If you clear land, is that a use?

17 BOARD MEMBER FINDLEY: It depends why you're clearing
18 the land.

19 MR. MOGEL: Correct.

20 BOARD MEMBER FINDLEY: I think in this case, this is
21 just my thought, the Applicant has made it quite clear that
22 the intention is to put in a public utility, whether it's
23 privately held or not, to produce water for another
24 municipality. So therefore, to me, it is a use. And
25 municipal or public utilities are an allowed -- well, I

1 - RE: OLD ROOSA GAP REALTY LLC -

2 shouldn't say allowed. It's a use that can be approved as a
3 special use, special permit. Maybe special permit. I'd have
4 to confirm, but it's either special permit or special use.

5 CHAIRMAN MORREALE: But if the wells are drilled and
6 tested, does that meet, for you, does that meet requirement
7 for the use? Is it now --

8 BOARD MEMBER FINDLEY: Yes, because you're in a
9 furtherance of the use.

10 CHAIRMAN MORREALE: Yes, drilling the well, testing the
11 well, we're now in a public utility use.

12 BOARD MEMBER FINDLEY: That's my opinion.

13 CHAIRMAN MORREALE: So if they stop there, it would
14 still be a public utility at the testing?

15 BOARD MEMBER FINDLEY: And I'll even further my reason
16 why.

17 CHAIRMAN MORREALE: Okay.

18 BOARD MEMBER FINDLEY: Because that property already, I
19 believe, someone could tell me I'm wrong, I believe that
20 property possesses a well.

21 CHAIRMAN MORREALE: It does.

22 BOARD MEMBER RAMPE: That's correct.

23 BOARD MEMBER FINDLEY: And it is providing water for the
24 current use. And as I understand, there's not any problem.
25 Water is being supplied to the use. So when you start to

1 - RE: OLD ROOSA GAP REALTY LLC -

2 drill other wells, which yes, I can understand they're test
3 wells at first, but when a test well meets, this is my
4 understanding, when a test well meets the criteria, whatever
5 that criteria is, I won't get into that argument, that test
6 well becomes no longer a test well.

7 CHAIRMAN MORREALE: Even if it's not hooked up to
8 anything.

9 BOARD MEMBER FINDLEY: That test -- well, yes. It could
10 be used as a production well.

11 CHAIRMAN MORREALE: Could be.

12 BOARD MEMBER FINDLEY: Yes.

13 CHAIRMAN MORREALE: I think, and again, I'm just
14 speaking for myself, logic is how Miss Dawkins, you know,
15 said it herself. If you're doing A to see if B will work and
16 the only reason you do that, B, is because you want C, it's
17 very easy to assume that C is the goal here.

18 BOARD MEMBER FINDLEY: Well, I think the Applicant has
19 made it very clear.

20 CHAIRMAN MORREALE: Well, they've made it somewhat
21 clear.

22 BOARD MEMBER FINDLEY: Well, I think even in this
23 application where they have this exhibit that's, I don't
24 know, how many pages ...

25 CHAIRMAN MORREALE: Well, they mention production.

1 - RE: OLD ROOSA GAP REALTY LLC -

2 BOARD MEMBER FINDLEY: Yes.

3 CHAIRMAN MORREALE: Yes. So we know that --

4 BOARD MEMBER FINDLEY: And I believe there's a letter on
5 file from the mayor of Bloomingburg. Is that accurate?

6 CHAIRMAN MORREALE: There is.

7 BOARD MEMBER FINDLEY: So I actually commend the
8 Applicant because it is my opinion that every applicant,
9 regardless of the application, should tell the whole story.
10 This is where -- I'm driving this car from A to B --

11 CHAIRMAN MORREALE: Right.

12 BOARD MEMBER FINDLEY: -- and that's where I want to get
13 to. And I believe that's the appropriate thing of an
14 applicant.

15 CHAIRMAN MORREALE: Agreed. And personally, and I'll
16 use my A, B, C analogy because it's simple, if I don't agree
17 with C but I'm here to vote on A, that's my feeling.

18 BOARD MEMBER FINDLEY: But C is a use that is not
19 allowed without -- and again, I could be wrong either way of
20 saying --

21 CHAIRMAN MORREALE: Right.

22 BOARD MEMBER FINDLEY: -- but it's not just I want to do
23 it so give me the permit. It's you've got to get special
24 permission to do that use.

25 CHAIRMAN MORREALE: Agreed. And C is not before us

1 - RE: OLD ROOSA GAP REALTY LLC -

2 tonight. A is before us.

3 BOARD MEMBER FINDLEY: No. If I believe that that test
4 well is part of that --

5 CHAIRMAN MORREALE: Okay.

6 BOARD MEMBER FINDLEY: -- I can interpret that, this is
7 my opinion, you can say --

8 CHAIRMAN MORREALE: Understood. Yes, no, understood.

9 BOARD MEMBER FINDLEY: -- if I believe that C is part of
10 nay of those things along the line as a furtherance of that
11 use, this is my opinion --

12 CHAIRMAN MORREALE: Right.

13 BOARD MEMBER FINDLEY: -- that her interpretation is
14 correct --

15 CHAIRMAN MORREALE: Okay.

16 BOARD MEMBER FINDLEY: -- because yes, she said you
17 can't build the well, but she doesn't really say why, in my
18 opinion. She says it's not permitted. To me, not permitted
19 means the use is not.

20 CHAIRMAN MORREALE: Right. I ...

21 MR. MOGEL: Well, she does say. She says: Town of
22 Mamakating production wells are not a permitted use in the
23 Village Adjacent Area. So that's exactly what she said.

24 BOARD MEMBER FINDLEY: And which I can interpret that as
25 correct because the special use is not permitted without

1 - RE: OLD ROOSA GAP REALTY LLC -

2 special approval.

3 CHAIRMAN MORREALE: And I agree with what you just said.

4 And where I think you and I disagree is I believe if two
5 wells are drilled, tested and no further action is taken, we
6 do not have a production well, we don't have a need for a
7 special use permit, we're not in a production well scenario.
8 There's two wells sitting there on the property.

9 BOARD MEMBER LEWIS: Once you drill the well --

10 CHAIRMAN MORREALE: It's there.

11 BOARD MEMBER LEWIS: -- you're producing for those
12 tests. So it's --

13 CHAIRMAN MORREALE: Well, you've produced for two tests

14 BOARD MEMBER LEWIS: -- for two tests. It still has
15 produced.

16 CHAIRMAN MORREALE: But I don't think that's what the
17 Building Inspector meant when she denied production wells.
18 You know, wells that would pump water out of the ground I
19 don't think is what she -- I don't know, but I don't think
20 that's what she intended. I think she meant production for
21 use other than for that property.

22 BOARD MEMBER FINDLEY: And I'll go so far as to say that
23 it doesn't circle around back to the special use or -- what's
24 the word? Special use or -- I don't know. Doesn't it circle
25 back to that in front the Planning Board?

1 - RE: OLD ROOSA GAP REALTY LLC -

2 CHAIRMAN MORREALE: That would be totally a special use
3 permit.

4 BOARD MEMBER FINDLEY: Yes. The Town doesn't -- and it
5 clearly states the Town gets the right to govern wells. The
6 Town doesn't get the right to make sure the tests are the way
7 they feel the tests should be. We don't have the -- this
8 board specifically, does not have professionals to evaluate
9 what those tests should be, are the tests the appropriate
10 tests. I'm not contending that he's not doing the
11 appropriate tests. I'm saying if the Town governs it, they
12 should have the opportunity to --

13 BOARD MEMBER RAMPE: Analyze.

14 BOARD MEMBER FINDLEY: -- analyze and evaluate what is
15 correct.

16 CHAIRMAN MORREALE: I agree with you there.

17 BOARD MEMBER FINDLEY: And if we don't put it -- if we
18 don't go back that way, the Applicant can do whatever tests
19 they want, according to what I see.

20 CHAIRMAN MORREALE: Assuming that we vote on the
21 interpretation that the Applicant can go ahead and drill
22 their wells, and they required a special use permit, the
23 Planning Board would not take into consideration the testing?

24 BOARD MEMBER FINDLEY: The Planning Board.

25 CHAIRMAN MORREALE: Yes.

1 - RE: OLD ROOSA GAP REALTY LLC -

2 BOARD MEMBER FINDLEY: Yes, that's what I'm saying.

3 CHAIRMAN MORREALE: Right.

4 BOARD MEMBER FINDLEY: But the way it appears to be
5 happening, at least, if we, say, Yes, test wells, we don't
6 know, we don't have a definition, we know what you want to
7 use them for, but you can do a test well, that test well
8 doesn't go to the Planning Board.

9 CHAIRMAN MORREALE: The results of the test does.

10 BOARD MEMBER FINDLEY: Potentially, maybe, when their
11 use changes.

12 CHAIRMAN MORREALE: And --

13 BOARD MEMBER FINDLEY: But --

14 BOARD MEMBER RAMPE: You don't know that.

15 CHAIRMAN MORREALE: Well, I don't know that. But that's
16 also not what we deliberate.

17 BOARD MEMBER FINDLEY: Well, I go back to the very first
18 part.

19 CHAIRMAN MORREALE: Okay.

20 BOARD MEMBER FINDLEY: Forget about the tests. It's a
21 different use. The Applicant, in my opinion, has made it
22 very clear what the intended final thing is.

23 CHAIRMAN MORREALE: Correct

24 BOARD MEMBER FINDLEY: That's a different use. It
25 clearly can be denied.

1 - RE: OLD ROOSA GAP REALTY LLC -

2 CHAIRMAN MORREALE: I agree with everything you're
3 saying. Differentiating, I think where we separate is I
4 think you're arguing that two wells drilled, you've now
5 crossed the line into use. And I am saying until those two
6 wells are producing water for properties other than that
7 property, you have not crossed that line.

8 BOARD MEMBER FINDLEY: I'll also say that if they went
9 to drill their own well, we wouldn't even be able to talk
10 about it.

11 CHAIRMAN MORREALE: I don't understand.

12 BOARD MEMBER FINDLEY: Just a well on the property,
13 drill deeper. Drill whatever, however you need to do.

14 CHAIRMAN MORREALE: Right.

15 BOARD MEMBER FINDLEY: Test that well.

16 CHAIRMAN MORREALE: Right.

17 BOARD MEMBER FINDLEY: But putting two additional wells
18 on that property for a different intended use is a different
19 use.

20 CHAIRMAN MORREALE: Well, it's the process of creating
21 that use. That's how I see it. It's not the end use.

22 To speak frankly, I think we all agree, at least, that
23 we all assume what the end goal here is.

24 BOARD MEMBER FINDLEY: Yes.

25 CHAIRMAN MORREALE: And personally what I'm having

1 - RE: OLD ROOSA GAP REALTY LLC -

2 trouble with is does knowing that or assuming that change how
3 I can interpret this denial and I'm having a hard time.
4 Frankly, I don't think I can.

5 BOARD MEMBER RAMPE: Then we have to separate the two.

6 CHAIRMAN MORREALE: Yes.

7 BOARD MEMBER FINDLEY: I don't have an issue. It's for
8 an intended different use. Until you resolve all those
9 issues, the use, the approvals through the Planning Board,
10 you can't go there. That's my interpretation.

11 CHAIRMAN MORREALE: I understand. I understand. I
12 think they call that an impasse.

13 MS. PLATT: So Sal Genco wants to comment again.

14 CHAIRMAN MORREALE: Okay.

15 MR. BARSHOV: Can I address these issues or shall I just
16 wait until later?

17 CHAIRMAN MORREALE: Sure. Please speak.

18 BOARD MEMBER FINDLEY: You've got it.

19 MR. BARSHOV: So regarding a test well being a separate
20 use, and I think you and I have had this exchange before, I
21 will, for the record, make my point again since a number of
22 people have been making points that they had made previously.
23 If there is to be a utility use, which is what you described,
24 there has to be a utility permit of some type. That utility
25 permit would be under the Transportation Corporation Law

1 - RE: OLD ROOSA GAP REALTY LLC -

2 which requires its own set of approvals and the formation of
3 a transportation corporation to take water from this property
4 to someplace else, wherever it would be, adjoining properties
5 in the town, in the village, whatever. That's a whole other
6 process that requires Town Board approval, not just Planning
7 Board approval. Now --

8 MR. MOGEL: That's if the Building Inspector were even
9 to determine that the use is permitted in the zone.

10 MR. BARSHOV: Agreed, absolutely. And I'm sorry, Steve,
11 I didn't mean to jump over that. You're absolutely correct.

12 My point is is that you cannot, and I'm saying this as a
13 lawyer, as a matter of law, you cannot turn around and say
14 that because somebody is testing something to see if
15 something else might be applied for or permission sought to
16 undertake it, that therefore, it's already happened. That's
17 just not the way things work. It's not the way the law
18 works, it's not the way uses work. And so the idea of saying
19 that there might be a scenario, including the variable that
20 you get over the hurdle of what the zoning allows and does
21 not allow, that merely by, and I appreciate your candor in
22 saying we're being candid, yeah, it was the Army Corps and
23 other said: What's your ultimate purpose? If every single
24 thing worked out great, turn around say, Yeah, if it all
25 worked out great, these would be things that we would want to

1 - RE: OLD ROOSA GAP REALTY LLC -

2 do. Now, that doesn't mean that by testing them that it is a
3 now A, a fait accompli, and B, that the use has been
4 established. No. All you've done is take the first step the
5 same way that when a baby takes its first steps it's not
6 running a marathon. It's not even running.

7 BOARD MEMBER FINDLEY: I don't disagree with you. I
8 just disagree with what the first step should be.

9 MR. BARSHOV: Yeah, but a first step is different when,
10 qualitatively, it requires other governmental approvals to be
11 the use that you're talking about. It's not a utility when
12 it's sitting there as a test well. It is a potential well
13 for a variety of different purposes. Could be for domestic
14 supply, could be as part of a utility system, could be any
15 number of things. But as a matter of law, it isn't anything
16 other than a test well until somebody asks for approval for
17 it to be something else. A production well requires other
18 permits, including the Town's permit. A utility requires yet
19 other permits. So it does not make sense, legally, to try to
20 say just because you could go down a path you are inevitably
21 to be deemed having gone that path and that's a basis for a
22 denial. That, I don't think is law.

23 MS. PLATT: Just state your name, please.

24 MR. M. RUSSELL: Sure. Mike Russell.

25 I have a question as to why the existing well can't be

1 - RE: OLD ROOSA GAP REALTY LLC -

2 used to see what the production is from that well.

3 Also, what is the depth of the new test wells that are
4 doing to be put into the ground? They're obviously going to
5 be bigger and deeper than any existing wells that are on this
6 property so there won't be any issue of water coming out of
7 those. But if this is done in the spring, summer is when we
8 have our dry season. At that point, we'll definitely see dry
9 wells.

10 That's it.

11 BOARD MEMBER RAMPE: Well, that's one of the things that
12 I worry about, is the 72-hour pump test is really only
13 reliable as the season. I mean that can change --

14 CHAIRMAN MORREALE: Agreed.

15 BOARD MEMBER RAMPE: -- from year to year, season to
16 season. And --

17 CHAIRMAN MORREALE: I'll bring up the Hills. In August
18 there are certain areas in the Hills where people's wells run
19 dry.

20 BOARD MEMBER RAMPE: Right.

21 CHAIRMAN MORREALE: You know, just as the gentleman
22 explained, it's a different season, a different water --

23 BOARD MEMBER RAMPE: Absolutely.

24 MR. MOGEL: Although that's not what's before the Board
25 or what the Board would evaluate.

1 - RE: OLD ROOSA GAP REALTY LLC -

2 BOARD MEMBER RAMPE: That's true. But just like he
3 said, he's having trouble separating these, and, you know, I
4 am, too.

5 BOARD MEMBER FINDLEY: That is where, this is, again, my
6 opinion, the intended use comes in. It's quite clear that it
7 wants to be used --

8 MR. C. LESER: Speak up. Jesus, we can't hear you.

9 BOARD MEMBER FINDLEY: I apologize.

10 MR. C. LESER: Use the microphone, for God's sake.

11 BOARD MEMBER FINDLEY: I apologize.

12 BOARD MEMBER RAMPE: Put your mouth right on that.

13 CHAIRMAN MORREALE: All you have to do is ask once.

14 MR. C. LESER: The Chairman, we can hear the Chairman
15 perfectly fine.

16 CHAIRMAN MORREALE: I've got the mic closer.

17 BOARD MEMBER FINDLEY: We can hear you fine, too.

18 That's why I am saying it's clear what the intended use
19 is. If it goes through the Planning Board they will have
20 consultants that can evaluate what the tests should be, how
21 they should be, when they should be.

22 CHAIRMAN MORREALE: Agreed a hundred percent. I wish,
23 for the sake of the folks who have spoken tonight, we had the
24 authority. I think it would answer a lot of the questions
25 that we don't have answers to. But it's -- we have an

1 - RE: OLD ROOSA GAP REALTY LLC -

2 extremely narrow focus here and that's ...

3 BOARD MEMBER FINDLEY: And it's really no different than
4 a development going in front of a planning board.

5 CHAIRMAN MORREALE: Exactly.

6 BOARD MEMBER FINDLEY: They would say everything you
7 have to do to the property.

8 CHAIRMAN MORREALE: Yes.

9 BOARD MEMBER FINDLEY: They would talk about the tests.
10 I'm not saying they can't drill. I'm saying I think Mary's
11 interpretation is right. That's what I'm saying. And then
12 they would have to go back through the Planning Board.

13 CHAIRMAN MORREALE: Correct.

14 MS. PLATT: Mr. Genco, did you want to come up?

15 MR. S. GENCO: No.

16 MS. PLATT: Janet Lybolt on Zoom wanted to comment
17 again.

18 CHAIRMAN MORREALE: Sure.

19 MS. J. LYBOLT: Hi. Thank you for letting me speak
20 again.

21 I just had one other comment which I wanted to make and
22 the gentlemen before this had that comment. What I wanted to
23 say is if by some chance this board approves two test wells,
24 the test wells should be done in July and/or August when
25 these residents that currently live there have water issues

1 - RE: OLD ROOSA GAP REALTY LLC -

2 normally during the hot months. Drilling a test well now in
3 the winter months will yield sufficient water.

4 And it is important to know what the depth of the new
5 well will be. But really, what is before the Board is what
6 the Building Inspector denied in her interpretation because
7 the Applicant put in to drill two production wells, and
8 that's what's before the Board tonight.

9 Thank you.

10 CHAIRMAN MORREALE: Thank you.

11 And just to reiterate, the permit that was denied did
12 not have production wells. It was the denial referencing, I
13 think mentions in the site plan as the denial.

