

“Minutes are not official until approved by their respective board.”

TOWN OF FALLSBURG PLANNING BOARD MEETING

June 9th, 2016

In attendance: Arthur Rosenshein, Chairman, Irv Newmark, Balsey Louckes, John Makoivc Planning Board Members, Gary Tavormina, Planning Board Alternate, Mollie Messenger, Code Enforcement, Paula E Kay, Deputy Town Attorney, Will Illing, Town Engineer

- Arthur Rosenshein called the meeting to order at 7PM.
- May minutes approved with amendments
- Chairman discussed town moratorium. Paula E Kay stated that the proposed language would be on the town website.

PUBLIC HEARING:

1. JFGC MEDICAL OFFICE – SBL# 40-4-3

- Ezra Max represented.
- Ezra Max: This used to be the acupuncture office. I worked on cleaning up that building and a couple of other issues for this board, getting the electricity up to date. The inside and outside, worked with the inspection office to meet requirements. Ultimately the project was not profitable and did not make sense to continue. We are coming back after all the work and effort, there is a doctor, mainly does x-rays, who would like to open up in the summer as a medical center. We created the yard, created an entire parking lot in the back. We'd like to have 1 doctor and 1 assistant by appointment only. We have a thing from the DOT also , to enhance the corridor and they didn't see a problem with the layout of the building.
- Arthur Rosenshein: Any questions?
- Maryann Halcheck: When you say there is parking in the back, how many spots?
- Ezra Max: There are 5 marked spaces, and you can get 7 cars back there easily. We cleaned out the whole yard.
- Arthur Rosenshein: Any other questions? Now the public hearing is closed.

2. DOWNTOWN MOUNTAINDALE SUB-DIVISION – SBL# 46-4-23

- Arthur Rosenshein recused himself from items #2, 3, and 4.
- Joe Pfau and Bill Resnick represented.
- Mollie Messenger: Mr. Chairman, you should do the Downtown Subdivision and the Commons together since it is the same thing.
- Irv Newmark: This public hearing for Downtown Mountaindale Sub-division will also be for the Mountaindale Commons.
- Joe Pfau: There are 2 applications, there is a sub-division and the other is a site plan. This piece of property is in an odd configuration. The sub-division is to take the existing school building and cut that off from the rest of the parcel, it will create a 2.23 acre parcel. That's strictly what this application is for. The site plan itself is for the old school building, the proposal is for a 12 unit apartment building. We are calling for circular access that kind of mimics the existing walkway that is in front of the building. Then proposing a parking lot in the rear of the building. It's a 12 unit apartment building, we require 30 parking spaces. The project itself is in the MX zone, no exterior changes to the building. MX does allow for a residential development, it allows for residential development but it does not allow for apartment buildings so we will be requesting a variance from the Planning Board for that respect. We are hoping to move it to HR1 which would allow, they want to go for the variance first. There is a lot more flexible uses in the MX zone, HR is very restrictive.
- Paula E Kay: On the regular agenda, you are going to request that this board deny you and suggest you go to the Zoning Board. We had a discussion going to the Town Board for a zone change. You're going to need to meet the requirements for a use variance to prove there is no other financial use for you to use the property.
- Irv Newmark: Any questions or comments?
- Maryann Halcheck: You said there would be 2 and a half spaces per unit?
- Joe Pfau: 2 spaces per unit plus a half for visitor.
- Maryann Halcheck: What's a half space?
- Joe Pfau: You round up.
- Lattice Buckner: What kind of housing?
- Joe Pfau: Residential apartment building.
- Lattice Buckner: What kind of clientel?
- Bill Resnick: People who pay their rent.
- Brian Manown: You said there is 1 parcel being subdivided into 2?
- Joe Pfau: Yes.
- Brian Manown: What are all the other lines that appear to be lot lines?
- Joe Pfau: They used to be lot lines, it's all 1 past parcel now. If you look at the tax map, look at all the lines, they're all 1 tax parcel even though some were across the street. It is currently 1 tax map parcel.
- Brian Manown: What is the purpose of the historic lot lines?
- Bill Resnick: The assessor decided to allow my predecessor to approve and put them all on one tax map. I don't have a mortgage with the town right now, this is

a million dollar project. I need a mortgage on this project. At least half of it, in order to get a mortgage, I don't want to put the whole town on the mortgage, just this project on mortgage. That's why we're doing the subdivision, just to take this 1 piece out.

- Mary White: How many bedrooms?
- Bill Resnick: It's going to be some 2's, and because of the height of the school, I am going to create loft apartments, about 10 of those. I think there are 12 units, and 8 or 9 of them will be very high ceilings and lofts.
- Irv Newmark: Anyone else? Public hearings are closed. They will be back later.

3. DOWNTOWN MOUNTAINDALE (JOKER BUILDING) – SBL# 46-4-23

- Joe Horowitz represented.
- Joe Horowitz: This is an existing building, this is it close to the road. This is on Main Street. You see a bit of the building here. We are not doing anything to the building. This is the floor plan. This portion of the building is 2 stories and that will contain a 3 bedroom apartment. This portion will be a laundry mat. The entire building was a bar and restaurant. The only part of the building that has changed is that this corner of the building is blocked off. We are going to open that up as a second means of egress for the laundry mat. The laundry mat is 1 story high, access is off the ramp. The apartment is completely separate. Here is the view of the apartment. Right now this is all 1 space, there is a stairway right over here to a middle platform, and a stairway that goes up to an upper level which is over here. This front portion is a 1 story element, it's a laundry mat and has egress from the rear here, these are the washers and dryers.
- Paula E Kay: What was the prior use?
- Joe Horowitz: Bar and restaurant. Having its own entrance again will be the 2 story element. We're using the existing configuration.
- Irv Newmark: Anyone from the public?
- Maryann Halcheck: What parking accommodations?
- Joe Horowitz: There are 16 parking spaces. The parking elements here are wider than when they were a restaurant and bar.
- Bill Resnick: There is a parking lot when you come out of the back here. We don't have a lot of people there.
- Irv Newmark: Anyone else? Public closed.

4. MOUNTAINDALE COMMONS – SBL# 46-4-23

- Combined with item #2.

5. PARK HOUSE ESTATES – SBL# 60-1-51/52/53/54

- Jay Zeiger and Abe Berkovic represented.
- Jay Zeiger: This property has been in existence for many years, it's been occupied for years. They operate there as a kolel. It is religious education for

students who are studying to be rabbis. The student population are all young adults in their younger 20's, most married with families. They study to be rabbis 12 months a year in Brooklyn, the school they study in is the owner of this property and they continue their education over the summer months here. There have been a bunch of proposals on this property. Everyone asked what we were doing and where we fit under the zoning. The plan has been to clean up the property, there are a bunch of buildings.

- Abe Berkovic: The ones that are grey, some are torn down in the past. 14, 15, 16, and 17 are coming down.
- Jay Zeiger: The ones with the blue coloring are going to be replaced. They are all duplex houses and the project falls within the definition of a religious retreat under the Fallsburg code.
- Latice Buckner: Where is this located?
- Abe Berkovic: Parkhouse Road.
- Latice Buckner: Where?
- Abe Berkovic: The town of Fallsburg.
- Latice Buckner: Past Stewarts on the left?
- Balsey Louckes: Up Lake Street and stay to your right.
- Abe Berkovic: On the board of the town of Thompson.
- Mary White: What's the name of the lake?
- Jay Zeiger: That's a storm water pond.
- Abe Berkovic: That's a wetland.
- Sheila Feldman: I live a quarter of a mile away from that colony. I have lived there for 54 years. I want to know why the word retreat is going to be used at approximately 12 sites and I heard there are going to be condos, duplexes. Is this going to be a winter retreat? A shul going up on the property so no tax will be paid? The facilities for parking is right on this narrow road. If you put only 12 cars there, there is no room.
- Abe Berkovic: We are building a Protestant church.
- Sheila Feldman: Is it going to be tax free?
- Paula E Kay: The payment of taxes is not appropriate for the Planning Board and they cannot review based on whether or not if they pay taxes. You can ask, but the board's review has nothing to do with answering or not answering.
- Sheila Feldman: It says approximately 12 units, you just said duplexes. Does that mean winter use?
- Jay Zeiger: Anything that is built currently must be built for year round use. The duplexes that will be built will be available for 12 month use. The plan now is that it will not be occupied as a full time residence. It will be occupied everyday over the summer, during the other seasons it will be occupied sporadically, weekends primarily, people arriving on Friday afternoon and going home Sunday evening.
- Sheila Feldman: Another parking lot built in the back?
- Abe Berkovic: We are proposing new parking and expanding the existing. It's 100 foot off the road.
- Sheila Feldman: Where the garbage is enclosed.
- Abe Berkovic: The new parking is behind the garbage enclosure.

