

DONNA AKERLEY

*Town Clerk, Registrar  
Tax Collector  
and Marriage Officer*

www.townoffallsburg.com



TOWN CLERK'S OFFICE  
TOWN OF FALLSBURG

P.O. Box 2019  
19 Railroad Plaza  
South Fallsburg, New York 12779  
Phone: (845) 434-8810 Ext. 1  
Fax: (845) 434-8809

**Monday, August 22, 2016**

**The Town of Fallsburg Town Board**

**Conducted their Public Hearing's & Legislative Meeting at the Town Hall,  
19 Railroad Plaza, South Fallsburg, New York**

**6:00 pm**

**PRESENT:**

**Supervisor Steven Vegliante  
Councilman Arnold Seletsky  
Councilman Mike Weiner  
Councilman Nathan Steingart  
Councilman Joe Levner**

**Town Clerk Donna Akerley  
Sup. Secretary Linda Ingber  
Attorney for the Town Paula E. Kay  
Engineer Will Illing  
Code Enf. Officer Mollie Messenger  
Sull. Co. Legislator Ira Steingart**

Sullivan County Democrat  
5 Lower Main St., PO Box 308  
Callicoon, NY 12723-0308  
845-887-5200 Fax: 845-887-5386

**Affidavit of Publication**

State of New York

SS:

County of Sullivan

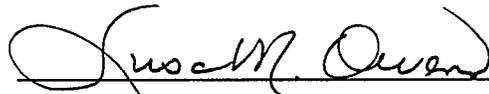
Legal Notice Ad

I, Fred W. Stabbert, III, being duly sworn,  
Depose and say: That I am the Publisher of  
Sullivan County Democrat, a twice weekly  
newspaper of general circulation published in  
Callicoon, County of Sullivan, State of New  
York; and that a notice, of which the annexed  
is a printed copy, was duly published in  
Sullivan County Democrat 7/26/16



Fred W. Stabbert, III

Sworn to before me this 26<sup>th</sup> day of July, 2016



Susan M. Owens

Notary Public, State of New York

No. #010W8025547

Qualified in Sullivan County

My commission expires on June 1, 2019

**LEGAL NOTICE  
TOWN OF FALLS-  
BURG**

Notice is hereby  
given: The Town of  
Fallsburg Town Board  
will conduct a Public  
Hearing

on Monday, August  
22, 2016 @ 5:35 pm  
relative to a "Applica-  
tion of 290 Laurel Ave  
LLC for a hardship  
variance from the  
Town of Fallsburg's  
Residential Moratori-  
um Local Law." Such  
public hearing will  
take place at the Town  
of Fallsburg Town  
Hall, 19 Railroad  
Plaza, South Falls-  
burg, NY 12779.

BY ORDER OF  
THE TOWN OF

FALLSBURG TOWN  
BOARD

Dated : Tuesday,  
July 26, 2016

Donna Akerley  
Town of Fallsburg  
Town Clerk, Tax  
Collector,

Registrar, Mar-  
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FOIL Officer &  
Notary Public

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**5:35 p.m. - Public Hearing relative to the matter of the Application of 290 Laurel Avenue, LLC for a Hardship Variance from the Town's Residential Moratorium Local Law.**

**Motion to open Public Hearing by Councilman Seletsky, seconded by Councilman Levner**

**Jay Zeiger:** "290 Laurel Avenue is a project. It is located off of Laurel Avenue. The proposal is to construct 22 homes and amenities that will go with it. James is with the engineering firm he will discuss more detail engineering. There are 22 homes, 11 duplex houses and then there is a swimming pool and a community room. The group that this 290 Laurel is kind of unique in that it is not developer driven; it is actually home owner driven. Many of the home owners are sitting over there. This is a band of home owners that have gotten together acquired the property and building it for their own personal use. It is actually 22 homes on the project. There are 22 individuals that will be buyers. I don't see all 22 here, but we do have a good sample of it. The project was pending with the planning board for several months. We have an outline from Kurt Crawford who is the engineer with a timeline of where we started. The project actually started in May 2015. We had some delays in the project because we were trying to get to a unit count of 22. We needed to get to that. The original project was 9 plus acres. We knew we had to add an additional acre to get over 10. Then there was a discussion as to actually what's counted in terms of slopes and rent and other things. Several meeting we had with the Planning Board, consultants and Planning Board & staff meetings to arrive to the 22 units and the acreage for that. Once we eventually get Planning Board approval will be a consolidation of two different parcels to get to the acreage we need. Both parcels, one parcel is already owned the second parcel is under contract, but the purchase price for that parcel has already been paid. The project is at its final stages of approval with the Planning Board. James will go through all the different reports that were submitted. Keystone was scheduled for the ARB meeting but was cancelled because of the Moratorium. Investment in the project was in excess the acquisition cost for the two parcels were in excess of \$424,000 to be exact. The project approval cost engineering and other third party expenses were about \$105,000 so the project has \$529,000 of investment as of today. This is driven by the homeowners."