14 BOARD MEMBER FINDLEY: Yes, it says two production
15 wells.

16 CHAIRMAN MORREALE: But the application doesn't have it.

17 BOARD MEMBER FINDLEY: Again, the Applicant was quite
18 candid.

19 BOARD MEMBER RAMPE: Right.

20 BOARD MEMBER FINDLEY: This is the plan.

21 MS. PLATT: If you want it in the record, please speak
22 up.

23 BOARD MEMBER RAMPE: You better start using the
24 microphone.

25 CHAIRMAN MORREALE: For me, personally, this is a

1 - RE: OLD ROOSA GAP REALTY LLC -
2 scenario where I'm limited by what this board has the
3 authority to deliberate and vote on. A lot of the things
4 that have been brought up today I agree 100 percent, but I
5 don't have the authority to either answer the questions that
6 are being posed or make my denial or approval based on those
7 comments or those subjects. If it's not clear in how I'm
8 stammering through this statement, this is a very, very hard
9 decision that I'm making personally. I'm only speaking for
10 myself. I think I'm limited to just that, the permit that
11 was applied for and an interpretation of the denial. And
12 back to my A, B, C simplified version of what the Applicant's
13 representative has made, me, personally, I can't justify
14 denying someone for what I know they're going to do or
15 believe I know they're going to do when I'm limited by my
16 role on this board and the oath I took when I took it to only
17 concern myself with what is on the application and in the
18 interpretation of denial. And I'm not sure if that brings
19 peace to anyone's mind, I doubt it, but at least I hope you
20 understand where I'm coming from. That's just me.

21 BOARD MEMBER LEWIS: The way I look at this is the
22 Applicant filed a building permit, essentially --

23 CHAIRMAN MORREALE: Yep.

24 BOARD MEMBER LEWIS: -- and they want to build somewhere
25 where normally you would need special permission. Like they

1 - RE: OLD ROOSA GAP REALTY LLC -

2 want to build a house in maybe an industrial zone, so they
3 file the permit. They want to build a house and they just
4 want to build a foundation to see if it would stand up in
5 maybe a wetland or something like that, but they're laying
6 the groundwork for something. We'll call it the foundation
7 for a project. They filed the permit and then based on the
8 logistics, it was denied. So now seems kind of -- to me, it
9 seems more forward that you want to drill two wells. It says
10 that we can't drill two wells. Whether they're testing,
11 producing, whatever, it seems that it's, no matter what,
12 we're still punching two holes in the ground and we're still
13 going to see what comes up, and we're just laying a
14 foundation.

15 CHAIRMAN MORREALE: This is a rhetorical question. But
16 do you or any of the members of the public that are here
17 today have the right to drill two wells on your property?

18 BOARD MEMBER LEWIS: If I've got the proper permit, yes.

19 CHAIRMAN MORREALE: Okay. And even though we don't know
20 and can speculate what your use may be.

21 BOARD MEMBER LEWIS: If I went through and got the
22 proper permit.

23 BOARD MEMBER FINDLEY: That is --

24 CHAIRMAN MORREALE: That's what we're discussing today.

25 BOARD MEMBER FINDLEY: That is the very question. I

1 - RE: OLD ROOSA GAP REALTY LLC -

2 mean if you were in an Ag district and you had cattle, you
3 may not even need a permit, you can just go out and drill a
4 well. You may need it for DEC or whatever, but you --

5 CHAIRMAN MORREALE: Assuming apples to apples, we're all
6 in the same zone.

7 BOARD MEMBER FINDLEY: The use has been made clear. The
8 total project is laid out in front of us by the Applicant.

9 CHAIRMAN MORREALE: Yes.

10 BOARD MEMBER FINDLEY: This isn't guessing.

11 CHAIRMAN MORREALE: Yes.

12 BOARD MEMBER FINDLEY: I'm not hypothesizing.

13 CHAIRMAN MORREALE: Agreed.

14 BOARD MEMBER FINDLEY: It's a special use --

15 CHAIRMAN MORREALE: Right.

16 BOARD MEMBER FINDLEY: -- or special permit. I forget.
17 There's a couple different options.

18 CHAIRMAN MORREALE: Sure.

19 BOARD MEMBER FINDLEY: You need Planning Board approval.

20 CHAIRMAN MORREALE: Agreed. What are we deliberating --

21 BOARD MEMBER FINDLEY: So her denial is appropriate. I
22 don't know if she -- maybe she should have made it that they
23 went to the Planning Board. I don't know. But it's my
24 interpretation, because of all the information before us, the
25 intended use, those wells are for the furtherance of a use

1 - RE: OLD ROOSA GAP REALTY LLC -

2 that is not allowed without special permission. You need to
3 get the special permission to further that use.

4 CHAIRMAN MORREALE: Again, we'll come back to where I
5 think we have reached an impasse between us.

6 BOARD MEMBER FINDLEY: That's fine. I mean we can --

7 CHAIRMAN MORREALE: The fact that the wells exist I
8 don't believe means that they're production wells. I think
9 if they produce water and take it off site, then they're
10 production wells. I think that ...

11 So again, if I were, or you or anyone else, were in the
12 zone, a neighboring property, and drilled two wells on the
13 property or wanted to apply to drill two wells and they were
14 denied, I think that that would be an interpretation that I
15 would vote not to uphold.

16 Likewise, now we know, and we can speculate with a great
17 degree of certainty, what their intended use is. But what is
18 before us --

19 BOARD MEMBER FINDLEY: No, actually --

20 CHAIRMAN MORREALE: Excuse me. Kent, Kent, let me
21 finish.

22 BOARD MEMBER FINDLEY: I just want to --

23 CHAIRMAN MORREALE: Just let me -- I'm going to finish
24 and then you can clarify if I've gone in the wrong direction

25 If we're going to -- we're here to vote and to

1 - RE: OLD ROOSA GAP REALTY LLC -

2 deliberate what is before us, what the application was for.
3 The denial, I understand, is taking into consideration what
4 the intended use is for and for that intended use to come to
5 fruition requires board approval that is not our board, or
6 possibly our board for a completely different set of
7 criteria. But that's not what we're talking about and
8 deliberating tonight.

9 So Kent, I'm sorry. Go ahead.

10 BOARD MEMBER FINDLEY: I would say we're not speculating
11 the intended use. That's all I would say. You said we could
12 be speculating. We're not speculating.

13 MR. BARSHOV: That is what I've been trying to say. You
14 are, because we don't know what the test results will be.
15 You cannot --

16 BOARD MEMBER FINDLEY: I understand --

17 MR. BARSHOV: -- just assume that those test results
18 will be something that will yield any kind of water supply
19 that would yield a particular result.

20 And to your point, sir, about using the building
21 construction analogy, I would respectfully suggest that the
22 proper analogy is when somebody comes onto a site in order to
23 excavate for the purpose of determining soil samples and
24 doing geotechnical calculations to determine if a foundation
25 could be put in, not the putting in of the foundation but the

1 - RE: OLD ROOSA GAP REALTY LLC -
2 preliminary analyses with soil borings and all that kind of
3 stuff, that doesn't mean a building is going up. Somebody
4 could turn around and do all of that stuff and go, you know
5 what, this is not the site where we should do this, or: We
6 need to change the design. So I agree with your overall
7 concept, but not with the idea that it is inevitable because
8 sure, when you put foundations in, well, you're putting in a
9 building. But we're not talking about that. We're talking
10 about, if you want to use that analogy, doing the test,
11 whether it would be a perc test what was referred to early,
12 or soil boring tests, or in this particular case, water tests
13 to see what's there. Who knows. The wells could be dry. I
14 don't know what's going to be down there. Nobody knows
15 what's down there. Okay?

16 And you just can't -- I can't say this strongly enough.
17 This is not a question of the ability to say if everything
18 worked out okay and there was a huge amount of water, what
19 the Applicant would or wouldn't do. You can't, as a matter
20 of law, turn around and say that if that set of circumstances
21 occurred that, therefore, it's something inevitable today and
22 that today, this is the use because that's what might result
23 in the future after a half a dozen other permits are applied
24 for and obtained. To do that, this is now me speaking a
25 little bit like a lawyer, that, to me, is classic arbitrary

1 - RE: OLD ROOSA GAP REALTY LLC -

2 and capricious decision-making because you are turning around
3 and looking at and contorting a set of facts that do not
4 exist. And you have to make decisions that are rational. It
5 is not rational to say that because somebody is testing
6 something to see if it can be, that therefore, that is what
7 it is. That is not rational.

8 BOARD MEMBER FINDLEY: What purpose do the test wells
9 serve the current use? What purpose do the test wells serve
10 the current use of the property, the current allowed use of
11 the property?

12 MR. BARSHOV: The current allowed use of the property is
13 residential development. It is not built, as far as I know,
14 to its maximum residential capacity. So the most obvious use
15 is is that one could see if there's water supply for
16 residential development of this property. That would be the
17 narrowest use.

18 BOARD MEMBER FINDLEY: But you would be changing your
19 application at that point.

20 MR. BARSHOV: Look, we -- I'm trying to just deal with
21 reality. A question was posed. A hypothetical question was
22 posed to my client before I got involved, and they turned
23 around and they said: Yeah, if everything comes up rosy and
24 everything is wonderful, this is what we would intend to do.
25 That doesn't mean that that's what it is now. It just isn't.

1 - RE: OLD ROOSA GAP REALTY LLC -

2 And no matter how many times you want to turn around and say
3 to me, But if this happened, then wouldn't that occur, well,
4 I don't know if this is going to happen. Nobody knows.
5 That's why you test. That's it.

6 BOARD MEMBER FINDLEY: But I will say you've told us
7 multiple times that that's --

8 MR. BARSHOV: Yeah.

9 BOARD MEMBER FINDLEY: -- the intended use.

10 MR. BARSHOV: Right. And look, and I get this. But all
11 I'm saying is look, I really don't want to elevate this into
12 things that go to court and whatnot. All I really want to do
13 is I'm saying to you forthrightly, if I thought that there
14 was a logical basis to what you were saying I would say to
15 you: Look, reasonable people can disagree and you make your
16 decision. But I honestly do not believe that there is a
17 rational basis for saying that if you are testing something
18 that that means you have established the use. It's just in
19 42 years of practicing law I have never seen that principle
20 enunciated ever. So I would be being irresponsible if I
21 wasn't just being forthright with you. It's just not the way
22 that the law works.

23 BOARD MEMBER FINDLEY: I will just say, again, that the
24 test wells serve no purpose for the approved use.

25 MR. BARSHOV: No, they do, they do. There is unused

1 - RE: OLD ROOSA GAP REALTY LLC -
2 residential development on that site. And even if their --

3 BOARD MEMBER FINDLEY: Again --

4 MR. BARSHOV: No matter what it is -- suppose I had a
5 concern that I had a shallow well or I had a well that I
6 didn't know was going to last forever. I can't turn around
7 and put in a test well and say: Hey, you know what? I like
8 a better water supply.

9 When I -- let me put it to you this way, or maybe I'll
10 use a personal analogy. Everybody looks at me. They go:
11 Oh, you have a New York City address and, blah, blah, blah,
12 that's where my office is. I lived for almost ten years in
13 New Mexico. I lived outside Santa Fe, New Mexico. I had
14 five acres of land. I drove down a mile and a half of dirt
15 road to get to my property, okay, in a Subaru Outback. The
16 Jeep Wagoneer was worthless in the mud in the wintertime.
17 Now, I could have bought into the well system, the, quote,
18 "community system" that the guy who owned the original 200
19 acres had put together. By the time I ran those lines and
20 did everything, it didn't seem to me to be worthwhile so I
21 decided I was going to put in my own well.

22 Now, most of the people who put in a well turned around
23 and put in a well that was 75 feet, a hundred feet, whatever
24 it was. When Tommy Tompkins came out to my property he said
25 to me: Well, what is it that you want to do? And I said to

1 - RE: OLD ROOSA GAP REALTY LLC -

2 him: Well, don't you tell me? He goes: Oh, no, no, no, no,
3 no. You tell me where to drill and what to do. So I
4 actually went to a friend. This is a true story. I went to
5 a friend of mine who's a lawyer and I said to him: How do
6 you figure out where to drill your well? He said: Well, you
7 got to dowse your well. I said: You got to be kidding. He
8 goes: No, you dowse your well. He told me how to do it. I
9 turned around, I got two survey sticks 18 inches long, bent
10 them at the eleven and seven inch marks. Seven inches held
11 this way, eleven inches that way. Walk across your land,
12 hold them like this, and when they cross on their own, that's
13 where you put a painted rock down. You do that in three
14 different directions. That's where I told Tommy Tompkins to
15 drill. When he said to me how deep to go, I said to him: I
16 want you to go down 700 feet. He said: Why? I said:
17 Because I want to be sure that if I'm drilling a well, I want
18 to have water for my children, for my children's children and
19 for my children's children's, children's children.

20 So he went and he drilled the well at that spot. Every
21 ten feet they pulled out the soil, you know, the gradients of
22 what the soil was. Hit water at 200 feet. Everybody else
23 would have stopped. There was water for a hundred feet,
24 shallow aquifer. At 400 feet, again, hit the main Santa Fe
25 water basin after there being a hundred feet of dry sand.

1 - RE: OLD ROOSA GAP REALTY LLC -

2 Okay?

3 Now, I did that because that's what I wanted to do on my
4 property because that's what I decided I had the right to do.
5 That's what I wanted to have drilled. And it was just going
6 to be for my piece of property from my well.

7 Everybody in this country has the right to able to, if
8 you get a permit, to turn around and to say: Okay, if I
9 drilled a 50 foot well, I want to test to see if there's a
10 hundred foot well, or 200 feet. You brought that up
11 yourself, and that's exactly what it should be. This
12 property owner is no different. Okay?

13 So I think I understand a little bit more than maybe you
14 think I do about all this, all right, from my own personal
15 experience and otherwise. You get to drill a test well. It
16 isn't the use of property, it is simply a test well. And
17 anybody who is trying to make it other than that is not
18 acting in a manner that is rational based on what the
19 evidence is.

20 BOARD MEMBER FINDLEY: I'll leave it.

21 CHAIRMAN MORREALE: Okay. Before Steve, I just want to
22 reiterate, not reiterate, but maybe put my thoughts in a more
23 succinct manner.

24 Do two wells on a property with intent that we can say
25 hundred percent known, does that constitute a production

1 - RE: OLD ROOSA GAP REALTY LLC -

2 well, or does the act of producing water and taking it off
3 the property, does that constitute a production well? I
4 would argue that the former does not, the latter does. And I
5 think that's the crux of my thoughts on the issue.

6 MS. PLATT: I'm just going to have them talk and then
7 you can talk. Okay?

8 Steve Swift. He spoke a moment ago.

9 MS. T. SWIFT: Hi. I'm Tina Swift.

10 And the last comment was a veiled threat of litigation,
11 if I heard one. But I understand what your concern is, that
12 you have to, you have to talk about the denial of the
13 original application because that's what your job is, is to
14 talk about that. But I think it would be like putting
15 blinders on a horse and you're not taking in the whole
16 project. And there's a lot of spin on the words that other
17 people are saying.

18 And the Applicant has said what they would like, what
19 they intend to do with this water. They would like to --
20 they will take the water and then sell it back to the people
21 that live around it that need the water.

22 As I understand, that piece of property already has some
23 restrictions for what can go there. And I know this person
24 that want it is a developer and wants to develop the
25 property, but there are restrictions and limitations on what

1 - RE: OLD ROOSA GAP REALTY LLC -

2 can be done on that site. And I think that we have to move
3 carefully and consider the implications of allowing further
4 development in an area that's already restricted, and there
5 are other similar areas.

6 Thank you.

7 CHAIRMAN MORREALE: I'd like to address that last
8 comment.

9 Ma'am, I agree with you on just about everything you
10 said. I'll start with your last point and I'll come back to
11 the first one.

12 Regarding what we see, or at least what I see and what
13 we can do about it as blinders, I would even go as far as to
14 say it's handcuffs. We have a very, broken record, narrow
15 perspective to consider, deliberate and vote on. And you're
16 absolutely right when you say that we're not taking in the
17 larger picture, because we can't.

18 The second, or the first thing you brought up about the
19 litigation, I happen agree with you, and based on the threat
20 of litigation I would like to propose a motion to go to an
21 Executive Session.

22 BOARD MEMBER FINDLEY: The threat of litigation is not a
23 valid reason for a --

24 MS. PLATT: Kent, would you speak louder? You're
25 very --

1 - RE: OLD ROOSA GAP REALTY LLC -

2 BOARD MEMBER FINDLEY: The threat of litigation is not a
3 valid reason for an Executive Session.

4 MR. MOGEL: It most certainly is.

5 BOARD MEMBER FINDLEY: I propose you read all the Public
6 Open Meeting Law opinions. They're quite clear it's not.

7 MR. MOGEL: Well, you can take that position. At 105,
8 the Public Meetings, Open Meetings Law, Conduct, Executive
9 Session, Section 105(d): Discussions regarding proposed,
10 pending or current litigation.

11 BOARD MEMBER FINDLEY: Whose proposed litigation?
12 Where's the current litigation?

13 CHAIRMAN MORREALE: I believe the Applicant's
14 representative mentioned not wanting to take it a step
15 further, to court cases and court appearances. I think that
16 would be interpreted as litigation.

17 BOARD MEMBER LEWIS: I would agree.

18 CHAIRMAN MORREALE: Do I have a second to that motion?

19 BOARD MEMBER LEWIS: I second it.

20 CHAIRMAN MORREALE: All in favor?

21 BOARD MEMBER RAMPE: Aye.

22 BOARD MEMBER FINDLEY: Nay.

23 BOARD MEMBER MULHARE: Nay.

24 BOARD MEMBER LEWIS: Aye.

25 CHAIRMAN MORREALE: Aye.

1 - RE: OLD ROOSA GAP REALTY LLC -

2 (The motion was approved and carried.)

3 BOARD MEMBER LEWIS: Three to two.

4 BOARD MEMBER FINDLEY: Three to two.

5 CHAIRMAN MORREALE: Three to two. The ayes have it.

6 Excuse us. We are going to going into the Building

7 Department for an Executive Session.

8 (All Zoning Board Members, Alternate Board

9 Member and Counsel Mogel, excluding Board Member

10 Findley, were excused from the meeting room at

11 8:51 p.m. to go into Executive Session.)

12 * * * * *

13 (All Zoning Board Members, Alternate Board

14 Member and Counsel Mogel, Board Member Findley

15 present, entered the meeting room at 9:08 p.m.)