- Jay Zeiger: The Zoning code states how many parking spaces we are required to have based on the size occupancy.
- Sheila Feldman: It says approximately 12 units, when will you have to report the accurate number?
- Abe Berkovic: It is 12 new duplexes. 24 units.
- Jay Zeiger: 24 separate single family residences.
- Sheila Feldman: Your property butts up very close to the Raleigh property, across the woods and the stream. That's where you're building.
- Jay Zeiger: We are building in the middle of the property.
- Abe Berkovic: About 250 feet off that road.
- Sheila Feldman: When will this project start?
- Paula E Kay: They have to get their approval. Unless they get that.
- Bill Resnick: 24 units going in?
- Jay Zeiger: There are a bunch of buildings coming down, and 12 new buildings being built.
- Bill Resnick: These are the people that (inaudible), and apparently tax free. I am not against Hasidic housing, but I am against tax free under the guise of places to study. These weekend homes for people with healthy pocketbooks because they live in Brooklyn. It seems to me that being under the guise of being something else, I have a problem with people coming in and not paying taxes.
- Arthur Rosenshein: The Planning Board cannot legally take that into consideration. There's nothing we can do on that subject, we will only be overturned.
- Bill Resnick: I'm just giving him my point of view. Everyone comes in under a guise of being something they are not.
- Rebecca Pratt: What is the number of people?
- Jay Zeiger: It will be a husband and wife, and children.
- Paula E Kay: How many are you taking down?
- Abe Berkovic: I don't know how much they took down last year, this year we are taking down 7,10, 15, 16, 17, and 19.
- Paula E Kay: Those were all residential?
- Abe Berkovic: Yes.
- Paula E Kay: Can you add up the number of dwelling units being removed? We know you are building 24 new units, how many are coming down in their place?
- Abe Berkovic: A number of 56 bedrooms, there will be a total of 111 bedrooms.
- Arthur Rosenshein: Is that presently or before they took things down?
- Abe Berkovic: After they took everything down.
- Jay Zeiger: It used to be 90 before they took down.
- Paula E Kay: What is it today?
- Abe Berkovic: I'd have to go take a look.
- Paula E Kay: If you can do it by number of bedrooms and number of units, both.
- Jay Zeiger: Okay.
- Bill Resnick: 2 things I have seen in these developments. These people come as large families, there is not enough parking. We have 7 or 8 people in 1 house,

some kids are older and there are more than 2 cars per household. You see it at Camp Morris on the weekends, the cars parked all over the road as well as parking areas. What happens when a fire engine needs to get through? It's not happening. Something has to be called for as far as the size of the roads, something for the parking. Some of these places are parked along the road even on the main roads. If it's a holiday, they have visitors. With all the homes going up, the roads are going to become an issue as far as traffic. When you have all these side roads and everyone parked along the roads, we don't have enough room. Something has to be done going forward.

- Arthur Rosenshein: What happens is an existing colony or area, we take the history into account. If there is a history of parking on the road, we will mandate more parking. The general code is 2 and a half per unit, we have auxiliary parking, if it's a camp we ask them to put in parking for the parents weekend. Parking is a big issue and we are aware. What would come out of a public hearing is if a neighbor that every weekend during the summer they are parking all over the road, I haven't heard that tonight.
- Jay Zeiger: His comparison was that Camp Morris, this is not a camp. These are older yeshiva students, they don't have visitors or parents weekend. It is different.
- Arthur Rosenshein: The young lady in the back mentioned parking, but we will do our numbers on that.
- Gary Coucher: How many total bedrooms were there?
- Abe Berkovic: 111.
- Jay Zeiger: After the additional construction, the prior number was approximately 90.
- Gary Coucher: How many bedrooms per unit?
- Jay Zeiger: The new ones are 3 bedrooms per unit, the older ones are generally smaller. Some are 1 bedroom, some are 2.
- Gary Coucher: There are 24 new ones and how many old ones?
- Jay Zeiger: There are 16 existing units, some are 2 bedrooms and some are 1 bedrooms.
- Gary Coucher: It's interesting even if they all have 2 bedrooms, that would be 32. The 24 would be 72, so there would be more. There has to be 2 plus.
- Abe Berkovic: Some have 1, some have 3. We're not trying to pull something.
- Maryann Muller: I know you guys have been to the Zoning Board a couple of times. I believe the last time I was at a Zoning Board, the bedrooms was in the 90's. So that has changed, so now you are putting up more buildings than initially intended.
- Jay Zeiger: Yes.
- Maryann Muller: How many of the old ones are you taking down?
- Jay Zeiger: In this proposal, 7.
- Maryann Muller: So 7 are coming down, and 12 up?
- Jay Zeiger: Yes.
- Maryann Muller: The 7 coming down, 7 of the new ones are in that foot print?
- Jay Zeiger: No, these 2 are coming down, these are all the new ones.

- Maryann Muller: So all the blue are the new ones.
- Jay Zeiger: Yes.
- Maryann Muller: Are those new ones going to be like the ones in the front?
- Abe Berkovic: Yes.
- Maryann Muller: Basements or no basements?
- Abe Berkovic: No decision on basement or not.
- Maryann Muller: I live across the street, so my concern is parking as well. At the Zoning Board we brought it up as well. On the road, you can't see any parking. There is a little parking lot across from my driveway where there is a stable like fence so the kids can't get out. What happened last year is someone went in there with a truck and hit the telephone pole and we were out of electric for 6 to 8 hours that night. There aren't a lot of cars that park in there, but they do park on the roads on the weekend, come to pick people up. Parking lot in the back would be nice. They have delivery trucks come and park where the pole was hit.
- Abe Berkovic: Pole on which side?
- Maryann Muller: It's not near the dumpster, if you look at it from my driveway, it's on the left. We also had mentioned about putting in the circular, there is no in and out.
- Abe Berkovic: We are putting in the in and out.
- Sheila Feldman: My driveway is directly in front of the 3 bungalows with your caretakers. The place is a complete mess, there are 3 bungalows they live in. Please speak with them to clean up the mess that faces my house.
- Jay Zeiger: 2 of the units are coming down.
- Abe Berkovic: 2 of the units are coming down and not being replaced.
- Sheila Feldman: So only the middle one will stand.
- Maryann Muller: About the wells, are you putting in more wells?
- Abe Berkovic: It's in front of the Health Department, it isn't currently proposed.
- Maryann Muller: Is there enough water capacity?
- Jay Zeiger: That's what the Health Department is reviewing.
- Brian Manown: Any sewage treatment or is it all septic?
- Abe Berkovic: Septic.
- Arthur Rosenshein: Anyone else? Closed.

To: Planning Bd. Fallsburg
From: Divine Mission Universal
Association Inc.

Dated: 09 June 2016

Please read into the true record of
your proceedings and undecided motions
our request for

- a) noise barrier
- b) non buildable zone

in the attached paper, and
make a part hereof. Thank You.

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A 291

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY
THIS INDENTURE, made the 01st day of March, nineteen hundred and eighty-nine

BETWEEN J. J. STOYER and J. M. STOYER, as joint tenants, both residing at R.D. #1, Box 183, Briscoe Road, Swan Lake, New York 12783,

party of the first part, and

DIVINE MISSION UNIVERSAL ASSOCIATION, INC., a Not-For-Profit Religious Corporation, organized under the laws of the State of New York with principal offices at R.D. #1, Box 183, Briscoe Road, Swan Lake, New York 12783,

party of the second part,

COPY

WITNESSETH, that the party of the first part, in consideration of

-----ONE AND MORE (\$1.00 and more)----- Dollars,

lawful money of the United States, and other good and valuable consideration, paid (Three Thousand (\$3,000.00) Dollars paid to each grantor) by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Fallsburgh, County of Sullivan, State of New York, being a portion of Lot 9, Division Lot 19, Great Lot 2 of the Hardenburgh Patent, and being bounded and described as follows:

BEGINNING at the southwesterly corner of a parcel of Lencovich and Prusich (L 734, P 862), said point being on the Town Line between Fallsburgh and Thompson, and running thence along said line, North 67°-46' West 380 feet; thence N 23°-11' E 793.6 feet to the southerly side of a 14.2 acre parcel formerly conveyed to Lencovich; thence along same, S 73°-14' E 382.3 feet to the Lencovich and Prusich lot; thence along same, S 23°-11' W 830 feet to place of beginning.

CONTAINING 7.1 ACRES of land more or less as surveyed by Robert F. Bruns, L.S., Liberty, New York, February 1974.



INCLUDING use of a fifty (50') foot wide strip, the northerly side of which runs along the Town Line, and which strip runs from the easterly side of Sheldrake Stream to the center of Fredd Road.

SUBJECT to electric company rights and easements, telephone company rights and easements, and public highway easements and dedications of record, if any.

EXCEPTING AND RESERVING the right of way for a proposed sixty (60') foot easement for a road to be built to town standards, which exception and reservation is approximately perpendicular to and to be used in conjunction with the fifty (50') foot wide strip,

6. SCHREIBER-KARPEN RESIDENTIAL PROJECT (TRIBECCA ESTATES)– SBL# 39-1-84/79.2/88.1/78

- Glenn Smith, Eli Brezel, and Jay Zeiger represented.
- Glenn Smith: This is located on Route 42 and Gamble Road. This area is the Tribecca project which was approved a year or so ago. This is an existing bungalow colony, there are 29 units. It is going to be reduced to 20 units, and 10 existing buildings. There will be 10 duplexes when done. We will build 10 new duplexes when done, so there will be 40 units total. It is 6.8 acres, another 6.9 acres subdivided by a lot line change on the Tribecca property. Town sewage, town water. I have been before the board several times since October on this, we had a public hearing in February and that wasn't held, so we are here tonight. 1 advantage of this project, now a lot of parking along Gamble Road, all the parking on Gamble Road put an interior parking lot in the property here. There is also a driveway entrance that comes out of the property now onto Route 42. That will be abandoned and used as an emergency exit.
- Jay Zeiger: The project will be built to service these will be in with the parking for the housing. There will be adequate parking.
- Glenn Smith: 2 and a half spaces per unit.
- Latice Buckner: I am a year round tax paying resident of the town of Fallsburg. Are those year round or seasonal?
- Glenn Smith: Year round.
- Latice Buckner: Will they be paying taxes?
- Glenn Smith: Yes.
- Latice Buckner: I represent the 1st Church of God. It is a neighbor property.
- Arthur Rosenshein: Was there a letter written several months ago by your organization?
- Latice Buckner: Yes.
- Arthur Rosenshein: I would like it as part of the public hearing record.
- Latice Buckner: I am speaking on behalf of the Church, it has a legacy in the town of Fallsburg. It was started by my grandparents, we purchased this land over 20 years ago. When we purchased the land, we intended to have space, not neighboring rooftops and a crowded situation. We purchased a substantial amount of property to beautify the landscape and to have the space we needed to do what we needed to do. We still want that opportunity. I understand this is the Tribecca estates.
- Jay Zeiger: This is Tribecca over here, this is a different project.
- Latice Buckner: My concern is that Tribecca came to us a couple of months ago and requested a portion of our property for a walkway. They wanted to connect the 2 properties. My mother who is a trustee denied them that opportunity. Some people are very shrewd in the developmental portion of the property so I felt it in the Church's best interest to write a letter and document that we had this discussion, we do not want to sell any of our property for a walkway. You couldn't do the Tribecca Estate project without approaching our Church for the 20 units for additional property which you gave as a pretense of the walkway. You came to us and requested a portion of our property.