**Jim with Engineering Firm:** "Just as Jay stated we started this project back in May of 2015. We informed the applicant about some of the engineering that we are going to have to do. He is comfortable with us taking on the projects. The biggest thing was trying to get to the 10 acres. We contacted the neighbor we are going to get a piece of land and then once when we came into contract with that then there was an issue with the state flow list. This is all worked out at the Planning Board workshops numerous ones that we went to. We had a public hearing on this back in April 2016. As far as the detailed engineering, we have hired a landscape architect. Those plans are in the works. We have done lighting plans we did a detail training analysis. We also began a slip that is almost wrapped up at this point in time. We have numerous pages of construction details and we are working with Galvin at this point in time with the ARB application. We have gotten the renderings and submitted those and that is when the Moratorium took place."

**Paula Kay:** "So there are two parcels. The first one you acquired. The second one you are in contract for?"

**Jay Zeiger:** "They have paid the purchase price, they are just haven't transferred the title because they wanted to get the approval to make sure what was being acquired was the right piece."

**Mr. Hillel Rosenberg:** "I am a summer resident in the Town of Fallsburg. First I would like to thank the Board members for giving us the opportunity to speak tonight at the Public Hearing. We believe that the Town Board had good intention in imposing the Moratorium for the town. We believe that our project was in its final approval stage and this whole project should be waived from the Moratorium. We have 22 families and we have been coming to Fallsburg for over a decade. We rent summer bungalows we like

living here on Laurel Avenue. We decided to get some winterized homes and be able to come up more often for several more months. We specifically like this area so we tried to go around the area to speak to actual property owners of which we can buy. We find the subject property we negotiated a price it was a little higher than the rates in the area but because of the neighboring and we looked at the property for such a long time, it was worthwhile, especially we have 22 people in our group it is like a family. We needed a place for 22 people; we figured we become the manager of this property. We closed on the property and it did not buy us any profit or advertise anywhere. We wanted a home to live for 7 months out of the year. Finally we spent a lot of money and hours; we went back and forth with the Planning Board about the sidewalks and making traffic better. It was cancelled due to the moratorium. We beg the Town Board to consider our hardship of 22 individuals. We hope to get something ASAP the longer it takes it is a hardship of 22 people that don't own their homes, this is their first home, they saved their money."

**Supervisor Steven Vegliante:** "The reason we are having these hearings is under the Moratorium Law and most Moratorium Laws has to be an appealed process. There is a hardship provision. It allows for hearings to undo hardships that we have to consider and granted relief of the Moratorium. We are going to go through hearings some projects may receive a waiver others may not we are going to listen to everyone's case and make a determination."

**Bill Bowers:** "That is what I wanted to know because I don't want to waste my time here because I can see who is going to win and who is going to lose."

**Supervisor Steven Vegliante:** "You must know better than me. We are going to look at each project individually."

**Keith Lederman:** "Good Morning, I think actually 290 Laurel is a very good place to start. I think the same concerns that I have concerning the presentation we just heard apply to all the petitions that we are reading tonight. We are here to hear about undue hardship not general distress because of we don't like the way our project is going. We heard they spent a lot of money planning and preparing and complying with the laws, as they should it is a large building project. Money is going to be spent. The purpose of the petition is to say that we have an undue hardship that there is something happening that requires us to go forward now against your very decision because we will be hurt more than just general business tax. We did not hear these projects are losing money, or who is losing money or these projects can't go forward a year from now. We heard general disgruntlement. It doesn't address the sewer issue the needs as you as the Town Board can clearly identify make sure that we have the infrastructure. Unless someone comes forward and say what the hardship is, not that we spent money but why this money is going to be lost or that the project is going to be unprofitable or that we are not going to be able to build these are undue hardships."