16 CHAIRMAN MORREALE: Okay. A motion to come out of

17 Executive Session. Do I have a second?

18 BOARD MEMBER LEWIS: Aye.

19 CHAIRMAN MORREALE: All in favor?

20 BOARD MEMBER RAMPE: Aye.

21 BOARD MEMBER MULHARE: Aye.

22 BOARD MEMBER LEWIS: Aye.

23 CHAIRMAN MORREALE: Aye.

24 (The motion was approved and carried.)

25 CHAIRMAN MORREALE: As was obvious to everyone, we were

1 - RE: OLD ROOSA GAP REALTY LLC -

2 just in Executive Session. And just for clarification, it's
3 an opportunity for us to speak very, very candidly.

4 MR. MOGEL: With regard to -- it -- that -- there's a
5 specific except within the Open Meetings Law that pertains to
6 threatened, proposed or current litigation, and that was the
7 purpose we went into Executive Session and that is the only
8 thing that we discussed. No votes were taken.

9 CHAIRMAN MORREALE: And with that being said, do we have
10 anyone else that would to speak while the public hearing is
11 open?

12 MS. PLATT: Nobody commented.

13 CHAIRMAN MORREALE: I propose closing the public hearing
14 if we have no one else to speak.

15 MS. PLATT: If we could just give them a minute.

16 CHAIRMAN MORREALE: Sure. Take your time.

17 (No additional members of the public gave
18 public comment.)

19 CHAIRMAN MORREALE: I put forward a motion to close the
20 public hearing. Do I have a second?

21 BOARD MEMBER FINDLEY: I'll second.

22 CHAIRMAN MORREALE: All in favor?

23 BOARD MEMBER RAMPE: Aye.

24 BOARD MEMBER FINDLEY: Aye.

25 BOARD MEMBER MULHARE: Aye.

1 - RE: OLD ROOSA GAP REALTY LLC -

2 BOARD MEMBER LEWIS: Aye.

3 CHAIRMAN MORREALE: Aye.

4 (The motion was approved and carried.)

5 CHAIRMAN MORREALE: All right. I think -- well,
6 personally, I'm ready to vote tonight. How does the Board
7 feel about voting? We do have a window of 60 days.

8 MR. MOGEL: Sixty-two.

9 CHAIRMAN MORREALE: Sixty-two days. Thank you.
10 Any thoughts on that from anyone?

11 BOARD MEMBER MULHARE: I'm ready to vote.

12 BOARD MEMBER FINDLEY: I'm ready.

13 CHAIRMAN MORREALE: You are or are not?

14 BOARD MEMBER FINDLEY: I am, I am. Go ahead.

15 BOARD MEMBER LEWIS: I was hoping for 62 days.

16 CHAIRMAN MORREALE: Oh, okay.

17 BOARD MEMBER FINDLEY: You say you don't want to vote.

18 BOARD MEMBER LEWIS: I don't want to vote.

19 CHAIRMAN MORREALE: Okay.

20 I know you're not a voting member, Jon, but how do you
21 feel on the matter?

22 ALTERNATE BOARD MEMBER FOURNIER: I think we should
23 wait.

24 CHAIRMAN MORREALE: Okay.

25 BOARD MEMBER FINDLEY: We can --

1 - RE: OLD ROOSA GAP REALTY LLC -

2 CHAIRMAN MORREALE: Abstain?

3 BOARD MEMBER FINDLEY: -- vote to have a vote.

4 BOARD MEMBER RAMPE: Whatever the majority wants.

5 CHAIRMAN MORREALE: Well, given the significance of this
6 for the Board and the public, if there's votes that require
7 time to be confident, I would suggest we wait.

8 Do we have to create, set a date now or can we leave it
9 open at least for one more meeting?

10 MR. MOGEL: You would leave it open.

11 CHAIRMAN MORREALE: Okay. So then do we vote to do
12 that?

13 MR. MOGEL: No. If a vote was going to be taken tonight
14 someone would make a motion to go forward with the vote, or
15 ACTUALLY set forth the vote and there would be a second. And
16 then if it carried, everybody ...

17 CHAIRMAN MORREALE: Well, given that there's no vote
18 necessary to postpone, that is what the Board is going to do.
19 I believe that's what we all -- I mean that's my feeling.

20 I'd to thank the public, both in person and on Zoom.
21 Your comments and your concerns were taken very, very, very
22 seriously, and thank you.

23 I'll put forward a motion to adjourn the meeting. Do I
24 have a second?

25 BOARD MEMBER LEWIS: Yes. Aye.

1 - RE: OLD ROOSA GAP REALTY LLC -

2 CHAIRMAN MORREALE: All in favor?

3 BOARD MEMBER RAMPE: Aye.

4 BOARD MEMBER FINDLEY: Aye.

5 BOARD MEMBER MULHARE: Aye.

6 BOARD MEMBER LEWIS: Aye.

7 CHAIRMAN MORREALE: Aye.

8 (The motion was approved and carried.)

9 BOARD MEMBER FINDLEY: I just want to remind everyone
10 that February 25th, I believe it is now, there is -- is there
11 a flyer in there?

12 BOARD MEMBER RAMPE: Yes, in the envelope.

13 BOARD MEMBER FINDLEY: Oh, I didn't notice it.

14 CHAIRMAN MORREALE: Is it 16th? I'm registered for the
15 16th.

16 BOARD MEMBER RAMPE: It's not 25th. It's the 15th.

17 BOARD MEMBER FINDLEY: Okay. Thank you.

18 CHAIRMAN MORREALE: Yes, I'm registered. I'll be there.

19 BOARD MEMBER FINDLEY: All right. Agricultural
20 training.

21 BOARD MEMBER MULHARE: I tried to register. I didn't
22 know that.

23 CHAIRMAN MORREALE: I called them up.

24 BOARD MEMBER MULHARE: I'll call them up tomorrow.

25 CHAIRMAN MORREALE: Thank you, everyone.

(Time noted: 9:18 p.m.)

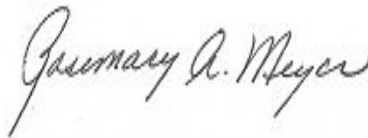
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 of the matter of Old Roosa Gap Realty 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: February 18, 2023

A	<p>addressed (1) 52:2</p> <p>adequate (2) 41:14;49:18</p> <p>Adjacent (3) 31:10;37:24;59:23</p> <p>adjoining (1) 65:4</p> <p>adjourn (1) 88:23</p> <p>administration (1) 48:21</p> <p>administrative (1) 9:13</p> <p>adopted (1) 24:6</p> <p>advertisements (2) 35:13,13</p> <p>afford (1) 40:7</p> <p>Ag (1) 73:2</p> <p>Again (20) 9:10,14,19;18:17; 49:24;50:11;55:2; 57:13;58:19;64:13, 21;68:5;69:17,20; 70:17;74:4,11;78:23; 79:3;80:24</p> <p>against (1) 39:19</p> <p>agenda (2) 5:15;18:19</p> <p>aggrieved (2) 42:8,10</p> <p>ago (2) 44:10;82:8</p> <p>agree (15) 9:9,9;10:14;42:15; 45:7;58:16;60:3; 61:16;63:2,22;71:4; 76:6;83:9,19;84:17</p> <p>Agreed (7) 58:15,25;65:10; 67:14;68:22;73:13, 20</p> <p>Agricultural (1) 89:19</p> <p>ahead (5) 7:8;26:20;61:21; 75:9;87:14</p> <p>akin (2) 54:9;55:3</p> <p>Allegiance (2) 4:5,6</p> <p>allow (6) 17:7;19:25;33:9; 50:25;51:2;65:21</p> <p>allowed (7) 48:5;55:25;56:2; 58:19;74:2;77:10,12</p> <p>allowing (3) 31:23;50:19;83:3</p>	<p>allows (2) 19:24;65:20</p> <p>almost (2) 7:21;79:12</p> <p>along (1) 59:10</p> <p>alongside (1) 20:18</p> <p>alter (1) 25:18</p> <p>ALTERNATE (4) 4:14;85:8,13;87:22</p> <p>Although (2) 10:14;67:24</p> <p>Among (1) 24:21</p> <p>amount (1) 76:18</p> <p>analogy (5) 58:16;75:21,22; 76:10;79:10</p> <p>analyses (1) 76:2</p> <p>analysis (1) 25:6</p> <p>Analyze (2) 61:13,14</p> <p>and/or (2) 13:21;69:24</p> <p>anticipated (1) 51:5</p> <p>anymore (3) 17:8;24:17;39:23</p> <p>apologize (4) 6:16;13:9;68:9,11</p> <p>appeal (13) 6:15,21;8:4,4,9; 9:12,15;12:10;31:4; 36:18;38:4;42:10,12</p> <p>appealing (2) 7:5;11:8</p> <p>Appeals (2) 41:2;42:11</p> <p>appear (1) 13:6</p> <p>appearance (1) 10:6</p> <p>appearances (2) 8:11;84:15</p> <p>appearing (1) 31:22</p> <p>appears (1) 62:4</p> <p>apples (2) 73:5,5</p> <p>applicable (1) 25:16</p> <p>applicant (30) 12:22;17:3;18:20; 21:14;31:20;38:5; 40:22;41:10;42:8,15; 43:22,23;45:20; 49:20;51:21;52:17;</p>	<p>55:21;57:18;58:8,8, 14;61:18,21;62:21; 70:7,17;71:22;73:8; 76:19;82:18</p> <p>applicants (1) 5:16</p> <p>Applicant's (2) 71:12;84:13</p> <p>application (41) 6:21,24;7:13,18,18, 21;8:8,22,22;9:18; 10:18,24;11:3;13:5; 17:5;18:12,13,18; 25:9;34:24;36:14; 37:9;38:4,5;41:11, 16;45:23;47:13,24, 25;49:16;51:12;54:9, 23;57:23;58:9;70:16; 71:17;75:2;77:19; 82:13</p> <p>applications (1) 52:18</p> <p>applied (5) 18:4;36:24;65:15; 71:11;76:23</p> <p>applies (1) 48:24</p> <p>apply (6) 8:24;18:11;22:13, 18;34:17;74:13</p> <p>appraiser (1) 25:5</p> <p>appreciate (3) 14:18;31:23;65:21</p> <p>appropriate (4) 58:13;61:9,11; 73:21</p> <p>appropriately (1) 48:2</p> <p>approval (10) 17:6;34:5;46:3; 60:2;65:6,7;66:16; 71:6;73:19;75:5</p> <p>approvals (4) 51:16;64:9;65:2; 66:10</p> <p>approve (4) 33:5,6;45:24;52:23</p> <p>approved (9) 5:12;10:9;34:6; 56:2;78:24;85:2,24; 87:4;89:8</p> <p>approves (2) 34:25;69:23</p> <p>approximately (6) 6:8;11:22;17:10; 21:7;22:3;31:9</p> <p>aquifer (2) 33:10;80:24</p> <p>arbitrary (1) 76:25</p> <p>architect (4) 7:8;11:11,14;19:10</p>	<p>area (13) 6:4,22;25:16;35:3; 36:7,10,11;37:24; 44:11;52:11;53:4; 59:23;83:4</p> <p>areas (2) 67:18;83:5</p> <p>argue (1) 82:4</p> <p>arguing (1) 63:4</p> <p>argument (1) 57:5</p> <p>Army (2) 51:14;65:22</p> <p>Around (19) 23:6,8;26:18,22; 53:13,16;60:23; 65:13,24;76:4,20; 77:2,23;78:2;79:6, 22;80:9;81:8;82:21</p> <p>art (1) 7:20</p> <p>ascertain (1) 52:9</p> <p>assistance (1) 25:24</p> <p>assume (3) 57:17;63:23;75:17</p> <p>assuming (4) 34:10;61:20;64:2; 73:5</p> <p>attendance (1) 4:8</p> <p>attended (1) 32:10</p> <p>attention (1) 47:9</p> <p>attorney (6) 25:24;26:5,8; 27:19;28:17,19</p> <p>auction (2) 18:3;22:24</p> <p>August (2) 67:17;69:24</p> <p>authority (3) 68:24;71:3,5</p> <p>away (1) 38:15</p> <p>Aye (24) 5:7,8,9,10,11; 84:21,24,25;85:18, 20,21,22,23;86:23, 24,25;87:2,3;88:25; 89:3,4,5,6,7</p> <p>eyes (1) 85:5</p>
			B	
			<p>baby (1) 66:5</p> <p>back (19)</p>	

<p>12:13,13;39:5; 40:22,25;41:15; 42:19;47:10;51:13; 52:18;60:23,25; 61:18;62:17;69:12; 71:12;74:4;82:20; 83:10</p> <p>Barshov (20) 31:17,19,19;32:14, 16,23;52:2;54:14; 64:15,19;65:10;66:9; 75:13,17;77:12,20; 78:8,10,25;79:4</p> <p>based (11) 13:23;43:14;45:20, 24;46:3;47:19,23; 71:6;72:7;81:18; 83:19</p> <p>Basha (1) 44:11</p> <p>basically (1) 40:5</p> <p>basin (1) 80:25</p> <p>basis (5) 42:13;53:15;66:21; 78:14,17</p> <p>beat (1) 23:12</p> <p>beautiful (1) 36:10</p> <p>become (1) 43:23</p> <p>becomes (1) 57:6</p> <p>begin (1) 18:25</p> <p>behind (1) 38:14</p> <p>beneficial (1) 41:3</p> <p>bent (1) 80:9</p> <p>best (1) 26:21</p> <p>BETH (12) 4:1;5:1,25;6:1;7:1; 8:1;9:1;10:1;11:1; 12:1;13:1;14:1</p> <p>better (4) 8:18;24:10;70:23; 79:8</p> <p>beyond (2) 42:14;54:3</p> <p>bigger (1) 67:5</p> <p>bit (2) 76:25;81:13</p> <p>blah (3) 79:11,11,11</p> <p>blindness (2) 82:15;83:13</p> <p>Block (3)</p>	<p>6:8;17:9;31:8</p> <p>Bloomington (3) 46:12;49:2;58:5</p> <p>BOARD (245) 4:10,12,14,16,18, 24,25;5:4,7,8,9,10,18, 20;7:25;8:4,11,20,25; 9:11,17,17,19,22; 10:17,21,23;11:7,17, 23;12:8,10;13:5,6,18; 14:12,15;18:20; 22:11,16;25:22; 26:10,25;27:6;32:6, 20;33:15;34:6,6,13; 35:5,6;36:14;37:4,7, 12,15,18;39:9;40:25; 41:6,9,25;42:11,11, 12,19,20;43:21;51:6; 54:23,24,25;55:2,6, 10,17,20;56:8,12,15, 18,22,23;57:9,12,18, 22;58:2,4,7,12,18,22; 59:3,6,9,13,16,24; 60:9,11,14,22,25; 61:4,8,13,14,17,23, 24,24;62:2,4,8,10,13, 14,17,20,24;63:8,12, 15,17,24;64:5,7,9,18; 65:6,7;66:7;67:11,15, 20,23,24,25;68:2,5,9, 11,12,17,19;69:3,4,6, 9,12,23;70:5,8,14,17, 19,20,23;71:2,16,21, 24;72:18,21,23,25; 73:7,10,12,14,16,19, 19,21,23;74:6,19,22; 75:5,5,6,10,16;77:8, 18;78:6,9,23;79:3; 81:20;83:22;84:2,5, 11,17,19,21,22,23,24; 85:3,4,8,8,9,13,13,14, 18,20,21,22;86:21, 23,24,25;87:2,6,11, 12,14,15,17,18,22,25; 88:3,4,6,18,25;89:3, 4,5,6,9,12,13,16,17, 19,21,24</p> <p>boards (1) 34:16</p> <p>Board's (3) 9:7;26:5;42:15</p> <p>book (1) 48:13</p> <p>boring (1) 76:12</p> <p>borings (1) 76:2</p> <p>both (4) 5:14;25:24;34:15; 88:20</p> <p>bought (3) 19:18;44:12;79:17</p> <p>box (1)</p>	<p>33:7</p> <p>Brian (3) 5:25;7:11,11</p> <p>brief (1) 8:21</p> <p>bring (1) 67:17</p> <p>bringing (1) 47:9</p> <p>brings (2) 50:22;71:18</p> <p>broken (4) 17:15;23:7,9;83:14</p> <p>brought (4) 37:8;71:4;81:10; 83:18</p> <p>build (5) 59:17;71:24;72:2, 3,4</p> <p>building (56) 7:9,14,16,19,20; 8:8,14,16,25;9:16; 10:4;11:18,20;12:4; 13:20,24;18:8;19:17, 24;27:10,17,22; 28:21;31:4;33:16; 34:20;36:5,20,21; 37:22,25;38:6;40:24; 41:10,15,17,21,23, 25;43:15,17;45:4,19, 22;47:17;49:12;50:7; 54:8;60:17;65:8; 70:6;71:22;75:20; 76:3,9;85:6</p> <p>built (3) 23:2,3;77:13</p> <p>buy (2) 44:18,19</p>	<p>61:18,21;62:7,25; 64:3,4,15;67:13; 68:14,17,20;72:20; 73:3;74:6,16,24; 77:6;78:15;81:24; 82:7,23;83:2,13; 84:7;87:25;88:8</p> <p>candid (2) 65:22;70:18</p> <p>candidly (1) 86:3</p> <p>candor (1) 65:21</p> <p>capable (1) 25:6</p> <p>capacity (2) 52:10;77:14</p> <p>capping (1) 50:3</p> <p>capricious (1) 77:2</p> <p>car (1) 58:10</p> <p>care (3) 12:7,9;31:3</p> <p>carefully (1) 83:3</p> <p>carried (6) 5:12;85:2,24;87:4; 88:16;89:8</p> <p>cart (1) 28:4</p> <p>case (8) 8:5;9:15;19:7; 28:22;32:21;41:9; 55:20;76:12</p> <p>cases (1) 84:15</p> <p>casing (1) 49:24</p> <p>Cathy (3) 40:16,17;50:11</p> <p>Catskill (1) 7:12</p> <p>cattle (1) 73:2</p> <p>cause (2) 17:19;25:13</p> <p>caveats (1) 41:5</p> <p>certain (3) 9:7;35:12;67:18</p> <p>certainly (3) 35:14;51:3;84:4</p> <p>certainty (1) 74:17</p> <p>Certificate (1) 50:4</p> <p>certification (1) 49:20</p> <p>certified (2) 11:12,14</p> <p>certify (1)</p>	<p>7:8</p> <p>cetera (1) 49:18</p> <p>Chair (1) 50:17</p> <p>CHAIRMAN (226) 4:2,7,11,13,15,17, 21;5:2,5,11,13,19,21; 6:10,14,20;7:2;9:3; 10:7,11,14;12:11,16, 21;13:12,19,23;14:3, 9,14,17,20;17:2,14, 23;18:14,16,21,24; 19:9,14;20:6,9,13; 21:10,14,20,22,24; 22:3,5;23:14,17,23; 24:3,7,10;26:5,13,16; 27:2,5,9,18,21,25; 28:8,16,20;31:11,15, 18;32:18;34:8,15,20, 23;35:2,11,19,21; 36:23;37:6,11,17; 38:10,19,23;39:2,4,9, 12,14;40:2,13,15; 42:23;43:5,12;44:2,5, 8,22;45:12,14;47:3,6, 18,23;48:4,10,15; 50:9,13;51:8,20; 54:5;55:5;56:5,10,13, 17,21;57:7,11,13,20, 25;58:3,6,11,15,21, 25;59:5,8,12,15,20; 60:3,10,13,16;61:2, 16,20,25;62:3,9,12, 15,19,23;63:2,11,14, 16,20,25;64:6,11,14, 17;67:14,17,21; 68:13,14,14,16,22; 69:5,8,13,18;70:10, 16,25;71:23;72:15, 19,24;73:5,9,11,13, 15,18,20;74:4,7,20, 23;81:21;83:7;84:13, 18,20,25;85:5,16,19, 23,25;86:9,13,16,19, 22;87:3,5,9,13,16,19, 24;88:2,5,11,17;89:2, 7,14,18,23,25</p> <p>Chairperson (1) 42:18</p> <p>chance (1) 69:23</p> <p>change (4) 5:23;64:2;67:13; 76:6</p> <p>changed (2) 24:4;35:24</p> <p>changes (4) 20:4,20;33:22; 62:11</p> <p>changing (2) 33:21;77:18</p> <p>character (3)</p>
		C		
		<p>cabin (1) 20:19</p> <p>calculations (1) 75:24</p> <p>call (3) 64:12;72:6;89:24</p> <p>called (2) 4:3;89:23</p> <p>calling (1) 17:4</p> <p>came (2) 31:25;79:24</p> <p>can (62) 5:17;6:22;9:6,22; 10:2;11:20;13:24; 18:22,24;19:7,12; 24:15;26:20;27:11; 32:25;38:16,17,20, 22;39:6,15,16;42:10; 43:10,12;44:5,14; 51:9;53:7,22;54:3; 56:2;57:2;59:6,7,24;</p>		