- Glenn Smith: That's the Tribeca property.
- Latice Buckner: It's all connected now. How do you intend to increase it to a 45 unit project without acquiring any of our land.
- Glenn Smith: There is no 45 unit project.
- Latice Buckner: The letter stated there was a meeting tonight because you wanted to change it from a 20 to a 45.
- Discussion.
- Glenn Smith: The increase is from 29 units to 40.
- Arthur Rosenshein: That is including the prior existing bungalows. It's a total of 40 units including the existing.
- Jay Zeiger: The existing bungalow colony is being decreased from 29 units to 20 and 20 additional units are being built on the new land being acquired.
- Latice Buckner: Like I said, they want to increase their original proposal. As we the Church, we have concerns in terms of traffic and how it will benefit us. You knew you wanted the units originally, so why not indicate that? We feel taken advantage of, and you initially asked for one thing, got that approval under false pretense and you are coming back after that was approved, this is proof after you had that original approval, you wanted this. There is a compromise of our border because of the wooded area directly behind our church which compromises your development. We had to secure our borders because it is a wooded area and you can't put a fence up in the middle of the woods. With all this development, making all these adjustments, we feel very uncomfortable about it. If by some means, however you do your business and this is approved, I feel that the developers should be responsible to secure our borders to be sure you aren't stealing our land.
- Arthur Rosenshein: Would it be satisfactory if, they have to survey the property, would you not object to a fence along the property line?
- Latice Buckner: I would not object at all. We have our property already staked and we know our property well. I object to the increase residential units. If by some way they are granted this proposal, then I feel it should be their responsible to secure our property line.
- Glenn Smith: We were before this board in October, we submitted an application. At this time, this was the exact same developer we had, it was a total of 40 units. Nothing has changed.
- Arthur Rosenshein: You did go back and forth on what you were going to do, however that is not an unusual thing in development. There were changes, it is not abnormal. The number change is not unusual in any development. Anyone else? Public closed.

NEW BUSINESS:

1. JFGC MEDICAL OFFICE – SBL# 40-4-3 – Requests site plan approval for a

medical office. Zone: B-1. Acres: 2.44. Location: 5657 SR 42, Fallsburg.

- Ezra Max represented.
- Arthur Rosenshein: We don't need SEQR on this because this is a type 2 action. I am looking at this as a change of use, you're not changing anything physically. Anybody has an issue with that, let me know. If not, I am going to go ahead with a motion. Any comments from the board? Let's motion.
 - MOTION:
 - Balsey Louckes motions for approval for a change of use. Irv Newmark seconds. All in favor.

2. MACHNE OHEL MOSHE D'KRASNA – SBL# 29-1-4.1 – Seeking advisory opinion from planning board on a request to re-zone property from REC-1 to PUD. Zone: REC-1. Acres: 83.79. Location: 114 Lake House Rd.

- Removed.

3. DOWNTOWN MOUNTAINDALE (JOKER BUILDING) – SBL# 46-4-23 – Requests site plan approval to convert an existing building to a laundromat on the first floor and a single family residence on the second floor. Zone: MX. Location: Post Hill Rd. & Main St., Mountain dale.

- Arthur Rosenshein recused himself.
- Joe Horowitz represented.
- Joe Horowitz: This is the building we are talking about. There is a 2 story element in the back and a 1 story element in the front. We are not subtracting from the building, we are changing the interior. And the exterior, we are beautifying. Here it is as it looks now. This is the view of the building on Post Road. This is what it will look like when finished. Horizontal siding on it. The 2 story portion will be a 3 bedroom residence. Separate entrance from the 1 story portion, that will have a separate entrance off this ramp. The only change on the exterior is this corner has been closed up, we are removing what was a temporary barrier put up, there is an existing stairway, we are going to keep that.
- Irv Newmark: Was there an apartment upstairs originally?
- Joe Horowitz: The entire building was a restaurant bar.
- Irv Newmark: There were rooms upstairs?
- Joe Horowitz: It was part of the seating.
- Paula E Kay: So essentially it is a change of use, similar.
- Irv Newmark: So it is a type 2.
- Gary Tavormina: The elevation of the right hand corner, is that what it will look like?
- Irv Newmark: That's next door.

- Joe Horowitz: The building next door, that's this building right here.
- Gary Tavormina: That gives you the impression that is what it will look like. Putting that building there, you're giving the impression that is what it will look like. It's not going to look like that.
- Discussion.
- Will Illing: Are they going to keep the old stained glass.
- Joe Horowitz: No.
- Will Illing: You're not going to destroy it are you?
- Audience: We'll hang it in the barn.
- Irv Newmark: Any other board members? This is a type 2 action. We need a motion.
 - MOTION:
 - Gary Tavormina motions for approval of a change of use. Balsey Louckes seconds. All in favor.

OLD BUSINESS:

1. DOWNTOWN MOUNTAINDALE – SBL# 46-4-23 Requests two lot sub-division. Zone: MX. Location: Main Street, Mountaintdale.
 - Joe Pfau and Bill Resnick represented.
 - Mollie Messenger: Are you doing the subdivision contingent on the use of the school?
 - Joe Pfau: The subdivision we want approved and get it out of the way.
 - Will Illing: I really only had one comment on this. The parking shown to the back of the high school, I'm pretty sure it is in the 100 year flood plain, I'm not sure what the regulations are for allowing parking in there.
 - Joe Pfau: My understanding, there are no restrictions as long as you are not filling the flood plain.
 - Will Illing: The flood plain shows the back of the high school.
 - Bill Resnick: 1 mile from the ocean on the East coast is flood plain. If you have a house within the 1 mile, you need flood insurance.
 - Joe Pfau: This application is simply what we're trying to do, we're trying to break off 2.33 acres for a 2 lot subdivision.
 - Irv Newmark: The next one we're not getting to.
 - Paula E Kay: We need a neg dec.
 - MOTION:
 - Gary Tavormina motions for neg dec. John Makovic seconds. All in favor.
 - Paula E Kay: This would be a motion for preliminary subdivision. Are we ready for final?
 - Mollie Messenger: We usually do it in 1 action. It is only a 2 lot.
 - Paula E Kay: If all the elements are there, we are good.

- MOTION:
 - Gary Tavormina motions for final approval for subdivision. Balsey Louckes seconds. All in favor.
2. MOUNTAINDALE COMMONS – SBL# 46-4-23 – Requests site plan approval to convert a vacant school building into a 12 unit apartment building. Zone: MX. Acres: 2.32. Location: Main St., Mountaindale.
- Irv Newmark: We cannot act on this tonight, this should go to the Zoning Board.
 - Paula E Kay: I would do a motion to deny.
 - Irv Newmark: We deny the request.
 - MOTION:
 - Gary Tavormina motions to deny request. John Makovic seconds. All in favor.
 - Joe Pfau: Is there a vehicle for the board as far as zone change or variance for conditional approval?
 - Irv Newmark: We can't do anything until they tell us what they do.
 - Balsey Louckes: Bring more parking when you can.
3. RACHVES II – SBL# 14-1-31/21-1-2.1 – Continued SEQR review for the development of a mixed residential community of duplex and single family units for a total of 50 buildings for 99 Units. Zone: R-1. Acres: 45.5. Location: 6279 SR 42, Woodbourne
- Kirk Rother and Jay Zeiger represented.
 - Jay Zeiger: The plan has gotten bigger. This area over here in response to the neighbors.
 - Kirk Rother: The board has seen this for a while, the layout hasn't changed much. The public hearing in December, the most significant comment we got, there was some concern with the neighbors across the street about sidewalks, these over here had concerns about flooding and visual impacts. This resulted in us changing this corner of the site and spreading the units out. We came back once after that with this plan as you see it, in the past 5 months, detailed engineering has substantially completed, flood studied has been submitted to Keystone. They have asked us for minor changes to our analysis which I have finished and will submit tomorrow. We have done soil tests on the site and determined the ground water which is about 10 feet, closest point of the river. SEQR has been circulated to the DOT. Phase 1 archaeological studies have been done, no artifacts found. The purpose of tonight is we are hopeful the board is comfortable to refer us to the County for 239 review. I know Mr. Geneslaw had prepared a part 2 EAF for tonight. We are hoping the board would be comfortable with that so we can get everything finished up in the next month or 2.
 - Arthur Rosenshein: I have a memo from Mr. Geneslaw. I will read it. This application was discussed at a staff meeting on June 1st. At the January 14th, 2016 meeting, the board declared itself lead agency, classified the action as unlisted. Full environmental assessment has been provided, office prepared a

draft part 2 for board review which is enclosed. Next step in the SEQR process will be the preparation and adaptation of the final EAF part 3, determination of the significance of negative dec. Once the technical studies are completed and reviewed by staff and board, this may be completed. We have provided a draft part 3 for the board, in the event the report is accepted by Keystone. Will? It mentions your name here on the flood report. Keystone has looked at it, will you look at or be comfortable with Keystone?