**Jay Zeiger:** "Understanding what you are saying there is always everything behind what the investment was and where that would be. When people do a project of this nature, before they commit to buy and pay, they have done an investigation under the current zoning law and the laws that exist at the time that they made their business decision and made their investment what they are entitled to do. The moratorium is one issue, what happens with the zoning law afterwards. If the project is delayed and the zoning changes it can destroy the project."

**Victor McCarthy:** "It is very nice what he said. There are a lot of ifs in everything. He is saying that these are proposals that could happen but aren't happening yet. I don't think that you should do this just because this someone that could happen, like the world is going to end tomorrow. If you allow one exception with this Moratorium, you are going to be flooded and it is not going to stop. The flood gates are just going to open up. What you did with this Moratorium took a lot. I think you should continue with it."

**Supervisor Steven Vegliante:** "There is a limited time that you can file for a waiver and it is quickly evaporating, it ends this week."

**Keith Lederman:** "Listening to what was just said, it is disturbing to me. You are part of a Board it is your job to deal with changing circumstances every day. That is the very know risk dealing with the Planning Board, dealing with the Zoning Board encompasses. For example my particular house my family bought in 1971, I would love to say to you that I would love to pay the same taxes as the same in 1971 but that is preposterous. I understand things change; if I made an argument like that you would laugh at me. They had a certain expectation of how things were and they didn't take into account that there were 30 or 40 different large building projects converging at the same time and that this would create a new problem and that you and the Board shouldn't do your job to address that problem because it inconveniences them that is not an legitimate argument for hardship."

**Diane Bowers:** "I don't understand the hardship of a seasonal residence. It is not hardship of their building houses for a full time residence, its not. I don't understand what their hardship of the whole situation is for that. The Moratorium already has 1200 houses approved. We have to do water. I know myself, I am here 12 months out of the year, I work here and I know I want my water and sewer to work properly."

**Rebecca Patterson:** "I am a home owner and business owner. I live here 12 months a year. We don't want a waiver. A study needs to be done. It has not been done. We don't care of those visiting. We just want to know what is happening with those of us living here full time. The traffic is terrible. That is something that has to be attended to. It takes 12 minutes to get through South Fallsburg. That does not make sense, when is the study going to be done so that all of this can be figured out. Right now we are all feeling over crowded, so more is not going to be good for us. I don't agree. Keep the Moratorium and whatever is happening that is their business. Right now all the residents that are here right now of the Town of Fallsburg all agree hold on. Keep doing what you are doing we support you, we put you in office."

**Maryann Halchak:** "The Board fought long and hard about enacting this Moratorium. They should support it fully with no exceptions. There is an old rule "Say what you mean and mean what you say." So if you want to enact change that is beneficial to everybody then you have to hold your ground make that Moratorium stay until the master plan or whatever needs to be changed is changed. You do not want development to get out of control. Stay your ground."

**David Schwartz:** "Good Evening, Board Members, I don't want to waste your time and the time of our wonderful community. We are here for 4 years in South Fallsburg. We are a group of 20 people. We have been coming here every year together. We enjoy this community and the wonderful people. We love the variety of here. Please give us a waiver for 290 Laurel Avenue. Thank you!"

**Kalika Stern:** "I just want to mention that I was on the Rails for Trails and it was Pleasant Valley Road and LaVista Drive when they did a traffic study. The traffic study was probably done in December. It doesn't work that way, Thank You!"

**Carol Dunn:** "I would just like to say in general when the decision was made last time everybody got something. Then the Moratorium set because of revisions that needed to be made. I really don't see why there should be any change. We should all have a moral conscious about how we arrived at that decision and he shouldn't have to be changed."

**Motion to adjourn Public Hearing until Friday, August 26, 2016 at 5:00pm by Councilman Seletsky, seconded by Councilman Weiner**

**Vote 5 Ayes**

**Supervisor Steven Vegliante:** "Having an avenue for relief under Moratorium is something more or less legally required. We will take testimony and hear everyone's cause. We will make decisions based on a project by project basis on what we feel is an undue hardship. We want our Moratorium Law to be fair and defensive able. This is part of the process. We recognize there are development issues. We are waiting to address them. Later on in the meeting we will be announcing our Comprehensive Plan Committee. There will be a meeting in September. This is part of the process. In general, we will take testimony and leave the record open if anything comes up whether pro or con we will get reports from our staff and consultants. We will get as much information as possible. We will make a decision as a Board. Those reports will be given to us at a public meeting as well. Whatever part of our decision making process will be available in the record."