<p>25:18;33:18;44:11 check (1) 8:2 Chelsea (1) 32:19 children (3) 80:18,18,19 children's (4) 80:18,19,19,19 chooses (1) 48:19 Chris (4) 46:8,21,22;47:3 circle (2) 60:23,24 circumstances (1) 76:20 citizen (1) 45:18 City (1) 79:11 clarification (4) 20:14;36:13;54:6; 86:2 clarified (1) 38:8 clarify (2) 55:13;74:24 clarity (1) 55:3 class (1) 39:18 classic (1) 76:25 cleaned (1) 21:13 clear (17) 9:19;11:16;23:22; 38:5;40:12;51:4,17; 55:16,21;57:19,21; 62:22;68:6,18;71:7; 73:7;84:6 clearing (1) 55:17 clearly (4) 19:8;45:10;61:5; 62:25 client (2) 52:15;77:22 clients (3) 53:12,19,21 climb (2) 24:21;26:7 close (1) 86:19 closer (2) 6:5;68:16 closet (1) 31:21 closing (1) 86:13 Club (1) 31:22</p>	<p>code (17) 8:2;24:13;36:15; 37:18,23;41:18; 42:10;47:12;48:6,7, 9;50:21,22,25;51:2,5; 54:18 codes (1) 43:14 collapse (1) 21:6 comfortable (2) 19:15;45:19 coming (3) 12:2;67:6;71:20 commend (2) 36:4;58:7 comment (14) 5:14;8:24;32:22, 24;45:6,15;54:7; 64:13;69:16,21,22; 82:10;83:8;86:18 commented (1) 86:12 comments (8) 31:25;32:2,5; 44:23;45:13;47:7; 71:7;88:21 Commercial (9) 17:11;19:19;20:17; 23:21,23;24:2;33:17, 19,20 committed (1) 28:18 community (3) 40:4,4;79:18 company (2) 46:15,15 competent (4) 24:22;25:14;46:14, 25 complete (2) 19:25;21:21 completely (6) 9:9;10:12;12:3; 28:3;54:15;75:6 Compliance (1) 50:4 complied (1) 49:21 complies (1) 49:17 concept (1) 76:7 concern (3) 71:17;79:5;82:11 concerned (5) 32:25;46:10,14,24; 53:6 concerns (4) 33:23;40:10;46:11; 88:21 condition (1) 23:12</p>	<p>Conduct (1) 84:8 conferring (1) 27:14 confident (1) 88:7 confirm (1) 56:4 confirmation (1) 49:19 confusion (1) 14:21 consequence (2) 24:19;48:23 consider (4) 44:16;47:7;83:3,15 consideration (2) 61:23;75:3 considered (1) 22:6 considering (1) 47:24 consistent (4) 7:25;8:12;9:11; 48:20 consistently (1) 46:20 constitute (3) 8:14;81:25;82:3 constructed (1) 49:23 construction (3) 49:22,25;75:21 Consultants (2) 7:12;68:20 contact (5) 27:9,16,18;32:14, 17 contending (1) 61:10 Continuation (2) 31:2,12 continued (2) 24:15,17 continuing (1) 19:15 contorting (1) 77:3 conversation (1) 7:16 convey (1) 39:24 copy (1) 6:16 Corporation (2) 64:25;65:3 Corps (2) 51:15;65:22 correctly (1) 31:13 counsel (7) 9:8;10:15;27:22; 40:19;50:17;85:9,14</p>	<p>country (1) 81:7 couple (4) 32:21;34:8;42:25; 73:17 course (1) 42:13 court (5) 46:17,23;78:12; 84:15,15 courtesy (1) 31:23 courts (1) 42:17 Crane (1) 45:6 create (1) 88:8 creating (1) 63:20 criteria (3) 57:4,5;75:7 cross (1) 80:12 crossed (2) 63:5,7 crux (1) 82:5 cured (2) 7:6;8:5 current (9) 12:17;56:24;77:9, 10,10,12;84:10,12; 86:6 currently (3) 21:17;38:6;69:25</p>	<p>Dear (1) 32:20 DEC (1) 73:4 December (1) 18:12 decide (4) 26:14;41:22,23; 47:17 decided (3) 10:12;79:21;81:4 decision (11) 9:23;27:10;31:4; 33:16;36:20,22; 43:15;45:5;47:22; 71:9;78:16 decision-making (2) 44:16;77:2 decisions (1) 77:4 dedication (1) 8:23 deemed (4) 24:17;49:19;54:21; 66:21 deep (2) 45:3;80:15 deeper (2) 63:13;67:5 defend (1) 46:20 defined (2) 50:20,21 definitely (4) 13:8,16;33:17;67:8 definition (4) 42:9;49:3,5;62:6 degree (1) 74:17 deliberate (4) 62:16;71:3;75:2; 83:15 deliberating (2) 73:20;75:8 deliberations (1) 44:15 demolish (1) 12:18 demolished (3) 17:5;19:22;23:15 demolishing (1) 18:6 demolition (3) 13:20;18:11;20:21 denial (19) 6:23;8:8,14;14:12; 35:2,3;37:19;46:2; 54:9;64:3;66:22; 70:12,13;71:6,11,18; 73:21;75:3;82:12 denied (14) 7:14;9:15;10:7,8; 36:25;47:25,25;</p>
D				
			<p>data (1) 53:10 date (9) 6:25;10:19,25; 11:2;13:13;14:13; 17:16;27:10;88:8 dated (3) 6:24;10:18;13:8 daughter (2) 17:18;19:3 Dave (1) 4:9 Dawkins (7) 40:16,17,18;42:22; 50:11,15;57:14 day (3) 34:4,11;35:16 days (6) 6:25;9:13;13:14; 87:7,9,15 deadline (1) 6:19 deal (1) 77:20</p>	

51:21;60:17;62:25; 70:6,11;72:8;74:14 deny (6) 31:5;33:16;40:24; 43:15,18;45:24 denying (2) 54:14;71:14 Department (18) 7:16;11:18;13:20, 24;18:8;27:10,17,23; 28:22;33:16;34:21; 38:6;40:24;41:16; 43:17;48:20;49:8; 85:7 Department's (1) 45:5 depending (2) 34:16;52:12 depends (1) 55:17 depth (3) 49:24;67:3;70:4 described (1) 64:23 description (1) 7:22 design (1) 76:6 desire (1) 54:12 desired (1) 54:10 desiring (1) 54:13 destroy (1) 40:9 destroyed (1) 40:5 determination (9) 13:23;37:22;38:2; 41:19;42:11,13,16; 47:20,23 determinations (2) 42:6,7 determine (5) 41:6,25;46:19; 65:9;75:24 determined (1) 54:23 determines (1) 35:9 determining (1) 75:23 detrimental (1) 45:8 develop (2) 53:22;82:24 developer (1) 82:24 development (5) 69:4;77:13,16; 79:2;83:4 deviation (1)	36:15 difference (1) 11:7 different (19) 34:6,13;35:6; 42:17;55:12;62:21, 24;63:18,18;64:8; 66:9,13;67:22,22; 69:3;73:17;75:6; 80:14;81:12 Differentiating (1) 63:3 dig (1) 55:11 direct (1) 32:16 direction (2) 10:3;74:24 directions (1) 80:14 directly (3) 7:5;32:15;42:20 dirt (1) 79:14 disagree (4) 60:4;66:7,8;78:15 disallow (1) 24:4 disclosing (1) 44:14 discontinuance (1) 22:9 discouraged (1) 33:4 discuss (1) 14:5 discussed (1) 86:8 discussing (2) 50:12;72:24 discussion (1) 27:22 Discussions (1) 84:9 Disinfection (1) 50:3 distinguish (2) 49:3;54:19 district (1) 73:2 districts (1) 22:20 domestic (2) 52:21;66:13 done (17) 7:7;8:19;12:2,19; 20:25;31:12,14; 45:10;52:8,8,16;53:9, 22;66:4;67:7;69:24; 83:2 doubt (1) 71:19 down (7)	50:25;66:20;76:14, 15;79:14;80:13,16 downs (1) 46:18 dowse (2) 80:7,8 dozen (1) 76:23 drawdown (2) 50:2;53:9 drill (21) 38:22;39:17;41:12; 50:23;57:2;60:9; 61:21;63:9,13,13; 69:10;70:7;72:9,10, 17;73:3;74:13;80:3, 6,15;81:15 drilled (8) 49:7;56:5;60:5; 63:4;74:12;80:20; 81:5,9 drilling (9) 31:5;33:16;43:16; 48:12,24;49:12; 56:10;70:2;80:17 drinking (1) 49:6 driving (1) 58:10 Dropbox (2) 37:2,3 drove (1) 79:14 dry (11) 36:8;38:17;39:13, 17;45:3;53:14;67:8, 8,19;76:13;80:25 duds (1) 42:21 due (1) 14:12 dug (1) 49:7 during (2) 53:5;70:2 dwelling (8) 6:6;17:5,8;18:3; 20:22,23;23:5,14 dwellings (1) 22:19	eight (4) 23:6,8,15;44:10 either (12) 9:14,16;13:24; 23:12;25:5;26:14; 35:3;40:6;42:8;56:4; 58:19;71:5 electrical (4) 7:7;11:12,13,13 elevate (1) 78:11 eleven (2) 80:10,11 Elizabeth (1) 19:2 else (14) 10:16;25:14;28:8; 43:3,6;47:4;52:21; 65:4,15;66:17;74:11; 80:22;86:10,14 e-mail (3) 8:16;31:25;32:17 empowered (1) 42:5 empty (1) 23:8 enacts (1) 48:23 end (2) 63:21,23 ended (1) 18:5 energy (1) 50:23 enforced (1) 50:6 engineer (1) 25:24 Engineers (2) 51:15;52:15 English (1) 19:6 enough (1) 76:16 entered (1) 85:15 entirely (2) 17:6;18:6 enunciated (1) 78:20 envelope (1) 89:12 equipment (1) 53:8 especially (1) 33:22 essential (1) 25:18 essentially (1) 71:22 established (2) 66:4;78:18 estate (2)	19:18;25:6 et (1) 49:18 evaluate (5) 45:20;61:8,14; 67:25;68:20 evaluating (1) 37:13 evaluation (1) 52:14 even (17) 8:19;14:6;19:21; 39:4,5;47:12;51:5; 56:15;57:7,22;63:9; 65:8;66:6;72:19; 73:3;79:2;83:13 evening (9) 4:2;5:14;31:19; 32:4,12;35:23;40:17; 43:10;45:16 eventual (1) 51:3 everybody (6) 31:19;41:4;79:10; 80:22;81:7;88:16 everyone (6) 4:4,22;52:22; 85:25;89:9,25 evidence (4) 24:23;25:4,14; 81:19 exact (1) 46:15 Exactly (6) 14:17;20:5;40:9; 59:23;69:5;81:11 excavate (1) 75:23 except (1) 86:5 exception (1) 21:24 exchange (1) 64:20 excluding (1) 85:9 Excuse (2) 74:20;85:6 excused (1) 85:10 Executive (8) 83:21;84:3,8;85:7, 11,17;86:2,7 exhausted (1) 43:5 Exhibit (2) 37:7;57:23 exist (2) 74:7;77:4 existing (9) 6:4;7:19;18:5; 20:2;31:6;36:5; 49:13;66:25;67:5
E				
		early (2) 13:16;76:11 easy (1) 57:17 economic (1) 24:23 economically (2) 24:24;25:3 effort (1) 54:10		

<p>experience (2) 46:11;81:15</p> <p>explain (1) 26:12</p> <p>explained (2) 26:6;67:22</p> <p>extended (1) 45:3</p> <p>extraction (1) 33:20</p> <p>extremely (1) 69:2</p>	<p>figure (1) 80:6</p> <p>file (3) 10:4;58:5;72:3</p> <p>filed (4) 6:15;52:18;71:22; 72:7</p> <p>filing (1) 9:14</p> <p>fill (2) 7:22;34:23</p> <p>final (1) 62:22</p> <p>financial (1) 25:14</p> <p>find (5) 34:2;35:16;41:13; 52:5;53:19</p> <p>Findley (117) 4:15,16;5:8,20; 10:17,21,23;11:7,17, 23;13:5;14:12,15; 22:11,16;26:10;27:6; 37:4,12,15,18;55:6, 10,17,20;56:8,12,15, 18,23;57:9,12,18,22; 58:2,4,7,12,18,22; 59:3,6,9,13,16,24; 60:22;61:4,14,17,24; 62:2,4,10,13,17,20, 24;63:8,12,15,17,24; 64:7,18;66:7;68:5,9, 11,17;69:3,6,9;70:14, 17,20;72:23,25;73:7, 10,12,14,16,19,21; 74:6,19,22;75:10,16; 77:8,18;78:6,9,23; 79:3;81:20;83:22; 84:2,5,11,22;85:4,10, 14;86:21,24;87:12, 14,17,25;88:3;89:4,9, 13,17,19</p> <p>fine (5) 17:19;19:6;68:15, 17;74:6</p> <p>finish (2) 74:21,23</p> <p>first (22) 5:16,17,24;19:17; 31:17;32:19,22; 34:17;37:20;40:2; 41:18;43:4,9;51:11; 57:3;62:17;66:4,5,8, 9;83:11,18</p> <p>firsthand (1) 40:7</p> <p>five (2) 19:12;79:14</p> <p>fixate (1) 9:10</p> <p>flyer (1) 89:11</p> <p>focus (1)</p>	<p>69:2</p> <p>folks (2) 4:2;68:23</p> <p>follow (1) 9:6</p> <p>following (1) 22:14</p> <p>foot (2) 81:9,10</p> <p>force (1) 53:6</p> <p>forever (1) 79:6</p> <p>Forget (2) 62:20;73:16</p> <p>formation (1) 65:2</p> <p>former (1) 82:4</p> <p>forth (8) 13:17;25:9;49:5, 15,16;50:4;51:13; 88:15</p> <p>forthright (1) 78:21</p> <p>forthrightly (1) 78:13</p> <p>forward (7) 28:21;41:11;42:16; 72:9;86:19;88:14,23</p> <p>foundation (12) 19:24;20:2,6,7,11; 21:25;23:20;72:4,6, 14;75:24,25</p> <p>foundations (1) 76:8</p> <p>Fournier (3) 4:13,14;87:22</p> <p>frame (2) 11:3;13:17</p> <p>frankly (3) 28:17;63:22;64:4</p> <p>freaking (1) 39:25</p> <p>Friday (1) 7:23</p> <p>friend (2) 80:4,5</p> <p>front (7) 12:12,16;36:14; 54:23;60:25;69:4; 73:8</p> <p>fruition (1) 75:5</p> <p>further (7) 32:11;55:7;56:15; 60:5;74:3;83:3;84:15</p> <p>furtherance (3) 56:9;59:10;73:25</p> <p>future (4) 51:24;52:18;54:15; 76:23</p>	<p style="text-align: center;">G</p> <p>GAP (62) 31:1,3,7;32:1;33:1; 34:1;35:1;36:1;37:1; 38:1;39:1;40:1;41:1; 42:1;43:1;44:1,19; 45:1;46:1;47:1;48:1; 49:1;50:1;51:1;52:1; 53:1;54:1;55:1;56:1; 57:1;58:1;59:1;60:1; 61:1;62:1;63:1;64:1; 65:1;66:1;67:1;68:1; 69:1;70:1;71:1;72:1; 73:1;74:1;75:1;76:1; 77:1;78:1;79:1;80:1; 81:1;82:1;83:1;84:1; 85:1;86:1;87:1;88:1; 89:1</p> <p>Gary (1) 35:22</p> <p>gave (1) 86:17</p> <p>Genco (12) 33:25;34:2,10,19, 22,25;35:8,17,20; 64:13;69:14,15</p> <p>general (1) 48:22</p> <p>generally (1) 46:13</p> <p>Genevieve (1) 4:11</p> <p>gentleman (1) 67:21</p> <p>gentlemen (1) 69:22</p> <p>geologically (1) 53:23</p> <p>George (1) 46:22</p> <p>Georgia (1) 4:17</p> <p>geotechnical (2) 52:14;75:24</p> <p>gets (1) 61:5</p> <p>given (6) 5:13,23;32:15; 33:10;88:5,17</p> <p>goal (2) 57:17;63:23</p> <p>God's (1) 68:10</p> <p>goes (8) 34:3;35:17;38:17; 39:13;49:22;68:19; 80:2,8</p> <p>GOMEZ (68) 17:1,3,12,17,17,22, 25;18:1,23;19:1,2,2, 3,4,5,10,16;20:1,7,11,</p>	<p>16,24;21:1,3,4,8,9,12, 19,21,23;22:1,2,4,25; 23:1,2,3,6,8,10,11,16, 18,25;24:1;25:1; 26:1,2,12,15,24;27:1, 3,4,8,12,14,14,16,20, 24;28:1,6,10,19,23, 24</p> <p>Good (13) 4:2;5:18,20;14:22; 18:14;23:11;28:11; 31:18,19;35:23; 40:17;43:10;45:16</p> <p>govern (1) 61:5</p> <p>governmental (1) 66:10</p> <p>governs (2) 54:19;61:11</p> <p>gradients (1) 80:21</p> <p>Grandview (1) 44:9</p> <p>granted (2) 25:22;36:3</p> <p>granting (1) 25:17</p> <p>Grass (5) 33:6;41:7;42:5,7; 45:10</p> <p>great (5) 10:9;13:11;65:24, 25;74:16</p> <p>Greenbelt (1) 6:9</p> <p>ground (4) 55:11;60:18;67:4; 72:12</p> <p>groundwork (1) 72:6</p> <p>grouting (1) 49:25</p> <p>guess (3) 22:5;26:16;55:14</p> <p>guessing (1) 73:10</p> <p>guide (1) 25:25</p> <p>guy (1) 79:18</p> <p>guys (1) 38:21</p>
			<p style="text-align: center;">H</p> <p>Ha (3) 11:23,23,23</p> <p>hairs (1) 22:5</p> <p>half (2) 76:23;79:14</p> <p>hand (2) 49:7;50:18</p>	