- Will Illing: Keystone.
- Arthur Rosenshein: Based on the information, it is our opinion that environmental impact statement will not be necessary. The applicant has provided a flood study of the Neversink River for this development, which is being reviewed by Keystone. I gather Ken verbally...
- Mollie Messenger: Ken said they are looking at the flood study, they are still reviewing what Kirk sent. They are heading in the right direction.
- Arthur Rosenshein: Staff would advise an archaeological study has been substantially completed and basically found nothing. I have a copy of it here.
- Kirk Rother: They may have given you a copy of the letter. They did 320 shovel tests and found nothing. The report will be a glamorous version of the letter.
- Arthur Rosenshein: ARB approval is necessary.
- Kirk Rother: We went to the ARB and they were generally comfortable with what we're proposing as far as color. Their sticking point is putting the 2 modulars together and having 2 gables visible with a cricket in the middle. That's proving to be a difficult challenge to overcome with a modular, we are making some progress. We will be before the ARB again before we are before you guys again.
- Arthur Rosenshein: The applicant needs to decide whether the 2 existing building along Route 42 are to be retained, if so how they are going to be used. Identification necessary for approvals, renovations to be completed.
- Kirk Rother: All along we have proposed to keep the small barn as a caretaker and the large barn as a community center.
- Arthur Rosenshein: Hurry up and secure them before they rot.
- Kirk Rother: I know the board said if we can do it that would be great, I checked with the client and they want to do that. We are going to leave things as is, there's no proposed parking in the setback. If there were to be, we would come back.
- Paula E Kay: Is that unit for the caretaker counted in the unit count, or is it...
- Kirk Rother: No.
- Paula E Kay: So that is an addition. I'm looking for residential, you have 99. So there is 100?
- Kirk Rother: I asked this of Jay a while back, he said that since this is condominium, that's not considered a separate unit and it is included in the count.
- Paula E Kay: So one of those duplexes is...
- Kirk Rother: A single unit.
- Arthur Rosenshein: Those buildings are right up to the straight right of way so there is nothing to be done in the front. 239 review has not yet been authorized,

referral is waiting for the flow study. We recommend a copy of the study accompany the 239 referral, the board cannot approve the application before the 239 is completed or the 30 day referral time has been met. You are authorized, board members, we are authorizing them to send in the 239.

- Irv Newmark: He is saying the flood study...
- Arthur Rosenshein: It exists, so he can send it in. They have looked at it and no big issues. That takes care of that.
- Mollie Messenger: Have you sent it to the fire department.
- Kirk Rother: No.
- Mollie Messenger: You still need to do that.
- Kirk Rother: I took a bunch of notes about the directional signs, I will be ahead of the curve when we send it.
- Arthur Rosenshein: Before we finish the SEQR, we need to get that approved, but Bob has put in a potential part 3 draft, it would be premature if we didn't have that. I thought it was interesting on this one, the DEC, I have never seen a report from them before this extensive, it's about everything we've already done. I didn't catch anything new on it. It talks about protection of water quality, SPEDES, endangered species, cultural resources, flood plains, primary aquifer, etc. You have any idea why the DEC would require all this?
- Kirk Rother: To me, this is typical.
- Arthur Rosenshein: That's about it for tonight.
- Kirk Rother: They throw in everything they can.

4. WILLOW WOODS – SBL# 28-1-50 - Requests site plan amendment to update the site plan with correct locations of buildings and add proposed new buildings. Zone: R-1. Acres: 75.87. Location: Brickman Rd., Fallsburg

- Kirk Rother and Shraggie represented.
- Kirk Rother: We have been before the board before.
- Discussion.
- Kirk Rother: We have been before you for several months, the last time we were here, the primary open issues were putting a grinder pump at the sewer pump station. Will?
- Will Illing: As far as I know, nothing has been done. Was it put in?
- Shraggie: Yes. The pumps are in.
- Will Illing: You put grinder pumps in?
- Shraggie: Septic.
- Will Illing: I'd like to see what they put in, they should have a drawing of it, an as built of what has been installed.
- Kirk Rother: Water meters need to be installed, that's in the works. 20 are put in, but then Town ran out of water meter.
- Will Illing: Nobody has reported to me how many are installed, I know they have a lot left to do.

- Kirk Rother: Mr. Schwartz has indicated to Mollie that the residents asked those meters be put in while their there. People don't want them working on empty homes.
- Mollie Messenger: I suggested a deadline of July 30th to put those in. I didn't want to put into August.
- Will Illing: That is fine.
- Kirk Rother: There was some landscaping shown on the front here that we added to the plan. The most significant item was storm water and making sure it is going to be build in accordance of the approved plan. Last time we were here, we identified the storm water features that were built, these small blue areas. We looked at the approved plan completed by Mr. Lawson's office. We have done topographic surveys of the area of all the ponds, and designed the large ponds that will meet with the approved plan, generally, as far as surface area and volume. We have revised the structure detail to coincide with the approved plan. That was the most significant issue, I have submitted to Keystone.
- Mollie Messenger: I spoke with Keystone today, and I think they are in agreement with the retention basins and expanding them with the calculations you sent. I told Shraggie to hire a contractor and start getting those installed so they are adequate. We will start working with that in the next week or so. The only other outstanding item that I have been dealing with since January is there are still a number of open permits. We need to deal with that and get it taken care of. I sent it to Jay and what not.
- Arthur Rosenshein: Those are the items that stand between us and site plan amendment?
- Mollie Messenger: That is what stands between you and all the back stuff, you haven't started site plan amendment.
- Arthur Rosenshein: This is koshering the old one?
- Mollie Messenger: That's everything they need to do so the original that was built is up to par, now they can start thinking of some of those other houses they want to put in.
- Shraggie Schwartz: Since this is 8 years old and I want to get it finished, there are 11 more lots I want to put up. If this amendment is approved, the landscaping I will do in the summer. Last month I went over with Will as to what to put in, I spent close to \$25,000.00 for new pumps. I am asking for an approval to finish this. I was at the last meeting I would put in a bond to get things done over the summer. I just want to finish this project, almost the 9th or 8th year. I want to get this project done by 2017. If the Town wants to hold C of O's until I finish it, I am fine with that.
- Kirk Rother: I was under the impression that if Keystone signed off on storm water, we were pretty much to the finish line as far as this board. I asked if we required a public hearing, I was told no.
- Mollie Messenger: I don't know if the Planning Board has looked at this as far as fire department and parking. All of that.

- Paula E Kay: My opinion is at this point we are still phase 1 which is cleaning up the old one. Then moving onto the new proposal. Will is looking for documentation....
- Will Illing: I thought they were adding 5 units, now 11?
- Mollie Messenger: They were originally 5 units they had foundations for, that we allowed them to put units as Shraggie continued with his promise to get things going. Now he wants to add all these other units.
- Will Illing: During that review process, Kirk will have to go over the sewage pump station for capacity. If you are going to add more units, we will have to verify these new pumps are adequate.
- Arthur Rosenshein: Mollie, could you itemize everything that has to be done so we can kosher the old one.
- Mollie Messenger: The old one has to have the water meters put in by July 30th, the retention ponds need to be expanded, all the old building permits need to be cleaned up, the landscaping we are still working on, now is not the best time to plan.
- Arthur Rosenshein: When that is done, we can vote and get rid of it?
- Mollie Messenger: When that is done, the old plan will be done.
- Arthur Rosenshein: You are saying the retention pond is still the issue?
- Kirk Rother: The issue is the work needs to be done. They physically need to be excavated.
- Mollie Messenger: Right, Kirk got the plan. They weren't right to begin with. Kirk got the plan and did computations so we now have ponds.
- Kirk Rother: In this plan you are reviewing they are complete.
- Arthur Rosenshein: I understand your frustration because we would like to bring this to an end. It's the only leverage we have, it's gone on for so long.
- Shraggie: Leverage is the house maybe?
- Arthur Rosenshein: People are already living there.
- Will Illing: What is your schedule to finish the ponds?
- Shraggie: Finishing landscaping and bringing in tractors again will destroy things.
- Will Illing: What is your schedule?
- Shraggie: After this summer.
- Will Illing: So can we get it bonded Arthur, because it does have to happen?
- Arthur Rosenshein: For the old one, I would like to see a written list and the other items. When they are going to be done or if it is acceptable to bond them, that the bond amount has been decided, we have been seeing this for a long time. I would like the board be presented something definitive. The schedule for the ponds as far as the new ones are concerned.
- Mollie Messenger: I want all the expired permits to be cleared up.
- Will Illing: By what date will that happen?
- Mollie Messenger: I have no idea, I've been asking for a long time.
- Irv Newmark: What's the hold up with permits?
- Mollie Messenger: They don't have CO's on 8 of the buildings.
- Irv Newmark: They have to have the permits.

- Shraggie: Sam will have to take care of that.
- Mollie Messenger: Sam didn't take care of it. I've given the list to Jay and you were copied into all the emails.
- Kirk Rother: For the first time tonight I am hearing we are going for 2 approvals. One to clean up the past?
- Paula E Kay: Yes.
- Mollie Messenger: That's always been.
- Arthur Rosenshein: That's a separate items. The board recommends it be 2 separate procedures.
- Kirk Rother: All along we've been calling it a site plan amendment.
- Arthur Rosenshein: I'm not sure why it can't be done under that.
- Paula E Kay: Then it can't be done tonight.
- Arthur Rosenshein: It won't be done tonight. I am asking for something in writing with all the answers on it then we can proceed, we can still call it a site plan amendment, but we don't want to move forward until we straighten out everything there already. I want a list. I would like it all worked out with Code Enforcement, come up with an answer, either it's done or bonded. We want to be sure because this thing was left unfinished for so long, we want it finished. If you want to do it as a site plan amendment I have no issues with that once we clear up the past. It's a matter of engineering, a matter of getting various apartments to approve it for the 11 more units. Let's get the past done.
- Mollie Messenger: Has the board even reviewed the issues with the new homes?
- Arthur Rosenshein: I'm proposing a 2 step thing.
- Mollie Messenger: They need to know what they're going to do. They're not going to waste a month not doing whatever they need to do for this new site plan. Is the engineering done, do they need it sent to the fire department, do you even like it? What's the recreation? They're starting a whole site process with this amendment.
- Kirk Rother: The green units are the 14 new. The rest of these are generally where buildings were shown on the approved plan. What happened, in the approved plan, things got built elsewhere.
- Mollie Messenger: Mr. Schwartz was not the developer, but he is trying to pick up the pieces.
- Arthur Rosenshein: I am trying to separate it into the past, get it done and over. I was looking it would be simple to do it under amendment. I wasn't about to jump in and review it. We can start the process, get the engineering, whatever they need so it is ready to go. I want that old one finished before we do a new.
- Gary Tavormina: There was a statement about something needing to be done by July 31st.
- Arthur Rosenshein: The water meters.
- Gary Tavormina: Anything else?
- Mollie Messenger: I don't know what they would be able to get done by July 31st, that's what Arthur is asking for, is a schedule.
- Gary Tavormina: Will do we have the water meters to get done by July 31st?