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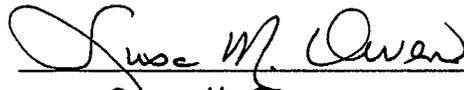
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Sullivan County Democrat 7/26/16



Fred W. Stabbert, III

Sworn to before me this 26<sup>th</sup> day of July, 2016



Susan M. Owens

Notary Public, State of New York

No. #010W8025547

Qualified in Sullivan County

My commission expires on June 1, 2019

**LEGAL NOTICE**  
TOWN OF FALLS-  
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Notice is hereby  
given: The Town of  
Fallsburg Town Board  
will conduct a Public  
Hearing on Monday,  
August 22, 2016@  
5:40pm relative to a  
"Application of Gam-  
ble Estates Duplex  
Development a/k/a  
Schreiber- Karpen  
Development for a  
hardship variance  
from the Town of  
Fallsburg's Residen-  
tial Moratorium Local  
Law." Such public  
hearing will take place  
at the Town of Falls-  
burg Town Hall, 19  
Railroad Plaza, South  
Fallsburg, NY 12779.  
BY ORDER OF  
THE TOWN OF  
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donna@falls-  
burgny.com 42418

**5:40 p.m. – Public Hearing relative to the matter of the Application of Gamble Estates Duplex Development, a/k/a Schreiber/Karpen Development Project for a Hardship Variance from the Town’s Residential Moratorium Local Law.**

**Motion to open Public Hearing by Councilman Levner, seconded by Councilman Weiner**

**Jay Zeiger:** “What this project entails are 2 parcels, property one, on that property is an existing bungalow colony of 6.8 acres that bungalow colony now has 28 bungalows on it. There are 28 living units plus a community building and a pool. The adjacent parcel is owned by Tribeca. Tribeca is in the process of completing the development project on one second of the Tribeca parcel. 120 units was the density of the Tribeca parcel but they only built 74 units. The 6.95 acres which is now being chopped off that and combined with the Carpon parcel doesn’t change the density on the Tribeca. The project does a lot of benefits for a lot of people including the Town. This project is taking an existing bungalow colony and making it into a year around homes. The original approval had the sewer and water lines running one way, by adding the parcel in exchange for Tribeca transferring its 6.95 acres that Tribeca is getting is an opportunity to run their water and sewer lines through the carbon parcel rather than the original manner it was supposed to run that would be a benefit to Tribeca. The Tribeca piece being added to the existing bungalow colony, the colony will be converted from 29 units to 20 units and 10 duplex houses will be built on the piece coming from Tribeca. The project is at its 11<sup>th</sup> hour.”

**Glenn Smith:** “This is Gamble road; this is the parcel that is 29 units which will be reduced down to 10 duplexes or 20 units from the bungalow colony ranging from 2 to 3 bedrooms each. That was about 6.8 acres to start. This section here those are the proposed 10 duplexes that on the 6.98 parcel that were acquired from Tribeca estates. There is about 14 acres of property. There are 20 proposed units in the new section and 20 existing units for the 40 units in total, a net increase of 11 units on the property. A new water line was installed under Rt. 42 by NYS DOT last month.”

**Councilman Seletsky:** “Jay you gave 2 nice presentations on a project I failed to see a hardship or what this has caused, why couldn’t this wait a year.”

**Jay Zeiger:** “There are 2 contracts, Schreiber selling to and Tribeca selling to. Those 2 contracts consolidate the 2 parcels. The contract between Schreiber and Carpon for him to purchase the bungalow colony piece had certain conditions that had to be satisfied, once satisfied; \$300,000 under direct contract was released to Schreiber. Went back months and months ago, Schreiber already has \$300,000. There is a time is an essence closing date of October 27 under that contract. The funds to make those purchase is based on having an approved contract, which we expect to have it by June. Failure to get approval and to close is going to cause the loss of the \$300,000. Tribeca and Schreiber and had an obligation of the Tribeca group to get those approvals and obtained by October 15<sup>th</sup>, if weren’t obtained Tribeca would have to refund the \$300,000 that was already paid. There are damages under that contract of \$250,000 as well. Tribeca is out \$550,000 dollars of a property they don’t have a right to acquire. The Tribeca project the water and sewer lines have already been run through the same location of the Tribeca 74 houses. It cost us \$70,000. If this doesn’t go through then we are out \$70,000. Again if this contract doesn’t come to fruition then that \$70,000 is wasted. There is a loss of \$550,000 for Tribeca and the water and sewer lines. This is a unique hardship for this project and it is a substantial hardship. The Moratorium is creating a hardship. If we lose zoning changes and the density changes then it will have a material loss. Again we are at the 11<sup>th</sup> hour.”