handcuffs (1) 83:14	hire (2) 46:14,24	idea (7) 5:18;8:10;27:25; 31:18;53:24;65:18; 76:7	Inspector's (2) 38:2;43:15	issuing (1) 49:16
hands (1) 46:2	Hit (2) 80:22,24	impact (2) 33:17;52:11	installation (2) 48:19,24	J
happen (8) 20:21;35:16;52:6, 25:53;2,17;78:4; 83:19	hold (4) 17:21;26:22;46:23; 80:12	impasse (2) 64:12;74:5	intend (2) 77:24;82:19	Janet (2) 43:9;69:16
happened (2) 65:16;78:3	hole (1) 55:11	implication (1) 53:11	intended (14) 51:4,22;60:20; 62:22;63:18;64:8; 68:6,18;73:25;74:17; 75:4,4,11;78:9	January (7) 4:2,22;6:17,18,19; 13:9,10
happening (1) 62:5	holes (1) 72:12	implications (1) 83:3	intent (2) 48:19;81:24	Jeanne (1) 44:24
happens (1) 39:11	home (3) 21:16;31:6;40:2	implies (1) 51:3	intention (2) 50:24;55:22	J-E-A-N-N-E (1) 44:25
happy (2) 11:19;19:15	homes (2) 40:6;53:20	important (2) 53:10;70:4	Interchange (1) 17:10	Jeep (1) 79:16
hard (3) 26:17;64:3;71:8	honestly (1) 78:16	inch (1) 80:10	interchangeable (3) 19:19;23:21;24:2	Jen (1) 45:6
hardship (3) 25:13,15,20	hooked (1) 57:7	inches (3) 80:9,10,11	interest (2) 26:21;36:7	Jersey (2) 12:25;13:2
head (2) 26:18,22	hope (3) 53:2,6;71:19	inclement (1) 32:8	interested (2) 9:5;28:13	Jesus (1) 68:8
Health (3) 48:20,22;49:8	Hopefully (1) 10:11	inclined (1) 10:14	interpret (5) 41:7;54:25;59:6, 24;64:3	job (1) 82:13
hear (15) 8:4;9:4,18,20; 18:22;19:15;32:12, 23;42:12;43:4,10,12; 68:8,14,17	hoping (2) 38:10;87:15	include (2) 11:15;12:8	Interpretation (19) 31:4;36:16,18; 37:13,16;40:20;41:9, 18;43:15,17;59:13; 61:21;64:10;69:11; 70:6;71:11,18;73:24; 74:14	Jon (2) 4:13;87:20
heard (1) 82:11	horribly (1) 33:11	included (1) 18:10	interpreted (1) 84:16	July (5) 6:13,14,23;11:5; 69:24
hearing (17) 8:20;14:6;26:20; 28:2,6,21;31:2,12,24; 32:10,17,24;50:15; 51:11;86:10,13,20	horse (2) 28:5;82:15	includes (1) 49:5	interpreting (1) 37:18	jump (1) 65:11
held (3) 31:24;55:23;80:10	hot (1) 70:2	including (2) 65:19;66:18	interprets (2) 54:25;55:2	June (2) 21:8,9
HELFANT-GOLDMAN (12) 4:1;5:1,25;6:1;7:1; 8:1;9:1;10:1;11:1; 12:1;13:1;14:1	hours (1) 45:4	incorrect (1) 41:8	interrupting (1) 47:16	jurisdiction (2) 8:4;9:18
Hello (1) 17:17	house (21) 19:17,18,20,22,22; 20:2,4,5;22:6;23:2,3, 7,12;28:12;39:23; 44:12,14,18,19;72:2, 3	individual (1) 42:5	into (18) 22:15;37:14;38:17, 24;41:14;42:9;49:25; 52:19;57:5;61:23; 63:5;67:4;75:3; 78:11;79:17;85:6,11; 86:7	jurisdictional (1) 7:24
help (1) 36:6	houses (1) 20:17	industrial (1) 72:2	involved (1) 77:22	justify (1) 71:13
Herbert (1) 44:24	huge (1) 76:18	inevitable (2) 76:7,21	irresponsible (1) 78:20	K
herself (1) 57:15	hurdle (1) 65:20	inevitably (1) 66:20	issuance (1) 49:19	keep (1) 50:12
Hey (1) 79:7	husband (1) 12:3	inform (1) 54:2	issue (6) 7:25;9:19;12:8; 64:7;67:6;82:5	Kent (9) 4:15;12:12;22:15; 26:13;55:9;74:20,20; 75:9;83:24
Hi (4) 19:4;38:13;69:19; 82:9	Hunter (1) 33:13	information (4) 11:11;32:15;53:17; 73:24	issued (2) 6:11,13	kept (1) 39:21
high (2) 24:21;25:23	hydrogeological (1) 33:20	informational (1) 25:10	issues (8) 10:5;12:2;24:12; 33:8;50:18;64:9,15; 69:25	kidding (1) 80:7
highly (2) 26:7;46:23	hydrological (1) 52:14	initial (1) 42:6		Kill (1) 44:11
hill (2) 24:21;26:6	hypothesizing (1) 73:12	in-person (1) 38:12		kind (8) 22:5,17;45:21,25; 47:8;72:8;75:18;76:2
Hills (3) 40:3;67:17,18	hypothetical (1) 77:21	inspection (3) 7:7;11:12,13		knew (1) 33:6
	I	Inspector (20) 8:17;31:4;36:5,20, 22;37:22;41:10,17, 22,23,25;45:19,22; 47:17;49:12;50:7; 54:8;60:17;65:8;70:6		knowing (2) 54:15;64:2

<p>knows (3) 76:13,14;78:4 Kyra (8) 5:23;6:10;17:2,14; 18:21;24:4;47:4;48:8</p>	<p>letters (1) 51:13 letting (1) 69:19 Lewis (23) 4:9,10,25;5:4,10; 60:9,11,14;71:21,24; 72:18,21;84:17,19, 24;85:3,18,22;87:2, 15,18;88:25;89:6</p>	<p>70:1;71:1;72:1;73:1; 74:1;75:1;76:1;77:1; 78:1;79:1;80:1;81:1; 82:1;83:1;84:1;85:1; 86:1;87:1;88:1;89:1</p>	<p>31:14 main (1) 80:24 Maine (1) 44:10 majority (1) 88:4 makes (1) 42:7 making (4) 39:16;47:20;64:22; 71:9 Mamakating (2) 37:23;59:22 manner (2) 81:18,23 many (8) 33:8;41:4,21; 42:18;45:9,9;57:24; 78:2 Map (3) 6:7;17:9;31:8 marathon (1) 66:6 March (1) 9:2 mark (1) 18:19 marked (2) 17:4;18:17 marks (1) 80:10 Mary (3) 33:6;42:5,7 Mary's (1) 69:10 material (1) 32:4 materials (1) 51:12 matter (9) 10:16;53:14;65:13; 66:15;72:11;76:19; 78:2;79:4;87:21 Matthew (2) 45:15,16 maximum (1) 77:14 may (8) 7:4;33:3;37:20,21; 43:19;72:20;73:3,4 maybe (15) 13:14,15;14:7; 19:21;23:6;25:22; 36:24;56:3;62:10; 72:2,5;73:22;79:9; 81:13,22 mayor (1) 58:5 Mc (1) 39:10 McLoughlin (12) 38:12,13,21,24;</p>	<p>39:3,7,13,15;40:11, 14;51:9,10 mean (16) 6:22;7:25;8:13; 9:10,19;10:18;39:6, 17;65:11;66:2;67:13; 73:2;74:6;76:3; 77:25;88:19 meaning (1) 24:25 means (4) 7:6;59:19;74:8; 78:18 meant (3) 20:20;60:17,20 meet (3) 9:6;56:6,6 meeting (10) 4:3;6:17;19:12; 35:9,9;84:6;85:10, 15;88:9,23 Meetings (3) 84:8,8;86:5 meets (2) 57:3,4 Megan (1) 43:8 MEMBER (177) 4:10,12,14,16,18, 24,25;5:4,7,8,9,10,18, 20;10:17,21,23;11:7, 17,23;13:5;14:12,15; 22:11,16;26:10,25; 27:6;37:4,7,12,15,18; 55:6,10,17,20;56:8, 12,15,18,22,23;57:9, 12,18,22;58:2,4,7,12, 18,22;59:3,6,9,13,16, 24;60:9,11,14,22; 61:4,13,14,17,24; 62:2,4,10,13,14,17, 20,24;63:8,12,15,17, 24;64:5,7,18;66:7; 67:11,15,20,23;68:2, 5,9,11,12,17;69:3,6, 9;70:14,17,19,20,23; 71:21,24;72:18,21, 23,25;73:7,10,12,14, 16,19,21;74:6,19,22; 75:10,16;77:8,18; 78:6,9,23;79:3; 81:20;83:22;84:2,5, 11,17,19,21,22,23,24; 85:3,4,9,9,14,14,18, 20,21,22;86:21,23, 24,25;87:2,11,12,14, 15,17,18,20,22,25; 88:3,4,25;89:3,4,5,6, 9,12,13,16,17,19,21, 24 members (6) 32:7;42:14;72:16; 85:8,13;86:17</p>
L		<p>located (4) 6:5,6;17:8;31:7 location (1) 49:24 Lodge (1) 45:17 log (1) 50:3 logic (3) 50:22;51:3;57:14 logical (1) 78:14 logistics (1) 72:8 long (6) 10:7,8;22:22;23:4, 5;80:9 longer (5) 21:16;22:21;24:14, 15;57:6 look (12) 8:13;12:11;24:25; 25:2,9;28:20;51:18; 71:21;77:20;78:10, 11,15 looked (2) 7:20;47:11 looking (2) 48:9;77:3 looks (1) 79:10 lose (1) 53:20 Lot (12) 6:8;17:9;23:9; 24:10;26:6;31:8; 41:5;46:6;50:19; 68:24;71:3;82:16 lots (3) 22:14,20;43:20 louder (2) 55:9;83:24 LOUGHLIN (1) 39:10 Lybolt (5) 43:9,10,13;69:16, 19</p>	<p>31:14 main (1) 80:24 Maine (1) 44:10 majority (1) 88:4 makes (1) 42:7 making (4) 39:16;47:20;64:22; 71:9 Mamakating (2) 37:23;59:22 manner (2) 81:18,23 many (8) 33:8;41:4,21; 42:18;45:9,9;57:24; 78:2 Map (3) 6:7;17:9;31:8 marathon (1) 66:6 March (1) 9:2 mark (1) 18:19 marked (2) 17:4;18:17 marks (1) 80:10 Mary (3) 33:6;42:5,7 Mary's (1) 69:10 material (1) 32:4 materials (1) 51:12 matter (9) 10:16;53:14;65:13; 66:15;72:11;76:19; 78:2;79:4;87:21 Matthew (2) 45:15,16 maximum (1) 77:14 may (8) 7:4;33:3;37:20,21; 43:19;72:20;73:3,4 maybe (15) 13:14,15;14:7; 19:21;23:6;25:22; 36:24;56:3;62:10; 72:2,5;73:22;79:9; 81:13,22 mayor (1) 58:5 Mc (1) 39:10 McLoughlin (12) 38:12,13,21,24;</p>	
<p>lack (1) 8:18 laid (1) 73:8 land (4) 55:16,18;79:14; 80:11 lands (1) 48:25 larger (1) 83:17 last (15) 5:23;7:23;22:16; 23:24;31:21;32:9,17, 23;35:6,24;47:10; 79:6;82:10;83:7,10 later (3) 27:10;38:24;64:16 latter (1) 82:4 law (16) 36:5,6;42:5;46:17, 23;64:25;65:13,17; 66:15,22;76:20; 78:19,22;84:6,8;86:5 laws (1) 45:9 lawsuit (1) 39:18 lawyer (3) 65:13;76:25;80:5 laying (2) 72:5,13 lead (1) 33:8 least (9) 8:21;26:19;28:21; 47:9;62:5;63:22; 71:19;83:12;88:9 leave (3) 81:20;88:8,10 left (1) 21:25 legal (2) 40:19;46:21 legally (3) 38:18;39:15;66:19 Leser (7) 46:8,9,22,22;68:8, 10,14 less (1) 36:9 letter (8) 6:12;8:8,18;10:6; 18:9,10;37:19;58:4</p>	<p>liked (1) 44:10 Likewise (1) 74:16 limitations (1) 82:25 limited (5) 35:25;36:9;71:2, 10,15 limits (1) 8:12 line (4) 41:18;59:10;63:5,7 lines (1) 79:19 lingering (1) 12:4 list (2) 32:19;43:5 listen (2) 9:22,22 listening (1) 50:17 literally (3) 7:18,21;11:25 litigation (10) 82:10;83:19,20,22; 84:2,10,11,12,16; 86:6 little (3) 55:9;76:25;81:13 live (5) 36:9;44:17;45:2; 69:25;82:21 lived (2) 79:12,13 LLC (60) 31:1,3;32:1;33:1; 34:1;35:1;36:1;37:1; 38:1;39:1;40:1;41:1; 42:1;43:1;44:1;45:1; 46:1;47:1;48:1;49:1; 50:1;51:1;52:1;53:1; 54:1;55:1;56:1;57:1; 58:1;59:1;60:1;61:1; 62:1;63:1;64:1;65:1; 66:1;67:1;68:1;69:1;</p>	<p style="text-align: center;">M</p> <p>Ma'am (4) 18:22;20:9;38:19; 83:9 mail (1) 35:12 mailers (1) 31:12 mailings (1)</p>	<p>31:14 main (1) 80:24 Maine (1) 44:10 majority (1) 88:4 makes (1) 42:7 making (4) 39:16;47:20;64:22; 71:9 Mamakating (2) 37:23;59:22 manner (2) 81:18,23 many (8) 33:8;41:4,21; 42:18;45:9,9;57:24; 78:2 Map (3) 6:7;17:9;31:8 marathon (1) 66:6 March (1) 9:2 mark (1) 18:19 marked (2) 17:4;18:17 marks (1) 80:10 Mary (3) 33:6;42:5,7 Mary's (1) 69:10 material (1) 32:4 materials (1) 51:12 matter (9) 10:16;53:14;65:13; 66:15;72:11;76:19; 78:2;79:4;87:21 Matthew (2) 45:15,16 maximum (1) 77:14 may (8) 7:4;33:3;37:20,21; 43:19;72:20;73:3,4 maybe (15) 13:14,15;14:7; 19:21;23:6;25:22; 36:24;56:3;62:10; 72:2,5;73:22;79:9; 81:13,22 mayor (1) 58:5 Mc (1) 39:10 McLoughlin (12) 38:12,13,21,24;</p>	<p>39:3,7,13,15;40:11, 14;51:9,10 mean (16) 6:22;7:25;8:13; 9:10,19;10:18;39:6, 17;65:11;66:2;67:13; 73:2;74:6;76:3; 77:25;88:19 meaning (1) 24:25 means (4) 7:6;59:19;74:8; 78:18 meant (3) 20:20;60:17,20 meet (3) 9:6;56:6,6 meeting (10) 4:3;6:17;19:12; 35:9,9;84:6;85:10, 15;88:9,23 Meetings (3) 84:8,8;86:5 meets (2) 57:3,4 Megan (1) 43:8 MEMBER (177) 4:10,12,14,16,18, 24,25;5:4,7,8,9,10,18, 20;10:17,21,23;11:7, 17,23;13:5;14:12,15; 22:11,16;26:10,25; 27:6;37:4,7,12,15,18; 55:6,10,17,20;56:8, 12,15,18,22,23;57:9, 12,18,22;58:2,4,7,12, 18,22;59:3,6,9,13,16, 24;60:9,11,14,22; 61:4,13,14,17,24; 62:2,4,10,13,14,17, 20,24;63:8,12,15,17, 24;64:5,7,18;66:7; 67:11,15,20,23;68:2, 5,9,11,12,17;69:3,6, 9;70:14,17,19,20,23; 71:21,24;72:18,21, 23,25;73:7,10,12,14, 16,19,21;74:6,19,22; 75:10,16;77:8,18; 78:6,9,23;79:3; 81:20;83:22;84:2,5, 11,17,19,21,22,23,24; 85:3,4,9,9,14,14,18, 20,21,22;86:21,23, 24,25;87:2,11,12,14, 15,17,18,20,22,25; 88:3,4,25;89:3,4,5,6, 9,12,13,16,17,19,21, 24 members (6) 32:7;42:14;72:16; 85:8,13;86:17</p>