- Will Illing: They already have meters on site. They should get CO's if they are going to occupy the houses this summer.
- Gary Tavormina: So the meters will be done by July 31st. And you have the retention ponds, will they be done by July 31st?
- Kirk Rother: The fall.
- Gary Tavormina: We can bond some of those issues to get where you want to go.
- Kirk Rother: We wouldn't want that work being done while...
- Gary Tavormina: If you give a simple explanation of why you want to do certain things, we can go forward. The water meters need to be done by July 31st.
- Arthur Rosenshein: Make us a schedule, have everything so we can check it off, I don't want to do it verbally. If you want to work on the other at the same time. We are not objecting to putting those other units in, we don't have the knowledge to object. We do need to move forward, almost as if it is a new project, but we will do it under site plan amendment.
- Shraggie: I will get permits when?
- Arthur Rosenshein: You set the schedule.
- Shraggie: I send in the schedule tomorrow, what happens then?
- Mollie Messenger: You come back to the Planning Board in July with answers about your recreation, fire department, and your parking is adequate and all these tables.
- Kirk Rother: You're not getting permits in June.
- Shraggie: I don't need it in June, I need a vote in the July meeting.
- Paula E Kay: If you get the board and Code Enforcement what they need....
- Shraggie: You'll get retention plans in July.
- Discussion.
- Irv Newmark: The building inspector has to go to whatever units don't have CO's and inspect?
- Mollie Messenger: Some of the ones that don't have CO's have to have an engineer go there and certify when it was built and that it is okay.
- Arthur Rosenshein: Jay you were inclined to say something earlier? You are representing the Home Owner's Association?
- Jay Zeiger: The home owner's have agreed to install the meter at their own expense. They told me they had not done it before because the people wanted to be there when it was being done, they didn't want people in and out of their houses. That July deadline, I don't want to put him a position where he says okay and then the home owner's come back and say their schedule doesn't work. He hasn't spoken to the contractor that is going to do the work.
- Shraggie: I did. I have a plumber, I spoke to the majority of people in Willow Woods. They are all okay with it.
- Jay Zeiger: There is no dispute they will do it.
- Shraggie: They want to be present, they don't want people working there while they're not there.

- Balsey Louckes: The problem is with the end of July is you will be going into next month's meeting.
- Kirk Rother: The meters don't have to be installed for the board, as long as we agree to a deadline yes?
- Arthur Rosenshein: With an enforcement mechanism, yes.
- Kirk Rother: I assume the best enforcement mechanism is money, yes?
- Arthur Rosenshein: Yes. Get a list because we are going around in circles here. I'd hate to come to the July meeting and find something still hanging. At the same time, work on the engineering on the new section.

5. TIMBER RIDGE – SBL# 28-1-1/27-1-11/27-1-12.6- Intent to start SEQR review process and further review of project. Zone: REC-1. Location: Rt. 42, Woodbourne

- Jim Bates and Randy Wasson represented.
- Arthur Rosenshein: Before we start, there was some confusion a couple meetings ago about the unit count, we came up with a number based on property that was not...
- Jim Bates: Right, then we went back at Paula's request. There were many discussions and the entrance that came off of Murphy Road, those units were all taken away.
- Arthur Rosenshein: So how many units now?
- Jim Bates: There are 420 units.
- Arthur Rosenshein: Proposed?
- Jim Bates: Proposed.
- Arthur Rosenshein: Minus anything that comes up to knock off. 420 is the starting point?
- Jim Bates: Correct.
- Arthur Rosenshein: Depending on engineering, that is the maximum?
- Jim Bates: Correct. That was the plan we did for Bob and staff, to show that conventional subdivision could be done. That's already gone through back and forth, the public hearing had announced that, we had to go back and do another one because we were taking it back off. Mollie and them said we don't have to because this was the actual number it was done on. We came back to this. We submitted everything to the part 1, we held off on submitting the lead agency status until that was all resolved. Bob and I went back and forth on the part 1. The package went out on May 18th which is why we're not quite at the 30 days. Bob and I went through and reviewed everything, he did the part 2, made the memo and submitted it to the board, then concurred that the board can not really take lead agency, but if we agree to the part 2 can move ahead with the scoping document.
- Arthur Rosenshein: Since we mentioned Bob, I have a memo. The applicant has provided the revised EAF part 1 received by his office on May 20th. On May 18th, the applicant circulated notices referring to those with intent to be lead agency, along with the EAF part 1. All involved agencies have 30 days to respond. This is

approximately June 19th. If there are no responses, the board may proceed to declare itself as lead agency and classify the action as a type 1 action at the first meeting after the 30 day period which would be July. They have prepared a draft part 2, the board has reviewed the part 2 and identifies those areas which has a potential moderate to large environmental impact and outlines the areas that require further study. The EAF part 2 may not be adopted until the board declares itself lead agency. We haven't adopted this.

- Jim Bates: You can declare yourself lead agency at the July meeting and also have scoping at that meeting, as long as we agree to the part 2 and those sorts.
- Arthur Rosenshein: Based on the draft EAF part 2, we have prepared a draft positive declaration for board review, identifying those items will require further analysis. The board must wait until it declares itself lead agency before adapting the positive declaration. Once the positive declaration is adopted, the applicant must prepare a draft scoping document for board review, the draft scoping document is an outline of those items in the draft DEIS. There are no SEQR regulations that prohibit the EAF part 2, the positive dec, and the scoping session from occurring at the same meeting in July. The scoping session would have to be placed on the Planning Board agenda, it is not considered a public hearing, however the public is given an opportunity to comment in the draft scope. The public scoping may take place at 1 meeting based on the number of comments, or can be adjourned to the following meeting if necessary. Positive dec and draft scope must be circulated to all involved agencies and the Chief Executive Officer of the Town for 30 day review period for comments. The positive dec must be circulated to the Environmental Notice Bulletin. Once a draft scope is submitted by the applicant, it becomes a board document. The board can modify or expand the document based on comments from the board, involved agencies, staff, and public. Since items such as traffic study and counts are time sensitive, it should be completed over the summer months, intersections to be included in the scope, should be reviewed as soon as they made available to the applicant. The board has 60 days from the day of submission to adopt the final scoping document, that would be the September meeting most likely. Once adopted, the scoping document is circulated to the involved agencies, the applicant, the Chief Executive of the Town, the Town Clerk. The next step is to prepare the environmental impact statement. We have a long way to go.
- Jim Bates: We're fine with that. In fact, we're doing the draft scope according to the part 2. There are some inconsistencies, but they can be resolved in the DEIS. Bob has it as a subsurface discharge, but it is a top surface. We don't have an issue with it. That's kind of where we are. At the staff meeting for next week, I will have a copy for Bob because he wanted the draft scope submitted to the board as quickly as possible so everyone had a chance to review it for the July meeting.
- Arthur Rosenshein: I am still troubled by the effluent going down a dry stream bed. I don't know how to...
- Jim Bates: They call it an intermittent stream.
- Arthur Rosenshein: If it is intermittent, you have to do flow studies through the

dry season. If it runs only in the spring, fall, and winter, but your people are here in the summer, it is a dry stream.

- Jim Bates: By stream classifications...
- Arthur Rosenshein: It may be, but if you're dumping all your effluent into the stream which has no water in it, the engineering should...
- Irv Newmark: No dilution factor.
- Jim Bates: This isn't a sand filter. This has to be a full sewage treatment system. Which is almost drinking water coming out the other end. They have very stringent scenarios and the DRBC is very strict.
- Arthur Rosenshein: I am troubled by the classification. If you are relying on an intermittent stream and it's not flowing, it's a dry stream bed.
- Jim Bates: That's how it gets its classification.
- Arthur Rosenshein: The use of this project will be entirely in the dry season.
- Jim Bates: That has not been decided yet. With the need for housing, it is looking like it won't be that. We have said from the beginning, we are going to do the DEIS, the preferred and alternative because of that scenario. This has a high possibility, especially by the time it would take us to go through everything, to turn it into a market rate facility.
- Arthur Rosenshein: Any board members?
- Balsey Louckes: Is it going to smell like the sewer plant in Fallsburg?
- Jim Bates: It shouldn't. The new streamline standards and the DRBC is getting tougher on stuff. Stuff they approved 5 years ago, they're not approving.
- Irv Newmark: That's going to need a certified operator. With this dry stream, how does this get to the river? Where is it on there?
- Jim Bates: It runs out, down through here, through the woods and then goes out through a pulvert pipe.
- Gary Tavormina: It goes across Bobby Scheinman's flat, into the pond, and into the road.
- Arthur Rosenshein: They put a ditch parallel to the pond.
- Gary Tavormina: So it will go straight across the pond and into the river.
- Jim Bates: Yes.
- Arthur Rosenshein: If there is enough flow to get there.
- Jim Bates: We are looking at alternatives also because if there is another way around the plant, we will try that.
- Arthur Rosenshein: Where, potentially, would the plant go?
- Jim Bates: Right now we're showing it over here. If we need to, with Randy's engineering we can put it closer to Westbourne, get an easement through Westbourne for the stream over there.
- Arthur Rosenshein: Westbourne?
- Jim Bates: Yes. That is not a seasonal stream, that is year round.
- Arthur Rosenshein: What else do we need to do tonight?
- Paula E Kay: There is nothing more we can really do tonight.
- Jim Bates: We did get a letter from the County, they are okay with you.
- Gary Tavormina: We didn't get a copy of that did we? The map.

- Balsey Louckes: Yeah I think we did.
- Arthur Rosenshein: It's been around a while.

6. CONGREGATION KAHAL MINCHAS CHINUCH (PARK HOUSE ESTATES)
SBL# 60-1-51/52/53 & 54 – Requests continued site plan review for a religious retreat. Zone: REC-1. Acres: 23. Location: Park House Rd., South Fallsburg.

- Jay Zeiger and Abe Berkovic represented.
- Abe Berkovic: I just spoke to one of the neighbor's from the public hearing, she mentioned the well, the kids are running around. Her main concern was parking along the road. She estimates 10 to 12 cars parking along the road. We are proposing a parking lot of 15 spots.
- Jay Zeiger: She also spoke about hitting the pole and that was resolved.
- Abe Berkovic: At last month's meeting, it was discussed that the hammerhead should be removed and in case of a fire there should be a way for the fire truck to pull out completely. We have a proposed new fire lane. If the fire truck pulls in, it won't have to turn around. It can pull straight out.
- Arthur Rosenshein: Have we done SEQR?
- Mollie Messenger: No they have a bunch of stuff that you requested last month that I am not sure where we are at with.
- Paula E Kay: 239 we need on this.
- Mollie Messenger: What did we decide on the leech fields being in the setback?
- Jay Zeiger: When we had the staff meeting, this as is was okay.
- Mollie Messenger: It's not as is.
- Jay Zeiger: We meet the duplex law.
- Mollie Messenger: You are a religious retreat which is 100 feet from the road. Are you 100 feet?
- Abe Berkovic: We discussed that there was nothing in the law, only in the duplex law there is a no cut buffer of 175 feet, there is nothing in the Town statute that you can't do anything in the buffer.
- Mollie Messenger: You're not allowed to touch the buffer, that's why it is called a buffer. Is it wooded or not wooded?
- Abe Berkovic: That is not a buffer. It's a setback.
- Mollie Messenger: Wooded or not wooded?
- Abe Berkovic: Portions of it are wooded, portions are not.
- Mollie Messenger: So you will have to cut down a bunch of trees in the front there. So you will need a landscaping plan.
- Abe Berkovic: We did.
- Mollie Messenger: You have a single row of trees you are proposing? I don't know if that is adequate. You are also proposing a row of trees right on the edge of your leech field. You need to consider a little separation between your trees and your leech field.
- Abe Berkovic: We are proposing small stuff.
- Mollie Messenger: I don't think we want small stuff.

- Arthur Rosenshein: Have we reached the level of complexity where we need a planner on this? So many things coming up.
- Mollie Messenger: Was Bob ever engaged in this one?
- Abe Berkovic: Maybe a long time ago.
- Arthur Rosenshein: Right now we are taking pot shots at it.
- Jay Zeiger: Bob may have been engaged when we were talking about this as a duplex development.
- Mollie Messenger: They had asked for a landscaping plan, lighting plan, to go to 239, do we have new things on the plan to show that?
- Abe Berkovic: We added a row of shrubbery to cover that septic field. Everything over here is downhill so you don't see much. You don't see anything past the mid point.
- Mollie Messenger: Just things to consider.
- Abe Berkovic: The board asked to put some trees in. Lighting. We probably didn't do lighting yet. The trees we are proposing are 19 Norway spruce..
- Mollie Messenger: You may want to check the proximity of that to your leech field.
- Abe Berkovic: It looks like it is about 15 to 20 field away.
- Irv Newmark: They have a tap root that goes down, they don't have spreading roots. Norway spruce will live, blue spruce have a disease here now. The Norway spruce do not have that. You probably have to double up on those. Not just a single row. Or stagger them.
- Arthur Rosenshein: So you can't see through them.
- Abe Berkovic: Same amount just double them?
- John Makovic: We shouldn't say that necessarily, these are 20 feet on center.
- Paula E Kay: It sounded like you were making a recommendation we get a planner involved.
- Arthur Rosenshein: What I am seeing is that we are floating up one in the same, landscaping, someone parking, we need someone to put the package together. We should bring a planner back in, otherwise we will go meeting by meeting. I think it will be efficient. I have questions, the driveway leading to the parking area, appears to be a narrow entrance compared to the main entrance but this is where people are putting their cars.
- Abe Berkovic: The driveway is the existing driveway that is there.
- Arthur Rosenshein: It may not be sufficient.
- Abe Berkovic: What I am figuring out is there a gate blocking the parking lot. People are being lazy. We are going to move that gate past the parking lot so the road and the parking lot, there won't be a gate. People will pull in and park.
- Arthur Rosenshein: What do the board members feel about bringing a planner in?
- Gary Tavormina: I like it.
- Mollie Messenger: There's no parking in front of the houses?
- Abe Berkovic: No.

- Mollie Messenger: So people are going to use that driveway, go around and not...
- Irv Newmark: He will point out what we need, bring it all together.
- Jay Zeiger: I'm listening and I'm not really seeing anything.
- Arthur Rosenshein: We're churning. We keep going around. Let's bring Bob in on this, get it all on paper and get it over with. Every time you come in it will be something new.
- Abe Berkovic: I think Bob is retained.
- Arthur Rosenshein: Then that will be easy.
- Paula E Kay: We will have to double check that.
- Mollie Messenger: You think people are going to drive in to your loop road to get to there?
- Abe Berkovic: People will pull into the existing driveway, pull over to the right, park. Most of these people don't have cars.
- Mollie Messenger: Are the other 2 entrances going to be gated for emergencies?
- Abe Berkovic: They will only be for emergencies.
- Mollie Messenger: Some kind of knock box there?
- Abe Berkovic: Yes some kind of emergency access.
- Arthur Rosenshein: Where are we on the engineering for this?
- Abe Berkovic: I don't see anything from Keystone, but they have it for 4 weeks. Did you get anything Mollie?
- Mollie Messenger: Not yet.
- Abe Berkovic: They are reviewing it, the Health Department is reviewing it.
- Arthur Rosenshein: What was the water supply like?
- Abe Berkovic: I don't have that.
- Balsey Louckes: You said the Health Department is still working on that?
- Abe Berkovic: Yes. I don't know if there is existing data.
- Will Illing: The waste water disposal system, is that DEC or DOH jurisdiction?
- Abe Berkovic: DOH.
- Jay Zeiger: They've had it.
- Mollie Messenger: What's the building separation?
- Abe Berkovic: 31 feet.
- Mollie Messenger: Have the lots been combined yet?
- Abe Berkovic: No they will be.
- Mollie Messenger: The compactor was an issue last time, did it need to be moved? Do you have one?
- Abe Berkovic: We have a compactor.
- Mollie Messenger: I'm not sure why it's a problem.
- Will Illing: Is it screened or enclosed?
- Abe Berkovic: It's an existing enclosed compactor.
- Arthur Rosenshein: Get Bob or somebody on board, get a list together and let's get this done. Where is the SEQR on this?
- Paula E Kay: I don't think we're ready.
- Mollie Messenger: You can't do SEQR with 239.

- Irv Newmark: We need to do 239?
- Paula E Kay: Yes we do need to do 239.
- Irv Newmark: It's not a town road?
- Paula E Kay: It's near the boundary.
- Mollie Messenger: I think they're close enough that the 239 makes sense.
- Balsey Louckes: What I'd like to see the next time you do come is that your neighbors state that you cleaned up next door.
- Abe Berkovic: The neighbors had one location, the whole property is nice and clean.
- Arthur Rosenshein: Does this need to go to the ZBA for some reason?
- Jay Zeiger: It was on a different project.
- Arthur Rosenshein: So this does not need the ZBA?
- Jay Zeiger: No.

7. UTA OF KIRYAS JOEL – SBL# 36-1-52 – Requests site plan amendment from a previously approved site plan for a dormitory to increase the number of occupants. Zone: R-1. Acres: 123.66. Location: 224 Pleasant Valley Rd., South Fallsburg

- Joel Kohn and Jay Zeiger represented.
- Jay Zeiger: We had a staff meeting about a week ago. A lot of the issue was (inaudible). The project now involves construction of this building, which has been completed.
- Arthur Rosenshein: That being the dining room area?
- Jay Zeiger: The kitchen. Additions to these 2 buildings, construction of a swimming pool and the addition of this building.
- Arthur Rosenshein: It says proposed.
- Jay Zeiger: Yes.
- Arthur Rosenshein: I thought you said it had been done.
- Jay Zeiger: No this has been done. One of the issues that came up at the staff meeting was this new building is on the sewer line. Water and sewer line. The discussion was either getting an extension of the district or do your own well and septic.
- Arthur Rosenshein: Or move the proposed building back into district.
- Jay Zeiger: We're going to leave it and put in our own well and septic. There was a discussion about walking trails and adding that.
- Joel Kohn: There were the red walking trails, and trails over here. It is all shown on the plan but you don't have the table because that was added after we submitted.
- Discussion.
- Joel Kohn: They have a list of activities they are doing here. They have every morning, they have a guest speaker in the rec hall in the morning. They will go to

the rec hall, go swimming in the middle of the day. Then there are different shifts at different times. There are 20 or 30 shifts per day.