<p>mention (1) 57:25</p> <p>mentioned (2) 42:18;84:14</p> <p>mentions (1) 70:13</p> <p>merely (1) 65:21</p> <p>messaging (1) 44:23</p> <p>messaging (1) 45:8</p> <p>met (1) 25:7</p> <p>Mexico (2) 79:13,13</p> <p>mic (2) 22:15;68:16</p> <p>microphone (3) 37:14;68:10;70:24</p> <p>might (6) 32:10;36:24;41:3; 65:15,19;76:22</p> <p>mights (1) 41:5</p> <p>Mike (1) 66:24</p> <p>mile (2) 44:17;79:14</p> <p>mind (3) 48:4;53:21;71:19</p> <p>mine (1) 80:5</p> <p>minimal (1) 46:11</p> <p>minute (3) 5:23;17:23;86:15</p> <p>minutes (2) 4:22;5:3</p> <p>mismanaged (1) 33:11</p> <p>miss (3) 35:8;45:10;57:14</p> <p>MOGEL (54) 4:20;6:15,21;7:3, 10,13,24;8:7,9;10,25; 10:8;12:22;13:4; 18:13,15;20:22;21:6; 22:7,19;23:4;24:4,9, 12;26:3;27:7;28:7, 15;32:14;36:13,18, 21;37:10,19,21;41:3; 42:24;48:11,16,18; 50:10;54:7;55:14,19; 59:21;65:8;67:24; 84:4,7;85:9,14;86:4; 87:8;88:10,13</p> <p>moment (1) 82:8</p> <p>momentarily (1) 17:13</p> <p>money (2) 43:22;50:23</p>	<p>monitor (1) 53:4</p> <p>monitoring (1) 53:8</p> <p>month (6) 10:6,10;11:3,4,25; 14:8</p> <p>months (3) 39:22;70:2,3</p> <p>month's (1) 14:15</p> <p>Mordas (5) 45:15,16,16;47:16, 19</p> <p>more (11) 10:2;19:7;22:15; 24:16;26:16;45:19; 52:19;72:9;81:13,22; 88:9</p> <p>MORREALE (225) 4:2,7,11,13,15,17, 21;5:2,5,11,13,19,21; 6:10,14,20;7:2;9:3; 10:7,11,14;12:11,16, 21;13:12,19,23;14:3, 9,14,17,20;17:2,14, 23;18:14,16,21,24; 19:9,14;20:6,9,13; 21:10,14,20,22,24; 22:3,5;23:14,17,23; 24:3,7,10;26:5,13,16; 27:2,5,9,18,21,25; 28:8,16,20;31:11,15, 18;32:18;34:8,15,20, 23;35:2,11,19,21; 36:23;37:6,11,17; 38:10,19,23;39:2,4,9, 12,14;40:2,13,15; 42:23;43:5,12;44:2,5, 8,22;45:12,14;47:3,6, 18,23;48:3,4,10,15; 50:9,13;51:8,20; 54:5;55:5;56:5,10,13, 17,21;57:7,11,13,20, 25;58:3,6,11,15,21, 25;59:5,8,12,15,20; 60:3,10,13,16;61:2, 16,20,25;62:3,9,12, 15,19,23;63:2,11,14, 16,20,25;64:6,11,14, 17;67:14,17,21; 68:13,16,22;69:5,8, 13,18;70:10,16,25; 71:23;72:15,19,24; 73:5,9,11,13,15,18, 20;74:4,7,20,23; 81:21;83:7;84:13,18, 20,25;85:5,16,19,23, 25;86:9,13,16,19,22; 87:3,5,9,13,16,19,24; 88:2,5,11,17;89:2,7, 14,18,23,25</p> <p>Moshe (1)</p>	<p>31:3</p> <p>most (3) 77:14;79:22;84:4</p> <p>mostly (2) 19:5,20</p> <p>motion (13) 5:2,4,12;83:20; 84:18;85:2,16,24; 86:19;87:4;88:14,23; 89:8</p> <p>Mountain (1) 6:9</p> <p>Mountaindale (1) 6:7</p> <p>mouth (1) 68:12</p> <p>move (2) 19:21;83:2</p> <p>moved (1) 44:9</p> <p>moving (1) 12:25</p> <p>much (5) 33:12;40:14;45:19; 46:17,19</p> <p>mud (1) 79:16</p> <p>Mulhare (11) 4:11,12,24;5:9; 84:23;85:21;86:25; 87:11;89:5,21,24</p> <p>multiple (5) 43:19;48:5,6; 50:19;51:2;78:7</p> <p>municipal (1) 55:25</p> <p>municipality (1) 55:24</p> <p>must (1) 49:23</p> <p>myself (4) 44:12;57:14;71:10, 17</p>	<p>45:9;53:2;54:17; 60:6;63:13;71:25; 73:3,4,19;74:2;76:6; 82:21</p> <p>needed (1) 7:17</p> <p>needs (3) 46:17;49:11;52:7</p> <p>negative (2) 52:11;53:19</p> <p>neighborhood (6) 25:19;33:18;40:3, 5,8,9</p> <p>neighboring (1) 74:12</p> <p>neighbors (5) 28:6,10,14;39:19; 53:13</p> <p>New (11) 11:12;12:25;13:2; 48:20;49:7,12;67:3; 70:4;79:11,13,13</p> <p>next (12) 8:7;10:4,6,10;14:8, 15;17:3;33:13,25; 38:12;44:3;54:3</p> <p>night (2) 14:23;39:22</p> <p>Nobody (6) 47:5;53:24;54:3; 76:14;78:4;86:12</p> <p>nonconforming (5) 22:8,9,20,22;24:14</p> <p>None (1) 54:22</p> <p>Nor (1) 54:20</p> <p>normally (2) 70:2;71:25</p> <p>noted (2) 14:24;28:25</p> <p>Notice (7) 6:22;7:6;8:2,3; 9:14;12:11;89:13</p> <p>notification (1) 19:11</p> <p>notifications (1) 35:14</p> <p>notified (1) 35:12</p> <p>November (7) 6:15,25;10:20; 13:8,10,14,14</p> <p>number (7) 9:12;24:12;25:8, 21;42:17;64:21; 66:15</p>	<p>42:8</p> <p>objects (1) 5:13</p> <p>observant (1) 45:18</p> <p>obtain (1) 24:20</p> <p>obtained (2) 49:11;76:24</p> <p>obvious (2) 77:14;85:25</p> <p>obviously (7) 9:21;12:5;22:22; 24:13;41:6;54:13; 67:4</p> <p>occur (1) 78:3</p> <p>occurred (2) 32:9;76:21</p> <p>October (5) 18:8;27:3,4,5,6</p> <p>off (4) 13:25;26:22;74:9; 82:2</p> <p>offenses (1) 50:8</p> <p>offer (1) 55:7</p> <p>offering (1) 8:23</p> <p>office (1) 79:12</p> <p>officer (1) 9:13</p> <p>OLD (62) 31:1,3,7;32:1;33:1; 34:1;35:1;36:1;37:1, 8;38:1;39:1;40:1; 41:1;42:1;43:1;44:1; 45:1;46:1;47:1;48:1; 49:1;50:1;51:1;52:1; 53:1;54:1;55:1;56:1; 57:1;58:1;59:1;60:1; 61:1;62:1;63:1;64:1; 65:1;66:1;67:1;68:1; 69:1;70:1;71:1;72:1; 73:1;74:1;75:1;76:1; 77:1;78:1;79:1;80:1; 81:1;82:1;83:1;84:1; 85:1;86:1;87:1;88:1; 89:1</p> <p>once (3) 38:13;60:9;68:13</p> <p>one (35) 9:16;10:2;12:19; 17:21;20:7;25:4,6; 28:17;31:25;34:16, 25;35:9,9;37:20,20, 21;38:15;44:24;45:3; 46:5;47:10,17;50:18; 51:9;52:19;54:16; 55:7,15;67:11;69:21; 77:15;82:11;83:11;</p>
		N		
		<p>name (8) 7:11;18:24;19:2; 40:17;44:3;46:15; 51:9;66:23</p> <p>names (2) 44:4,5</p> <p>narrow (2) 69:2;83:14</p> <p>narrowest (1) 77:17</p> <p>nay (3) 59:10;84:22,23</p> <p>necessary (3) 8:21,25;88:18</p> <p>need (19) 18:9,10;24:20,22; 25:23;26:10;33:5;</p>		
			O	
			<p>oath (1) 71:16</p> <p>objected (1)</p>	

<p>86:14;88:9 online (1) 48:16 only (12) 7:18;10:17,23; 19:11;46:20;48:11; 49:19;57:16;67:12; 71:9,16;86:7 onto (2) 53:4;75:22 open (11) 14:6,7;31:24;33:7; 50:16;84:6,8;86:5, 11;88:9,10 opine (1) 42:3 opinion (12) 9:17,21,25;35:25; 36:6;56:12;58:8; 59:7,11,18;62:21; 68:6 opinions (1) 84:6 opportunity (3) 45:23;61:12;86:3 opposite (1) 12:24 options (2) 42:16;73:17 order (6) 4:3;5:15;25:11,25; 52:5;75:22 original (2) 79:18;82:13 originally (1) 43:18 others (1) 45:7 otherwise (2) 9:21;81:15 ought (1) 34:17 ourselves (2) 19:18,20 out (28) 7:22;11:20,21,21; 12:6;23:5;32:15; 34:2,23;35:16;36:11; 41:13;45:23,25; 46:13;47:21;52:5; 60:18;65:24,25;67:6; 73:3,8;76:18;79:24; 80:6,21;85:16 Outback (1) 79:15 outside (3) 18:6;48:25;79:13 over (5) 9:11;41:24;42:20; 65:11,20 overall (1) 76:6 overrule (1)</p>	<p>45:4 overturn (1) 41:9 own (5) 63:9;65:2;79:21; 80:12;81:14 owned (1) 79:18 owner (2) 17:6;81:12 owners (1) 53:3</p> <p style="text-align: center;">P</p> <p>package (1) 11:15 packet (4) 18:10;36:25;37:7; 51:18 page (3) 12:12;25:10;51:18 pages (3) 25:10;51:13;57:24 Paget (1) 31:20 painted (1) 80:13 Pandora's (1) 33:7 Panuto (1) 17:9 paper (1) 35:14 Pardon (1) 48:3 part (8) 21:12;23:24;25:20; 51:15;59:4,9;62:18; 66:14 particular (2) 75:19;76:12 pass (1) 34:11 passed (1) 11:13 path (2) 66:20,21 peace (1) 71:19 penalties (1) 50:7 pending (1) 84:10 Penn (1) 31:22 people (19) 11:24;28:13;31:24; 32:9;33:3;42:25; 44:16;46:10,11,13, 24,25;53:6,16;64:22; 78:15;79:22;82:17, 20</p>	<p>people's (1) 67:18 perc (9) 54:9,11,11,17,17; 55:3,11,12;76:11 percent (8) 20:7,11,13;21:25; 22:4;68:22;71:4; 81:25 perfectly (3) 17:18;19:6;68:15 perhaps (2) 39:9;40:25 period (5) 22:9;23:5;24:16; 39:3,4 permanent (1) 13:2 permission (6) 53:3;58:24;65:15; 71:25;74:2,3 permit (50) 7:14,21;8:8,14,25; 9:16;10:4;11:20; 12:4;13:21,21,22; 18:4,4,7,11;19:24; 21:17,18;22:20; 34:18;35:4;40:23; 41:11,24;49:10,11, 16,19;54:17;56:3,3,4; 58:23;60:7;61:3,22; 64:24,25;66:18; 70:11;71:10,22;72:3, 7,18,22;73:3,16;81:8 permits (5) 12:18;22:21;66:18, 19;76:23 permitted (19) 24:14,15,19;25:2; 37:24;38:3;41:8,19, 22,23;42:2;43:21; 46:6;47:11;59:18,18, 22,25;65:9 person (6) 5:15;34:25;42:5, 10;82:23;88:20 personal (3) 49:6;79:10;81:14 personally (7) 14:20;58:15;63:25; 70:25;71:9,13;87:6 persons (1) 42:9 perspective (2) 54:8;83:15 pertain (1) 51:12 pertaining (2) 48:21;49:8 pertains (2) 48:11;86:5 pick (1) 27:11</p>	<p>picture (2) 11:16;83:17 piece (2) 81:6;82:22 place (2) 55:8,11 plan (3) 19:21;70:13,20 Planning (14) 35:5;41:24;42:20; 60:25;61:23,24;62:8; 64:9;65:6;68:19; 69:4,12;73:19,23 PLATT (54) 5:25;6:4,12,16; 10:22;11:5;12:7,15, 20;13:7,22;17:3,21; 18:2,17;22:15;24:6; 31:2,14,17;32:19; 33:13,25;35:22; 36:20;37:3,5,8,14,20; 38:12;40:16;42:25; 43:8;44:3,23;45:13, 15;46:8;47:5;48:9, 13,17;50:11;55:9; 64:13;66:23;69:14, 16;70:21;82:6;83:24; 86:12,15 please (20) 4:4;17:21,22,23; 18:24;20:9;22:15; 26:12;33:7,9,15; 37:14;43:21;44:5,16; 45:4;55:9;64:17; 66:23;70:21 Pledge (2) 4:4,6 pm (5) 14:24;19:12;28:25; 85:11,15 point (16) 10:3;24:17;28:3; 33:21;34:5,7;36:13; 40:23;41:17;55:2; 64:21;65:12;67:8; 75:20;77:19;83:10 points (1) 64:22 portion (1) 25:16 posed (3) 71:6;77:21,22 position (2) 46:21;84:7 positively (1) 40:22 possesses (1) 56:20 possibilities (4) 41:21;42:4,18,19 possibility (1) 52:17 possible (5)</p>	<p>13:20;14:8;17:4; 18:19;52:22 possibly (3) 8:20;34:15;75:6 postpone (1) 88:18 potential (1) 66:12 potentially (4) 8:19;28:2;33:8; 62:10 practicing (1) 78:19 precedence (1) 50:13 precedent (1) 43:19 preliminary (2) 37:10;76:2 prepared (1) 6:13 present (3) 46:16,25;85:15 presentation (3) 17:24;18:25;19:13 president (1) 7:12 pretty (3) 7:25;23:12;51:17 previously (5) 11:11;46:11;52:2; 53:12;64:22 primary (1) 54:21 principle (1) 78:19 prior (5) 6:18,18;12:2; 13:15,16 private (2) 32:15;48:25 privately (1) 55:23 problem (1) 56:24 procedure (1) 13:19 proceed (4) 26:3,7,9;34:17 proceeding (1) 9:6 proceedings (1) 45:18 process (11) 12:22;25:25;28:16; 34:2,14;35:7;38:5,8; 51:15;63:20;65:6 processes (1) 39:8 produce (2) 55:23;74:9 produced (1) 60:13</p>
---	---	--	---	--

<p>producing (4) 39:16;60:11;63:6; 82:2</p> <p>produced (1) 60:15</p> <p>producing (1) 72:11</p> <p>production (44) 31:5;34:18;37:23; 38:2,7,9,17,24;40:23; 41:15,16,19;43:16, 18,20,23;46:3;47:19; 49:4;51:2,4,16,24; 52:10,19,24;54:20, 21;57:10,25;59:22; 60:6,7,17,20;66:17; 67:2;70:7,12,14;74:8, 10;81:25;82:3</p> <p>professional (1) 25:23</p> <p>professionals (1) 61:8</p> <p>project (5) 38:14,14;72:7; 73:8;82:16</p> <p>projecting (1) 40:21</p> <p>promote (1) 48:22</p> <p>proper (4) 49:20;72:18,22; 75:22</p> <p>properly (1) 52:8</p> <p>properties (2) 63:6;65:4</p> <p>property (53) 6:6;11:25;12:23; 13:2;17:8;18:2; 21:11;22:23,23; 24:18,24;25:4,5,12; 27:2;31:6,7;36:2; 38:15;39:20;41:20; 42:2;45:20;48:5; 53:3,4;56:18,20;60:8, 21;63:7,12,18;65:3; 67:6;69:7;72:17; 74:12,13;77:10,11, 12,16;79:15,24;81:4, 6,12,16,24;82:3,22, 25</p> <p>propose (3) 83:20;84:5;86:13</p> <p>proposed (4) 38:14;84:9,11;86:6</p> <p>protect (1) 36:6</p> <p>provided (1) 49:20</p> <p>providing (1) 56:23</p> <p>provision (2) 41:7;48:23</p>	<p>provisions (1) 22:14</p> <p>prudent (1) 26:22</p> <p>public (37) 5:14;8:20;14:6; 26:20;28:2,6;31:2,12, 24;32:5,5,8,10,12,17, 24;35:19;42:14;43:4; 48:25;50:14,15; 51:11;55:22,25; 56:11,14;72:16;84:5, 8;86:10,13,17,18,20; 88:6,20</p> <p>publication (1) 49:9</p> <p>publicly (1) 35:11</p> <p>pulled (1) 80:21</p> <p>pump (9) 46:18;52:7,13; 53:5,9,14,19;60:18; 67:12</p> <p>punching (1) 72:12</p> <p>purchase (2) 26:25;27:2</p> <p>purchased (5) 11:25,25;18:2; 22:23;40:3</p> <p>purpose (8) 48:18;52:4;65:23; 75:23;77:8,9;78:24; 86:7</p> <p>purposes (1) 66:13</p> <p>put (32) 7:13;8:9;24:24; 31:5;40:6,7;44:17, 19;45:21;49:5,25; 52:19;53:7;54:12; 55:11,22;61:17;67:4; 68:12;70:7;75:25; 76:8;79:7,9,19,21,22, 23;80:13;81:22; 86:19;88:23</p> <p>putting (5) 28:4;63:17;75:25; 76:8;82:14</p>	<p>quite (7) 8:12;13:16;46:9; 55:21;68:6;70:17; 84:6</p> <p>quote (1) 79:17</p>	<p>real (2) 7:4;25:6</p> <p>reality (1) 77:21</p> <p>realize (1) 7:23</p> <p>really (18) 7:23;12:20;14:3; 26:18,22;32:11,12; 39:23,25;45:21;46:5; 50:18;59:17;67:12; 69:3;70:5;78:11,12</p> <p>REALTY (60) 31:1,3;32:1;33:1; 34:1;35:1;36:1;37:1; 38:1;39:1;40:1;41:1; 42:1;43:1;44:1;45:1; 46:1;47:1;48:1;49:1; 50:1;51:1;52:1;53:1; 54:1;55:1;56:1;57:1; 58:1;59:1;60:1;61:1; 62:1;63:1;64:1;65:1; 66:1;67:1;68:1;69:1; 70:1;71:1;72:1;73:1; 74:1;75:1;76:1;77:1; 78:1;79:1;80:1;81:1; 82:1;83:1;84:1;85:1; 86:1;87:1;88:1;89:1</p> <p>reappear (1) 9:2</p> <p>rearranging (1) 5:15</p> <p>reason (6) 33:5;35:2;56:15; 57:16;83:23;84:3</p> <p>reasonable (2) 25:12;78:15</p> <p>rebuild (4) 17:6;21:15,16; 28:12</p> <p>recall (2) 31:21;47:13</p> <p>receive (2) 4:22;25:12</p> <p>received (4) 13:6,8;18:12;32:16</p> <p>receiving (1) 10:5</p> <p>recharge (1) 45:4</p> <p>recited (1) 4:6</p> <p>recommend (1) 46:24</p> <p>recommendation (2) 46:13;52:15</p> <p>reconstruct (1) 20:3</p> <p>record (7) 17:15;35:17,19; 44:6;64:21;70:21; 83:14</p> <p>redrilling (1) 49:13</p>	<p>referenced (1) 6:12</p> <p>references (1) 49:7</p> <p>referencing (1) 70:12</p> <p>referral (4) 8:17,18;10:6;17:15</p> <p>referred (1) 76:11</p> <p>regard (3) 8:12;53:13;86:4</p> <p>regarding (8) 7:16;8:24;10:23; 11:14;28:22;64:19; 83:12;84:9</p> <p>regardless (1) 58:9</p> <p>register (1) 89:21</p> <p>registered (2) 89:14,18</p> <p>regulate (1) 48:19</p> <p>regulations (4) 48:21;49:8,18,21</p> <p>reinforce (2) 19:23;23:20</p> <p>reiterate (5) 31:17;38:11;70:11; 81:22,22</p> <p>reiterating (1) 31:15</p> <p>related (1) 11:19</p> <p>relationship (1) 28:11</p> <p>reliable (1) 67:13</p> <p>relish (1) 8:10</p> <p>remaining (1) 25:16</p> <p>remedied (2) 12:13,17</p> <p>remind (1) 89:9</p> <p>remnants (1) 21:10</p> <p>remove (1) 12:18</p> <p>removed (1) 40:4</p> <p>renovate (2) 18:5;20:18</p> <p>renovation (4) 13:22;19:25;21:18, 21</p> <p>repair (1) 49:13</p> <p>repeat (2) 17:22;52:3</p>
	R			
	<p>racetrack (1) 13:25</p> <p>radius (1) 35:12</p> <p>raised (2) 27:25;43:2</p> <p>Rampe (25) 4:17,18;5:7,18; 26:25;37:7;56:22; 61:13;62:14;64:5; 67:11,15,20,23;68:2, 12;70:19,23;84:21; 85:20;86:23;88:4; 89:3,12,16</p> <p>ran (1) 79:19</p> <p>rape (1) 36:10</p> <p>rate (1) 52:10</p> <p>rational (5) 77:4,5,7;78:17; 81:18</p> <p>RE (82) 4:1;5:1;6:1;7:1; 8:1;9:1;10:1;11:1; 12:1;13:1;14:1;17:1; 18:1;19:1;20:1;21:1; 22:1;23:1;24:1;25:1; 26:1;27:1;28:1;31:1; 32:1;33:1;34:1;35:1; 36:1;37:1;38:1;39:1; 40:1;41:1;42:1;43:1; 44:1;45:1;46:1;47:1; 48:1;49:1;50:1;51:1; 52:1;53:1;54:1;55:1; 56:1;57:1;58:1;59:1; 60:1;61:1;62:1;63:1; 64:1;65:1;66:1;67:1; 68:1;69:1;70:1;71:1; 72:1;73:1;74:1;75:1; 76:1;77:1;78:1;79:1; 80:1;81:1;82:1;83:1; 84:1;85:1;86:1;87:1; 88:1;89:1</p> <p>reached (1) 74:5</p> <p>read (5) 21:23;36:24;40:19; 44:24;84:5</p> <p>reading (1) 22:12</p> <p>ready (3) 87:6,11,12</p>	Q		
	<p>qualitatively (1) 66:10</p> <p>quality (2) 36:9;52:5</p> <p>quantity (1) 52:5</p> <p>quarter (1) 44:17</p> <p>quick (3) 4:7;7:4;8:13</p>			