- John Makovic: What is the rest time in the empty field?
- Joel Kohn: They take a break and go out into the empty field.
- Jay Zeiger: There are a lot of educational elements and classes.
- Arthur Rosenshein: You have 1,300 kids to keep busy. I noted that with the proposed ball field has turned into a septic area.
- Joel Kohn: That's a leech field so it will be covered, it will only be grass. The field will remain the same field.
- Arthur Rosenshein: Existing overgrown field to be cleaned up and used as a recreational field.
- Joel Kohn: There is an overgrown field over here. There are 2 basketball courts here. They are going to fix up and make them usable again.
- Arthur Rosenshein: Is there anybody else on the board that is troubled by the casual or lack of recreation at a camp with 1,300 kids in which we are being asked to increase the number....is anyone else bothered by this?
- John Makovic: Take 100 nondisciplined children and 100 disciplined children.
- Jay Zeiger: Going to classes is a big part of the day. When I went to camp it was arts and crafts and baseball. When they go it's classes in the morning, afternoon, and evening.
- Arthur Rosenshein: Walking on the road.
- Jay Zeiger: Walking on the road is not because...
- Discussion.
- Jay Zeiger: It's not because they don't have a lot to do where they are.
- Gary Tavormina: That was part of the problem with the residents.
- Jay Zeiger: And at the public hearing, members of the community said it was better than the summer before because they bused their kids and in smaller groups. They have taken that under advisement. You made use come back in September and have another public hearing. All the citizens stated that it was better.
- Arthur Rosenshein: You need approval for the pool.
- Jay Zeiger: What we're hoping for tonight is approval for everything. If there is a reason why that can't happen, we'd like approval for everything but the main building.
- Arthur Rosenshein: How far have you gone with the engineering on the proposed septic area?
- Jay Zeiger: Other than showing...
- Arthur Rosenshein: Other than that.
- Jay Zeiger: I don't think...
- Joel Kohn: It's just a conceptual plan. We want to go ahead from the board to do the soil and calculations tests.

- Arthur Rosenshein: So obviously we can't approve that tonight.
- Jay Zeiger: You can approve it conditional upon the engineer approving the design. It won't change the location of the building.
- Will Illing: It can be done conditionally. I wouldn't be opposed to it.
- Gary Tavormina: Do we have a perk test for that property?
- Will Illing: We don't have anything for it. They have a lot of work to do, if it is as a condition. They have to get the Department of Health approval, I don't think DEC but certainly DOH for water supply. They need a treatment system to treat it properly and a waste water system to treat that properly. That's another agency that has to finish their work.
- Arthur Rosenshein: We have to bring them before the board.
- Will Illing: I have no objection to it if you are asking me.
- Paula E Kay: I don't want to disagree with you, but it sounds like the board is being put in the place of approving a sketch but I would like your office to have a bit more before approving.
- Jay Zeiger: This exact location the board already approved. They came back because the number of people was misrepresented. The land use and site plan, we've already been through that. The design of the septic system and if the engineers come back and say you didn't perk well, we have to come back.
- Paula E Kay: It's more than just the land use, it's a large addition of bodies on that property.
- Gary Tavormina: We don't have any plans to what the systems will be.
- Jay Zeiger: If we gave that design to you, it's meaningless to you, it's meaningless to me. It's meaningful to Keystone.
- Gary Tavormina: I get a respond that the perk is good, then I am voting on something worthwhile. I don't know what I am voting on. I voting on a piece of property with a septic system and a drainage field.
- Jay Zeiger: With the recommendation from your engineer that it is good or bad.
- Arthur Rosenshein: What does the rest of the board feel?
- Irv Newmark: What does a conditional approval give you? You can't get a CO and you can't build.
- Arthur Rosenshein: He doesn't have to come back to us.
- Jay Zeiger: We know our design is done, we know that except for final engineering and we also know that we design our plans, we move on.
- Mollie Messenger: Have the lots been combined?
- Joel Kohn: I just got the signed request back for the combination of the lots. It is noted on the site plan as well.
- Arthur Rosenshein: My feeling is we go ahead with the approval, and we wait until there is a little more engineering on the proposed septic system so you know.

- Joel Kohn: (Inaudible) is not here tonight, but he told me that the soil tests and the perk on the surrounding areas that he did before. He didn't do anything for this property...
- Arthur Rosenshein: We'd like to see the proposed engineering before we do that. I am willing to approve a part of the site plan for the proposed 36 by 68 pool. Then give us some more engineering.
- Joel Kohn: What about the 2 other additions that were approved before?
- Arthur Rosenshein: The 30 by 36 6 bedroom twice.
- Mollie Messenger: 6 bedroom, as long as the Planning Board is okay with the bed count for those bedrooms and they are denoted so we know what they are.
- Arthur Rosenshein: 6 bedrooms.
- Mollie Messenger: How many beds in the bedrooms? That's what the problem was with the other one.
- Discussion.
- Mollie Messenger: 3 bedrooms per bedroom?
- Joel Kohn: 3.
- Gary Tavormina: Bunk beds?
- Mollie Messenger: I'm not opposed to any of the additions. I think you've run the gamut through that. This went through the process, had a hiccup, then went through again. However, the lots need to be combined, need to do the engineering, I'd like to see that happen before they get any permits.
- Arthur Rosenshein: Even for the pool?
- Mollie Messenger: Yeah. The pool they're not doing until the following year.
- Jay Zeiger: We'll submit the lot consolidation, we just had that on the Pines where I submitted a lot combination in January or December, and Alice sent it to the County, the County sat with it for 3 or 4 months then came back and said we need the lot consolidation to come to the Planning Board. I don't expect that here because the board already approved the lot consolidation. I would feel it is unfair that we make our submission for the lot consolidation, that should allow you to go forward.
- Mollie Messenger: You need to make your submission, once you do, Alice can look at it and usually say with 90% certainty that you have everything together.
- Jay Zeiger: If Alice says yes and then says but she wants to hear from the County.
- Mollie Messenger: If they show up to the assessor with 2 different names, that's an issue. Just submit the paperwork.
- Jay Zeiger: We make our submission in an acceptable fashion to Alice and if it gets brought down in the County...
- Mollie Messenger: I'm not saying that.
- Jay Zeiger: Fair enough.

- Balsey Louckes: Are we really going to know when we show us the sewer system?
 - Arthur Rosenshein: No it's going to the engineer.
 - Balsey Louckes: So why should they come back here? Let them go to the engineers. Why have them come back here? That's my opinion.
 - Arthur Rosenshein: Because our history here is to nail everything down.
 - Balsey Louckes: If they're only coming back for sewer, I think it's a waste of time to come back here and look at it again. We're not engineers on the sewer.
 - John Makovic: I heard a mention of this being approved before and now we're here because...
 - Arthur Rosenshein: A site discrepancy of about 500 kids.
 - Balsey Louckes: That's all taken care of. I don't see why they need to come back for the sewer.
 - Mollie Messenger: I think if you have them put a schedule together, a recreation revitalizing, exactly what you're looking to do, I think you'd feel more comfortable.
 - Arthur Rosenshein: I'd feel more secure if I knew what was going in, where, and when. How many members of the board want to stand off until we know the engineering will work.
 - Balsey Louckes: It looks like you are coming back.
 - Arthur Rosenshein: How about the 2 bedroom extensions? The 6 bedrooms. You okay with that? That's in the sewer water district.
 - Gary Tavormina: I have no problem with that.
 - Arthur Rosenshein: The pool?
 - Irv Newmark: The pool is a pool. They're not doing that until the fall, but if the Health Department doesn't approve, you're not doing.
 - Arthur Rosenshein: The only thing left pending is the big building. Motion for site plan approval, approving the 2 6 bedrooms extensions and the proposed pool.
 - MOTION:
 - Irv Newmark motions for site plan approval for 2 6 bedroom extensions and proposed pool. John Makovic seconds. All in favor.
8. SCHREIBER – KARPEN (TRIBECA ESTATES) – SBL# 39-1-84/79.2/88.1/78 - Requests site plan review to expand an existing 20 unit bungalow colony with 20 new units in 10 duplexes. Zone: R-1. Acres: 13.5. Location: Gamble Rd., Fallsburg.
- Glenn Smith, Jay Zeiger, and Eli Brezel represented.
 - Glenn Smith: Just to reiterate, this is a 29 unit bungalow colony, increasing to a 40 unit. It is on Route 42. One thing we would like from the board tonight, in the February meeting we had a public hearing for a lot line change. The blue line that goes through the middle, that's the current lot line between Schreiber and Tribecca. The lot line change took 6.8 Tribecca and handed it to the Schreiber, which increased to the 13.5 acres on which this project is situated. The public

hearing was closed in February, the board didn't make a decision. We would like the lot line change approval.

- Jay Zeiger: We really need a subdivision of this piece...
- Glenn Smith: We aren't creating additional lots.
- Paula E Kay: Lot improvement.
- Arthur Rosenshein: You're netting out at the same amount of lots, just reconfiguring.
- Will Illing: Behind the church that was spoken about today, there's a 25 foot buffer shown but now there is a 5 foot wide asphalt walk going through the buffer, that's not really acceptable. It needs to be put back away.
- Glenn Smith: You are right. Here is the walkway here.
- Will Illing: We want the buffer maintained.
- Arthur Rosenshein: What kind of fence are you putting in?
- Eli Brezel: The church is situated on a flat piece of land.
- Glenn Smith: The church is at elevation of 1170, and the back property is about 1185 to...
- Eli Brezel: Behind that building is a cliff going up.
- Arthur Rosenshein: What kind of fence are you putting in?
- Irv Newmark: What about the next property there, Larson? You should have the same consideration.
- Eli Brezel: If he is interested, we will.
- Irv Newmark: You should.
- John Makovic: There should be a conversation with the church, I don't know if they were asking for a fence.
- Arthur Rosenshein: She was.
- John Makovic: I kept hearing her say protect her line. I think they are concerned about you going a foot over.
- Discussion.
- Arthur Rosenshein: If it makes the problem go away.
- Glenn Smith: We've done the full engineering on this. Keystone submitted, Keystone has a full SWEPP. We had comments back today, we didn't have any comments.
- Arthur Rosenshein: You need a 239 review?
- Glenn Smith: Apparently.
- Arthur Rosenshein: Fire department.
- Glenn Smith: We submitted to the fire department last fall. We didn't have a loop road way around the houses.
- Arthur Rosenshein: You changed the design. Either they won't reply or we will see what happens. Tonight the only thing you can get is the subdivision lot change.
- Glenn Smith: Are we in position for a neg dec?
- Arthur Rosenshein: I don't have any paperwork.
- Glenn Smith: From us?
- Arthur Rosenshein: Whatever it is, I didn't bring it with me and I didn't review it.