<p>repetitive (2) 32:24;33:2</p> <p>rephrase (1) 48:4</p> <p>replace (1) 52:19</p> <p>represent (1) 49:17</p> <p>representative (2) 71:13;84:14</p> <p>request (3) 7:17;13:20;40:23</p> <p>requested (3) 12:18;43:19;51:11</p> <p>requesting (3) 8:17;13:22;25:11</p> <p>require (1) 88:6</p> <p>required (3) 49:10,11;61:22</p> <p>requirement (1) 56:6</p> <p>requirements (2) 9:7;13:17</p> <p>requires (6) 65:2,6;66:10,17, 18;75:5</p> <p>requiring (1) 49:13</p> <p>residence (1) 13:3</p> <p>residential (12) 22:14,17,20,21; 24:5;43:20;46:6; 50:19;77:13,14,16; 79:2</p> <p>residents (2) 45:9;69:25</p> <p>resolve (1) 64:8</p> <p>resources (4) 33:11;35:25;36:9, 11</p> <p>respect (2) 9:20;40:20</p> <p>respectfully (1) 75:21</p> <p>response (1) 11:17</p> <p>responsible (1) 53:23</p> <p>restricted (1) 83:4</p> <p>restricting (1) 48:6</p> <p>restrictions (2) 82:23,25</p> <p>result (5) 25:19;53:14;54:2; 75:19;76:22</p> <p>results (4) 52:12;62:9;75:14, 17</p>	<p>return (1) 25:12</p> <p>returning (1) 20:22</p> <p>review (4) 4:23;8:22;32:23; 45:23</p> <p>rhetorical (2) 26:17;72:15</p> <p>Riesel (1) 31:20</p> <p>Right (53) 7:24;8:6;14:6,9,16; 17:25;19:2,3,10,16; 22:19;26:14,15; 27:12,16,18,24; 28:14,19,23;35:20; 36:11;37:4;38:14,21, 23;39:2,7,10;48:9; 54:5;58:11,21;59:12, 20;61:5,6;62:3; 63:14,16;67:20; 68:12;69:11;70:19; 72:17;73:15;78:10; 81:4,7,14;83:16; 87:5;89:19</p> <p>Road (8) 6:7;8:23;17:9; 26:17;28:11;31:8; 45:17;79:15</p> <p>rock (1) 80:13</p> <p>role (1) 71:16</p> <p>roof (5) 7:8;11:14;23:10, 11,11</p> <p>room (2) 85:10,15</p> <p>ROOSA (62) 31:1,3,7;32:1;33:1; 34:1;35:1;36:1;37:1; 38:1;39:1;40:1;41:1; 42:1;43:1;44:1,19; 45:1;46:1;47:1;48:1; 49:1;50:1;51:1;52:1; 53:1;54:1;55:1;56:1; 57:1;58:1;59:1;60:1; 61:1;62:1;63:1;64:1; 65:1;66:1;67:1;68:1; 69:1;70:1;71:1;72:1; 73:1;74:1;75:1;76:1; 77:1;78:1;79:1;80:1; 81:1;82:1;83:1;84:1; 85:1;86:1;87:1;88:1; 89:1</p> <p>rosy (1) 77:23</p> <p>Roth (2) 32:19,20</p> <p>rules (2) 48:21;49:8</p> <p>run (1)</p>	<p>67:18</p> <p>running (3) 8:9;66:6,6</p> <p>rural (3) 44:10;48:21;49:8</p> <p>RUSSELL (2) 66:24,24</p> <p style="text-align: center;">S</p> <p>safe (1) 49:18</p> <p>safety (1) 48:22</p> <p>sake (2) 68:10,23</p> <p>Sal (2) 33:25;64:13</p> <p>same (6) 12:9,20;28:11; 40:25;66:5;73:6</p> <p>samples (2) 50:3;75:23</p> <p>sand (1) 80:25</p> <p>Santa (2) 79:13;80:24</p> <p>saw (2) 40:7;51:12</p> <p>saying (24) 10:25;18:10;28:13; 33:4;52:25;53:16; 55:6;58:20;61:11; 62:2;63:3,5;65:12,18, 22;68:18;69:10,10, 11;78:11,13,14,17; 82:17</p> <p>scenario (3) 60:7;65:19;71:2</p> <p>scenarios (1) 34:9</p> <p>schedule (5) 8:20;24:25;26:20; 28:2;49:15</p> <p>Schug (28) 6:2,3;7:4,11,11,12, 15;8:6,16;9:9,24; 10:2,9,13,20;11:2,6, 10,19,24;12:24; 13:13;14:2,7,11,16, 18,22</p> <p>S-C-H-U-G (1) 7:12</p> <p>scope (1) 18:6</p> <p>screwed (1) 39:20</p> <p>seals (1) 50:3</p> <p>season (5) 67:8,13,15,16,22</p> <p>seasonal (4) 18:3;20:22;23:5,14</p>	<p>second (11) 5:5;17:21;27:12; 83:18;84:18,19; 85:17;86:20,21; 88:15,24</p> <p>Section (11) 6:8;17:9;22:12,13; 31:8;48:11;49:3; 50:6,7;54:18;84:9</p> <p>seek (1) 52:18</p> <p>seem (1) 79:20</p> <p>seems (5) 46:9;50:25;72:8,9, 11</p> <p>self-created (1) 25:19</p> <p>sell (2) 44:14;82:20</p> <p>selling (2) 12:22,25</p> <p>send (1) 41:24</p> <p>sense (2) 41:4;66:19</p> <p>sensitive (1) 33:23</p> <p>sentence (1) 22:17</p> <p>separate (3) 63:3;64:5,19</p> <p>separating (1) 68:3</p> <p>septic (3) 20:24;31:7;54:12</p> <p>serious (1) 39:25</p> <p>seriously (1) 88:22</p> <p>serve (3) 77:9,9;78:24</p> <p>Session (8) 83:21;84:3,9;85:7, 11,17;86:2,7</p> <p>set (15) 13:17;14:7,10; 25:9;26:4;43:19; 49:15,16;50:4;65:2; 75:6;76:20;77:3; 88:8,15</p> <p>seven (2) 80:10,10</p> <p>shall (2) 50:2;64:15</p> <p>shallow (2) 79:5;80:24</p> <p>shame (1) 36:10</p> <p>Shawanga (1) 45:17</p> <p>shoes (2) 44:18,20</p>	<p>short (1) 53:25</p> <p>shortage (1) 33:19</p> <p>show (3) 24:22;25:11,15</p> <p>signed (3) 45:15;46:8;50:11</p> <p>significance (1) 88:5</p> <p>similar (2) 47:9;83:5</p> <p>simple (1) 58:16</p> <p>simplified (1) 71:12</p> <p>simply (2) 40:20;81:16</p> <p>single (1) 65:23</p> <p>single-family (2) 17:8;31:6</p> <p>site (12) 35:15,15;45:2; 52:6,20,21;70:13; 74:9;75:22;76:5; 79:2;83:2</p> <p>sitting (3) 31:21;60:8;66:12</p> <p>Sive (1) 31:20</p> <p>Sixty-two (2) 87:8,9</p> <p>small (1) 7:22</p> <p>Smilowitz (1) 31:3</p> <p>snowstorm (1) 32:9</p> <p>soil (5) 75:23;76:2,12; 80:21,22</p> <p>somebody (5) 65:14;66:16;75:22; 76:3;77:5</p> <p>someone (5) 25:5;50:23;56:19; 71:14;88:14</p> <p>someplace (1) 65:4</p> <p>somewhat (1) 57:20</p> <p>somewhere (2) 51:18;71:24</p> <p>sorry (12) 7:11;9:2;14:20; 21:5;23:23;36:21; 37:15;47:16;48:3; 51:11;65:10;75:9</p> <p>sort (1) 45:25</p> <p>sought (1) 65:15</p>
--	---	--	--	---

sound (1) 17:15	25:23	sub (1) 19:18	44:7,7,9;82:8,9,9	62:20;68:20;69:9; 76:12,12
sounds (2) 50:17,21	standards (2) 25:7,8	Subaru (1) 79:15	system (5) 46:20,25;66:14; 79:17,18	Texter (4) 35:22,22,23;36:17
source (3) 49:4,5,13	standing (1) 46:18	subject (1) 36:23	T	Thanks (3) 42:23;47:3;50:9
Spanish (1) 27:15	stands (1) 33:7	subjects (1) 71:7	table (2) 36:25;45:8	thereafter (1) 7:13
speak (16) 19:7;22:15;26:8; 27:22;28:19;43:7; 50:17;63:22;64:17; 68:8;69:19;70:21; 83:24;86:3,10,14	start (9) 8:9;17:24;33:21; 39:6;43:2,8;56:25; 70:23;83:10	submission (2) 6:19;13:18	talk (9) 43:2,3;50:11;63:9; 69:9;82:6,7,12,14	therefore (4) 55:24;65:16;76:21; 77:6
speaking (7) 19:5;28:17;52:23, 23;57:14;71:9;76:24	started (1) 18:3	submit (3) 7:17;11:3;31:24	talking (8) 22:7;23:15;24:7,9; 66:11;75:7;76:9,9	there'll (1) 35:12
speaks (1) 17:19	Starting (1) 47:10	submitted (7) 6:17;11:10,11,18; 13:15;32:3,3	Tax (3) 6:7;17:9;31:8	Thirty (2) 20:11,13
special (20) 35:4;41:24;56:3,3, 3,4,4;58:23;59:25; 60:2,7,23,24;61:2,22; 71:25;73:14,16;74:2, 3	state (6) 7:19;11:12;18:24; 48:20;49:7;66:23	subsequent (1) 8:15	TCB (1) 21:21	though (1) 72:19
specific (1) 86:5	stated (3) 24:22;47:24;53:12	subsequently (1) 7:14	technical (1) 52:14	thought (4) 26:19;55:7,21; 78:13
Specifically (4) 8:22;37:12,16;61:8	statement (2) 37:10;71:8	substance (1) 37:25	technicality (1) 9:11	thoughts (4) 5:17;81:22;82:5; 87:10
specifications (1) 49:23	states (1) 61:5	substantial (2) 25:13,16	technically (1) 53:23	threat (6) 44:13,15;82:10; 83:19,22;84:2
specifics (1) 48:18	stating (1) 18:9	successful (1) 38:25	telling (1) 43:8	threatened (1) 86:6
speculate (2) 72:20;74:16	step (6) 8:7;35:7;66:4,8,9; 84:14	succinct (1) 81:23	ten (2) 79:12;80:21	three (11) 13:14;20:17;25:22; 28:10;34:4,11;39:22; 80:13;85:3,4,5
speculating (3) 75:10,12,12	steps (2) 54:3;66:5	sufficient (1) 70:3	termination (3) 22:8,13,17	throughout (1) 38:4
spend (2) 43:22;50:23	Steve (8) 4:19;42:23;44:3,7; 50:9;65:10;81:21; 82:8	sum (1) 37:25	terms (3) 26:3;54:8,14	timely (3) 8:3;13:18;18:13
spin (1) 82:16	Steven (1) 31:19	summer (1) 67:7	test (85) 31:5;34:3,11;38:7, 8,22;40:21,21,22; 41:8,12;43:22;45:21, 24;46:3,5,16;47:11, 12,14,20;49:4,25; 50:20,21,23,24;51:3, 23;52:4,7,8,13,23; 53:5,9,17,18;54:4,9, 11,11,12,17,17,19,24; 55:4,7,10,11,12,16; 57:2,3,4,5,6,9;59:3; 62:5,7,7,9;63:15; 64:19;66:12,16;67:3, 12;69:23,24;70:2; 75:14,17;76:10,11; 77:8,9;78:5,24;79:7; 81:9,15,16	times (3) 32:21;78:2,7
splitting (1) 22:5	sticks (1) 80:9	superconcerned (1) 39:21	test (85) 31:5;34:3,11;38:7, 8,22;40:21,21,22; 41:8,12;43:22;45:21, 24;46:3,5,16;47:11, 12,14,20;49:4,25; 50:20,21,23,24;51:3, 23;52:4,7,8,13,23; 53:5,9,17,18;54:4,9, 11,11,12,17,17,19,24; 55:4,7,10,11,12,16; 57:2,3,4,5,6,9;59:3; 62:5,7,7,9;63:15; 64:19;66:12,16;67:3, 12;69:23,24;70:2; 75:14,17;76:10,11; 77:8,9;78:5,24;79:7; 81:9,15,16	Tina (2) 44:3;82:9
spoke (2) 38:13;82:8	still (12) 6:22;19:12;20:6; 21:11,12;28:17;33:7; 50:16;56:14;60:14; 72:12,12	supplied (1) 56:25	test (85) 31:5;34:3,11;38:7, 8,22;40:21,21,22; 41:8,12;43:22;45:21, 24;46:3,5,16;47:11, 12,14,20;49:4,25; 50:20,21,23,24;51:3, 23;52:4,7,8,13,23; 53:5,9,17,18;54:4,9, 11,11,12,17,17,19,24; 55:4,7,10,11,12,16; 57:2,3,4,5,6,9;59:3; 62:5,7,7,9;63:15; 64:19;66:12,16;67:3, 12;69:23,24;70:2; 75:14,17;76:10,11; 77:8,9;78:5,24;79:7; 81:9,15,16	today (10) 52:17,23,23,24,24; 71:4;72:17,24;76:21, 22
spoken (1) 68:23	stop (2) 39:16;56:13	suppose (1) 79:4	test (85) 31:5;34:3,11;38:7, 8,22;40:21,21,22; 41:8,12;43:22;45:21, 24;46:3,5,16;47:11, 12,14,20;49:4,25; 50:20,21,23,24;51:3, 23;52:4,7,8,13,23; 53:5,9,17,18;54:4,9, 11,11,12,17,17,19,24; 55:4,7,10,11,12,16; 57:2,3,4,5,6,9;59:3; 62:5,7,7,9;63:15; 64:19;66:12,16;67:3, 12;69:23,24;70:2; 75:14,17;76:10,11; 77:8,9;78:5,24;79:7; 81:9,15,16	together (1) 79:19
spot (1) 80:20	stopped (1) 80:23	sure (20) 7:2;9:5,24;18:18; 23:18;42:24;44:4; 50:10;52:8;53:8,18; 61:6;64:17;66:24; 69:18;71:18;73:18; 76:8;80:17;86:16	test (85) 31:5;34:3,11;38:7, 8,22;40:21,21,22; 41:8,12;43:22;45:21, 24;46:3,5,16;47:11, 12,14,20;49:4,25; 50:20,21,23,24;51:3, 23;52:4,7,8,13,23; 53:5,9,17,18;54:4,9, 11,11,12,17,17,19,24; 55:4,7,10,11,12,16; 57:2,3,4,5,6,9;59:3; 62:5,7,7,9;63:15; 64:19;66:12,16;67:3, 12;69:23,24;70:2; 75:14,17;76:10,11; 77:8,9;78:5,24;79:7; 81:9,15,16	told (3) 78:6;80:8,14
spring (1) 67:7	story (2) 58:9;80:4	surrounding (1) 52:11	test (85) 31:5;34:3,11;38:7, 8,22;40:21,21,22; 41:8,12;43:22;45:21, 24;46:3,5,16;47:11, 12,14,20;49:4,25; 50:20,21,23,24;51:3, 23;52:4,7,8,13,23; 53:5,9,17,18;54:4,9, 11,11,12,17,17,19,24; 55:4,7,10,11,12,16; 57:2,3,4,5,6,9;59:3; 62:5,7,7,9;63:15; 64:19;66:12,16;67:3, 12;69:23,24;70:2; 75:14,17;76:10,11; 77:8,9;78:5,24;79:7; 81:9,15,16	Tommy (2) 79:24;80:14
stammering (1) 71:8	straightened (1) 12:6	survey (1) 80:9	test (85) 31:5;34:3,11;38:7, 8,22;40:21,21,22; 41:8,12;43:22;45:21, 24;46:3,5,16;47:11, 12,14,20;49:4,25; 50:20,21,23,24;51:3, 23;52:4,7,8,13,23; 53:5,9,17,18;54:4,9, 11,11,12,17,17,19,24; 55:4,7,10,11,12,16; 57:2,3,4,5,6,9;59:3; 62:5,7,7,9;63:15; 64:19;66:12,16;67:3, 12;69:23,24;70:2; 75:14,17;76:10,11; 77:8,9;78:5,24;79:7; 81:9,15,16	tomorrow (1) 89:24
stamp (1) 13:7	street (4) 6:5,6;44:18;45:2	Susan (2) 38:12;51:10	test (85) 31:5;34:3,11;38:7, 8,22;40:21,21,22; 41:8,12;43:22;45:21, 24;46:3,5,16;47:11, 12,14,20;49:4,25; 50:20,21,23,24;51:3, 23;52:4,7,8,13,23; 53:5,9,17,18;54:4,9, 11,11,12,17,17,19,24; 55:4,7,10,11,12,16; 57:2,3,4,5,6,9;59:3; 62:5,7,7,9;63:15; 64:19;66:12,16;67:3, 12;69:23,24;70:2; 75:14,17;76:10,11; 77:8,9;78:5,24;79:7; 81:9,15,16	Tompkins (2) 79:24;80:14
stamped (1) 6:16	strongly (1) 76:16	sustainability (1) 42:4	test (85) 31:5;34:3,11;38:7, 8,22;40:21,21,22; 41:8,12;43:22;45:21, 24;46:3,5,16;47:11, 12,14,20;49:4,25; 50:20,21,23,24;51:3, 23;52:4,7,8,13,23; 53:5,9,17,18;54:4,9, 11,11,12,17,17,19,24; 55:4,7,10,11,12,16; 57:2,3,4,5,6,9;59:3; 62:5,7,7,9;63:15; 64:19;66:12,16;67:3, 12;69:23,24;70:2; 75:14,17;76:10,11; 77:8,9;78:5,24;79:7; 81:9,15,16	tonight (11) 8:19;12:6;14:21; 48:2;53:11;59:2; 68:23;70:8;75:8; 87:6;88:13
stamping (1) 13:9	structure (8) 6:5;7:8;17:7;18:5; 19:25;21:6,10,24	SWIFT (6)	test (85) 31:5;34:3,11;38:7, 8,22;40:21,21,22; 41:8,12;43:22;45:21, 24;46:3,5,16;47:11, 12,14,20;49:4,25; 50:20,21,23,24;51:3, 23;52:4,7,8,13,23; 53:5,9,17,18;54:4,9, 11,11,12,17,17,19,24; 55:4,7,10,11,12,16; 57:2,3,4,5,6,9;59:3; 62:5,7,7,9;63:15; 64:19;66:12,16;67:3, 12;69:23,24;70:2; 75:14,17;76:10,11; 77:8,9;78:5,24;79:7; 81:9,15,16	took (2) 71:16,16
stand (4) 4:4;35:24;45:9; 72:4	studio (1) 7:20		test (85) 31:5;34:3,11;38:7, 8,22;40:21,21,22; 41:8,12;43:22;45:21, 24;46:3,5,16;47:11, 12,14,20;49:4,25; 50:20,21,23,24;51:3, 23;52:4,7,8,13,23; 53:5,9,17,18;54:4,9, 11,11,12,17,17,19,24; 55:4,7,10,11,12,16; 57:2,3,4,5,6,9;59:3; 62:5,7,7,9;63:15; 64:19;66:12,16;67:3, 12;69:23,24;70:2; 75:14,17;76:10,11; 77:8,9;78:5,24;79:7; 81:9,15,16	tools (1) 45:25
standard (1)	stuff (2) 76:3,4			