- Paula E Kay: Things have changed on the map, so I don't think we're ready.
- Glenn Smith: We've had the same plans since November.
- Eli Brezel: The reason this thing has been delayed since then is because there was a law suit against Tribeca. It has been dismissed. That put things into limbo because we can't sell a piece of property with tenants on the property. As far as the design and layout, nothing has changed since the first conception. The only thing that created this delay was a legal problem out of our control.
- Arthur Rosenshein: Did we bring the planner on board for this?
- Eli Brezel: He's been by the staff meeting.
- Arthur Rosenshein: I'd like him to review the SEQR for us. Right now, I'd like to get a few more items in tonight. So the lot line change. Any issues with that? It's actually a form of subdivision approval, but minor subdivision. We do that in quick order. That I think we can consider type 2.
- Jay Zeiger: 239?
- Paula E Kay: For site plan, it would be cleaner. You're going to submit for site plan. We could submit both but then you won't get any action tonight at all.
- Glenn Smith: Can I submit 239 as opposed to you Mollie?
- Mollie Messenger: They only like us to sign off on the application but Travis can send it back to me.
- Glenn Smith: If it's okay with you, I'll submit.
- Jay Zeiger: So we don't need it for the lot line?
- Paula E Kay: Technically you do, so Glenn why don't submit both together?
- Glenn Smith: The 239 out of the way and the fire department, if we can get a conditional site plan approval to submit for Keystone.

9. CAMP OHR SHALOM – SBL# 10-1-15.2/10-1-15.1 – Requests site plan review for 33 duplex homes. Zone: REC-2. Acres: 92. Location: Todd Rd., Woodbourne.

- Glenn Smith, Jay Zeiger, Eli Brezel, and Yitzi represented.
- Jay Zeiger: This is an amendment to an already approved site plan. We've been here a couple of times on this design.
- Glenn Smith: The whole property is 142 acres. We have discussed this a few time. It was approved back in 2007 for 88 units, a combination of singles and doubles. We kept the same layout but the development has been reduced to 66 units, 33 duplex units. All the recreation on the originally approved plan has been moved to the back. It's been laid out as a duplex development layout, so all the homes are 175 feet plus back from the road. This has approved SPEDES permits from the DEC for several thousand gallon sewer plant, approved water system plans from the Department of Health. These wells were drilled over here for the Health Department. It was 7 or 8 years ago. The other wells still remain. We need one more back up supply for the wells to supplement the existing wells. At the last meeting, the board had some concern about the development and camp being on the same property. What I have shown is basically to subdivide

the development, this side of the road is roughly 48 acres. This side, the water and sewer would be here, then here a right of way right into the development.

- Arthur Rosenshein: So you're applying for subdivision approval?
- Glenn Smith: I guess we'd have to.
- Will Illing: You're back to the Transportation Corporation again?
- Glenn Smith: As it exists now. We had DRBC approval back then which is still in effect. A couple years ago they built a small sewer. The DEC issued an interim permit for that site. It's still in effect for the 70,000 gallon plant. The DEC approval letter was that the smaller plant be abandoned when the bigger goes in. I have a paper today from the DEC that the SPEDES permit is still in effect.
- Will Illing: As the planner or whoever ties this together at the end, there is an agreement with the Town of Fallsburg to allow this Transportation Corporation, all that paper work and agreements, there's bonding needed to be put up for the sewer plant. There will be a lot of conditions in your approval for this.
- Glenn Smith: Last meeting, Arthur brought up the fact that SEQR should be looked at for this because it has been 7 or 8 years since a neg dec had been done. I have submitted the part 1, 2, and 3 EAF right after the last meeting. I took the liberty of filling out the part 2 and listing a couple items that were moderate to large potential impacts.
- Arthur Rosenshein: We won't touch on them tonight, I would like to get to other items. What would you like tonight?
- Glenn Smith: Neg dec.
- Arthur Rosenshein: I don't think so. I really didn't get a chance to look at it.
- Glenn Smith: We did a revised SWEPP and Keystone is going to give final approval. If we don't get final approval tonight.
- Arthur Rosenshein: No. Did you get anything from the fire department?
- Glenn Smith: No, maybe the first time around.
- Arthur Rosenshein: Especially because you've since gone 25 feet separation.
- Balsey Louckes: That was on the original approval.
- Arthur Rosenshein: Please send that to us, I don't remember seeing it.
- Glenn Smith: So send it to the fire, get the 239, and Keystone.
- Arthur Rosenshein: That's pretty much it.
- Glenn Smith: We'll go get approval. If we're still waiting on the SPEDES permit...
- Arthur Rosenshein: It will be pending.
- Glenn Smith: Will Mr. Geneslaw be involved?
- Paula E Kay: To be determined. We're kind of in a transition.
- Arthur Rosenshein: I don't know if it will be necessary. This seems to be more defined than some of the others.
- Glenn Smith: It is a modified site plan, basically.
- Arthur Rosenshein: With the exception of the Transportation Corporation, it seems simple.
- Jay Zeiger: The Transportation Corporation is still in existence.
- Arthur Rosenshein: Right.

10. BLUESTONE ESTATES – SBL# 61-1-10.1/10.2/10.3/11.1/11.2/14.2/15 –
Requests preliminary sub-division approval to create a 28 lot cluster sub-division.
Zone: R-1. Acres: 169. Location: East of Avon Lodge Rd., Woodridge.
- Joe Pfau represented.
 - Arthur Rosenshein: So we need to do the SEQR.
 - Joe Pfau: Yes. We had our public hearing, we responded to our comments. We got a letter from Keystone stating the substantial completion, and suggesting preliminary subdivision approval.
 - Arthur Rosenshein: We need to do the SEQR first. Let me read Bob's memo. Full environmental assessment form dated February 23rd was provided to the board, it is requested that the preparer review the following item. Should New York State Health Department be included?
 - Joe Pfau: That was a typo. It said DEC and should have said DOH.
 - Arthur Rosenshein: Adopted language plans regarding comprehensive language plans should be checked yes. Hazardous waste, yes or no?
 - Joe Pfau: I'd check no.
 - Arthur Rosenshein: Endangered species, please identify.
 - Joe Pfau: That was the bald eagle.
 - Arthur Rosenshein: Because you're in the Fly River.
 - Paula E Kay: You skipped one.
 - Arthur Rosenshein: Please confirm it is not in the 500 year flood plain.
 - Joe Pfau: I will confirm that.
 - Arthur Rosenshein: This office is prepared to draft the EAF. The next step will be the preparation and adaptation of the EAF part 3, and negative dec, there is a draft for that unless someone has a question. It is Mr. Geneslaw's recommendation to be reviewed. The evaluation of the magnitude importance of impacts and determination of significance. He goes through the reasons of supporting it. He goes and fills in, they found nothing. Basically we found nothing beyond small to no impact on here. Even the things that are identified. This is large lots, single family homes. This is your traditional subdivision. He recommends that the finding that this project will result in no significant hazardous impacts on the environment, therefore an environmental impact statement will not be prepared. Accordingly, this negative declaration is issued. I have had time to read this, does anyone want any discussion?
 - Balsey Louckes: This all sounds good.
 - Arthur Rosenshein: Motion for negative dec?
 - MOTION:
 - John Makovic motions for neg dec. Gary Tavormina seconds. All in favor.
 - Arthur Rosenshein: Preliminary subdivision approval resolution. Everyone receive it? It has the typical boilerplate type conditions. There are a list of conditions. 23 of them. Anyone need me to read them?
 - Mollie Messenger: Does he have any special conditions?
 - Arthur Rosenshein: Yes, those I will read. Prior to final approval, one, construction phasing plan found to be acceptable to the Town engineer and Highway Superintendent. Two, preconstruction site disturbances limited to that

necessary to obtain outside agency permits. Three, satisfy the Town engineer in regard to meeting fire flow standard and any other water supply issues. It's not central water. Then it goes on to say, now therefore be it resolved the Town of Fallsburg Planning Board, based on the record before it, including the general and specific detailed knowledge of the board of the project and of the community, hereby determines that the project should receive preliminary with certain conditions as enumerated above. We further resolve that the Planning Board grants preliminary subdivision approval with the understanding that the site plan will not be stamped by the Chairman or his designee until all conditions have been met and found to be acceptable by the Planning Board. I entertain a motion.

- MOTION:
- Irv Newmark motions for preliminary subdivision approval. John Makovic seconds. All in favor.

11. LAUREL CREST – SBL# 56-1-1/39-1-90 – Requests site plan amendment from a previously approved site plan for the addition of duplexes. Zone: HR-1. Acres: 20.67. Location: Laurel Ave., So. Fallsburg.

12. SUNNY DAY – SBL# 39-1-76/77 – Requests site plan approval for the removal of all existing bungalows, outbuildings and the swimming pool and allow construction of 7 duplex homes consisting of 14 units. Zone: R-1. Acres: 4.75. Location: Rt. 42, Fallsburg.