<p>total (1) 73:8</p> <p>totally (2) 39:19;61:2</p> <p>tough (2) 26:6;28:17</p> <p>Town (20) 13:17;28:8,14; 35:15;37:23;40:5; 43:14,20;48:19,25; 49:16,20;50:6;59:21; 61:4,5,6,11;65:5,6</p> <p>Town's (1) 66:18</p> <p>trails (1) 44:11</p> <p>training (1) 89:20</p> <p>translating (2) 17:18;19:5</p> <p>Transportation (2) 64:25;65:3</p> <p>trees (1) 23:7</p> <p>tried (1) 89:21</p> <p>trouble (2) 64:2;68:3</p> <p>true (4) 52:25;53:15;68:2; 80:4</p> <p>try (1) 66:19</p> <p>trying (7) 19:23;20:3;23:19; 46:5;75:13;77:20; 81:17</p> <p>turn (9) 41:14;53:13;65:13, 24;76:4,20;78:2; 79:6;81:8</p> <p>turned (3) 77:22;79:22;80:9</p> <p>turning (2) 53:16;77:2</p> <p>two (35) 12:12,12,13,16; 13:14;22:9;24:16; 31:5;34:16;43:16; 44:23;45:3;50:18; 60:4,8,13,14;63:4,5, 17;64:5;69:23;70:7, 14;72:9,10,12,17; 74:12,13;80:9;81:24; 85:3,4,5</p> <p>type (5) 7:16;21:17;25:4; 33:19;64:24</p>	<p>ultimately (1) 54:11</p> <p>unaware (2) 12:3,3</p> <p>unclosed (1) 12:4</p> <p>uncomfortable (1) 45:22</p> <p>unconsolidated (1) 33:10</p> <p>under (3) 22:11,14;64:25</p> <p>understands (2) 17:18;19:6</p> <p>understood (3) 54:15;59:8,8</p> <p>undertake (1) 65:16</p> <p>underwriter (2) 7:7;11:13</p> <p>Unfortunately (1) 7:15</p> <p>unique (1) 25:15</p> <p>Unless (2) 5:13;9:6</p> <p>unlivable (1) 39:21</p> <p>unmute (1) 43:9</p> <p>unmuted (1) 17:12</p> <p>unnecessary (1) 8:11</p> <p>unsafe (2) 18:3;19:25</p> <p>unused (1) 78:25</p> <p>up (28) 12:2;18:5,20; 21:13;23:13;27:11; 28:3;33:7;39:22; 45:15;46:8,23;48:9; 50:11;57:7;67:17; 68:8;69:14;70:22; 71:4;72:4,13;76:3; 77:23;81:10;83:18; 89:23,24</p> <p>uphold (3) 33:16;43:17;74:15</p> <p>upholding (1) 36:5</p> <p>upon (2) 48:24;52:12</p> <p>use (112) 17:4;18:19;20:2; 22:8,9,22;23:5;24:7, 9,13,14,15,15,18,20, 21,23,24;25:2,3,11, 18,22;33:20;35:3,4; 37:24;38:3;41:2,20, 22,24;42:2,3;43:21; 45:3;46:6;49:6;50:2;</p>	<p>51:4,22;52:20;54:21, 21,22;55:15,16,16, 24;56:2,3,4,7,9,11,24, 25;58:16,18,24; 59:11,19,22,25;60:7, 21,23,24;61:2,22; 62:7,11,21,24;63:5, 18,19,21,21;64:8,9, 20,23;65:9;66:3,11; 68:6,10,18;72:20; 73:7,14,25,25;74:3, 17;75:4,4,11;76:10, 22;77:9,10,10,12,14, 17;78:9,18,24;79:10; 81:16</p> <p>used (4) 49:6;57:10;67:2; 68:7</p> <p>uses (5) 22:21,21;24:5; 25:4;65:18</p> <p>using (3) 50:24;70:23;75:20</p> <p>utilities (1) 55:25</p> <p>utility (12) 54:22;55:8,10,22; 56:11,14;64:23,24, 24;66:11,14,18</p> <p>utilize (1) 7:19</p>	<p>vested (1) 36:7</p> <p>Village (6) 31:9;33:10;37:24; 46:12;59:23;65:5</p> <p>villages (1) 49:2</p> <p>violation (17) 6:11,12;7:5,6,6; 8:2,3,5;9:15;11:5,8, 15;12:9,12,17;36:19, 20</p> <p>virtually (1) 31:22</p> <p>vote (22) 14:4;34:16;35:9; 38:16;41:9;58:17; 61:20;71:3;74:15,25; 83:15;87:6,11,17,18; 88:3,3,11,13,14,15,17</p> <p>voted (4) 34:12,13;35:17,18</p> <p>votes (2) 86:8;88:6</p> <p>voting (4) 38:19,21;87:7,20</p>	<p>65:17,17,18;66:5; 71:21;78:21;79:9; 80:11,11</p> <p>weather (1) 32:8</p> <p>web (2) 35:15,15</p> <p>week (1) 10:5</p> <p>welcome (1) 35:21</p> <p>welfare (1) 48:22</p> <p>wells (111) 31:6;33:5,17; 34:18;36:2,7;37:23; 38:2,7,7,8,9,22;40:6, 7,21;41:8,12,13,15, 17,19;42:20;43:16, 18,19,20,23,24; 45:21,24;46:3,3,6,10, 12,14,16;47:11,12, 13,14,19,20;48:5,6, 20,24;49:4;50:19,20, 21,23,24;51:2,2,16, 23;52:4,6,9,11,19,19, 20;53:4,7,8,24;54:19, 19,20,21,24;56:5; 57:2,3;59:22;60:5,8, 17,18;61:5,22;62:5; 63:4,6,17;67:3,5,9, 18;69:23,24;70:7,12, 15;72:9,10,17;73:25; 74:7,8,10,12,13; 76:13;77:8,9;78:24; 81:24</p> <p>weren't (1) 32:10</p> <p>wetland (1) 72:5</p> <p>whatnot (1) 78:12</p> <p>what's (10) 24:22;36:15,24; 60:23;65:23;67:24; 70:8;76:13,14,15</p> <p>Where's (1) 84:12</p> <p>wherever (1) 65:4</p> <p>whole (4) 12:6;58:9;65:5; 82:15</p> <p>who's (1) 80:5</p> <p>Whose (1) 84:11</p> <p>window (1) 87:7</p> <p>windows (2) 23:7,9</p> <p>winter (1) 70:3</p>
U		V	W	
<p>ultimate (1) 65:23</p>		<p>VA (1) 37:24</p> <p>vacant (2) 22:23;23:14</p> <p>valid (2) 83:23;84:3</p> <p>validate (1) 46:25</p> <p>value (1) 42:3</p> <p>variable (1) 65:19</p> <p>variance (15) 6:4,22,24;7:17; 17:4;18:20;24:8,9,20, 21;25:11,18;36:3,15; 41:2</p> <p>variances (1) 25:22</p> <p>variety (2) 52:20;66:13</p> <p>various (1) 46:18</p> <p>veiled (1) 82:10</p> <p>verify (1) 46:17</p> <p>version (1) 71:12</p>	<p>Wagoneer (1) 79:16</p> <p>wait (3) 64:16;87:23;88:7</p> <p>waiting (1) 17:14</p> <p>Walk (1) 80:11</p> <p>wall (1) 6:6</p> <p>wants (7) 13:2;43:3,7;64:13; 68:7;82:24;88:4</p> <p>Washington (1) 46:22</p> <p>water (55) 32:25;33:9,11,18, 23;36:8;39:16,20,23; 40:4,4,8;44:13,15; 45:8;46:18,19,25; 48:22;49:4,6,9,12,17; 50:3;52:5,21;53:14, 20,22;55:12,23; 56:23,25;60:18;63:6; 65:3;67:6,22;69:25; 70:3;74:9;75:18; 76:12,18;77:15;79:8; 80:18,22,23,25;82:2, 19,20,21</p> <p>way (22) 20:4,5;24:13; 28:12;31:22;46:20; 47:10;53:19,22; 58:19;61:6,18;62:4;</p>	

wintertime (1) 79:16 win-win (1) 10:11 wise (1) 28:18 wish (1) 68:22 withdraw (1) 28:3 within (10) 9:13;11:2;17:10; 19:19;22:20;31:9; 35:12;48:25;51:14; 86:5 without (5) 17:6;44:14;58:19; 59:25;74:2 wonderful (1) 77:24 wondering (1) 38:16 word (1) 60:24 words (2) 8:18;82:16 work (10) 12:2;18:4,7;34:5, 12,19;47:10;57:15; 65:17,18 worked (3) 65:24,25;76:18 working (1) 12:5 works (2) 65:18;78:22 worry (1) 67:12 worthless (1) 79:16 worthwhile (1) 79:20 wrap (2) 26:18,22 written (2) 8:16;31:25 wrong (5) 21:15;51:23;56:19; 58:19;74:24 wrote (3) 18:8,19;51:17 Wurtsboro (2) 40:3;49:2	44:10;78:19;79:12 Yep (1) 71:23 yield (7) 49:25;50:2;52:12; 54:2;70:3;75:18,19 yields (1) 52:13 York (4) 11:12;48:20;49:7; 79:11	13th (3) 6:18,19;13:9 14 (1) 18:12 15th (1) 89:16 16th (2) 89:14,15 17 (1) 18:8 18 (1) 80:9 18.39 (1) 31:9 195 (2) 48:11;54:18 195.1 (1) 48:18 195.2 (1) 48:23 195.4 (1) 49:10 195.5 (1) 49:22 195.6 (1) 50:5 1962 (2) 23:2,3 199 (2) 48:14,15 199-52 (2) 22:8,12 199-54 (2) 22:14,19 199-57a (1) 9:12	3	8
	Z	Zaman (2) 33:13,14 ZBA (6) 4:3;8:10,19;10:24; 11:16;43:17 Zone (21) 6:9;17:7,11;19:20; 20:17;21:16;23:21, 24;24:2,4,14,19;25:2; 31:10;35:4;37:25; 43:21;65:9;72:2; 73:6;74:12 zoned (3) 21:17;33:19;36:2 Zoning (15) 13:6,18;32:20; 33:15,22;34:7;35:3; 36:5,6;40:25;42:11; 45:9;65:20;85:8,13 Zoom (7) 5:15;17:12;42:25; 43:6;45:12;69:16; 88:20	2	3 (2) 17:9,9 3.80 (1) 6:8 30 (3) 20:7;21:25;22:4 32 (1) 31:7 39 (1) 17:9
Y	0	2 (2) 6:8;31:8 200 (3) 79:18;80:22;81:10 2007 (2) 11:22;12:17 2017 (1) 24:6 2020 (5) 27:3,4,5,7,8 2022 (4) 6:13;18:8,12;27:6 21st (4) 6:24;10:20;13:14, 15 22 (1) 10:21 24 (1) 17:9 25th (2) 89:10,16 26th (2) 4:3;6:17	4	9
year (3) 21:9;67:15,15 year-round (3) 20:23,24;21:2 years (10) 9:12;22:10;23:6,8, 15;24:16;25:21;	1	2 (2) 6:8;31:8 200 (3) 79:18;80:22;81:10 2007 (2) 11:22;12:17 2017 (1) 24:6 2020 (5) 27:3,4,5,7,8 2022 (4) 6:13;18:8,12;27:6 21st (4) 6:24;10:20;13:14, 15 22 (1) 10:21 24 (1) 17:9 25th (2) 89:10,16 26th (2) 4:3;6:17	5	9:08 (1) 85:15 90 (1) 7:2
year (3) 21:9;67:15,15 year-round (3) 20:23,24;21:2 years (10) 9:12;22:10;23:6,8, 15;24:16;25:21;	0.28 (1) 17:10	2 (2) 6:8;31:8 200 (3) 79:18;80:22;81:10 2007 (2) 11:22;12:17 2017 (1) 24:6 2020 (5) 27:3,4,5,7,8 2022 (4) 6:13;18:8,12;27:6 21st (4) 6:24;10:20;13:14, 15 22 (1) 10:21 24 (1) 17:9 25th (2) 89:10,16 26th (2) 4:3;6:17	6	40 (1) 44:9 400 (1) 80:24 41.1 (1) 31:8 42 (1) 78:19 46 (1) 31:8 47 (2) 51:13,18
year (3) 21:9;67:15,15 year-round (3) 20:23,24;21:2 years (10) 9:12;22:10;23:6,8, 15;24:16;25:21;	1	2 (2) 6:8;31:8 200 (3) 79:18;80:22;81:10 2007 (2) 11:22;12:17 2017 (1) 24:6 2020 (5) 27:3,4,5,7,8 2022 (4) 6:13;18:8,12;27:6 21st (4) 6:24;10:20;13:14, 15 22 (1) 10:21 24 (1) 17:9 25th (2) 89:10,16 26th (2) 4:3;6:17	7	50 (1) 81:9 5612 (1) 11:20 5th (1) 4:22
year (3) 21:9;67:15,15 year-round (3) 20:23,24;21:2 years (10) 9:12;22:10;23:6,8, 15;24:16;25:21;	1 (1) 6:8 100 (1) 71:4 105 (1) 84:7 105d (1) 84:9 11-21st (1) 10:21 11-22 (1) 10:24 1137-1143 (1) 6:7 1143 (1) 6:7 13 (1) 6:8	2 (2) 6:8;31:8 200 (3) 79:18;80:22;81:10 2007 (2) 11:22;12:17 2017 (1) 24:6 2020 (5) 27:3,4,5,7,8 2022 (4) 6:13;18:8,12;27:6 21st (4) 6:24;10:20;13:14, 15 22 (1) 10:21 24 (1) 17:9 25th (2) 89:10,16 26th (2) 4:3;6:17	7	7:16 (1) 14:24 7:34 (1) 28:25 700 (1) 80:16 72-hour (7) 39:3,4;52:7,13; 53:5,9;67:12 75 (1) 79:23