**Supervisor Steven Vegliante:** “Realistically we can never change the zoning, the dates may be relevant but the zoning changes happen and they happen on the course of projects.”

**Keith Lederman:** "I am absolutely dumbfounded by what I am hearing; we are here to talk about hardship and burdens on the property owners. What we hear is 10 minutes is this is a benefit for the town, I am sorry the town is going to suffer the hardship of these benefits not related to the issue at say. Then we finished up with a really interesting situation we have a hardship on land we don't even own."

**Ellie Brazel:** "While I respect the public's outcry about the Moratorium, which I understand the Town Board passed the Moratorium. I think the thought process of what Steve said that there is a legal reason you have to have an appeal process it is a common sense and decency to this uphill process. It is a very big difference between a person who goes out today and buys land and he is going to do this opposed to a person who has land for a longtime and he actively pursued what was legal to do at that time. He spent all that money based on the existing zoning. I think we are past the 11<sup>th</sup> hour. No one here anticipated there was going to be a moratorium. There is a common sense understanding why there should be an appeal process for the Moratorium. There is a flipside to this law. There is a common sense and decency per say a person did go ahead with the process and did spend this kind of money and bought land many years ago, and he is up to the 11<sup>th</sup> hour. You have to have this window of understanding and it is a big difference."

**Erna Hutchinson:** "The Moratorium, I feel it is for the health and welfare of everyone in the community. Every project that wants to do something has the same claim as you do. They started, there is a problem happening now that we have to address right now in any new building becomes a problem. It is for everybody. Something has to stop now because it is a health issue."

**Keith Lederman:** "I think that the Board needs to issue a statement differentiating on due hardship the property owners and on due hardship to people who have a contract of property; people who have a contract to buy property and are not property owners."

**Karen Luse:** "In terms on not anticipating there might not be a Moratorium I would think as a developer I would look at the infrastructure overload and does much anticipate. At some point something has to give which that would be a Moratorium. Common sense dictates that all these developments that are in the pipeline cannot keep moving forward. You have to have known that someone will pull the plug."

**Elle Brazel:** "As much as we have a good attorney, he was there at the public hearing as far as we should have a Moratorium or not. It was a give and take whether it should be an open or closed Moratorium. The Board acted responsible in leaving an open Moratorium for the people who have been in involved or close to the process. This project is ready to go. "

**Media Berghout:** "How is the sewer and water filtration are designed? If you have 100, one bedroom apartments you assume it will be just one family; but if you have students that want to share a one bedroom apartment that is 3 people. I am concerned there will not be enough pressure to accommodate."

**Supervisor Steven Vegliante:** "That process is handled by our attorney and our town engineer and project engineer that reviews our plans. "

**Motion to adjourn Public Hearing until Friday, August 26, 2016 at 5:00pm by Councilman Seletsky, seconded by Councilman Weiner**

**Vote 5 Ayes**

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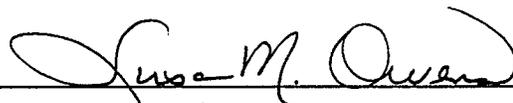
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**LEGAL NOTICE  
TOWN OF FALLS-  
BURG**

Notice is hereby given: The Town of Fallsburg Town Board will conduct a Public Hearing on Monday, August 22, 2016 @ 5:45 pm relative to a "Application of Viseu Estate Corp for a hardship variance from the Town of Fallsburg's Residential Moratorium Local Law." Such public hearing will take place at the Town of Fallsburg Town Hall, 19 Railroad Plaza, South Fallsburg, NY 12779.

BY ORDER OF  
THE TOWN OF  
FALLSBURG TOWN  
BOARD

Dated: Tuesday,  
July 26, 2016

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donna@falls-  
burgny.com 42414

**5:45 p.m. – Public Hearing relative to the matter of the Application of Viseu Estate Corp for a Hardship Variance from the Town’s Residential Moratorium Local Law.**

**Motion to open Public Hearing by Councilman Seletsky, seconded by Councilman Weiner**

**Mr. Giannone:** “I am not building a project; I am just want a convert a club house into a studio apartment. I have 4 houses and 15 acres. I have 8 units.”

**Code Enforcement Officer Mollie Messenger:** “They did an illegal conversion of a casino building into a dwelling unit. They have been working through the Zoning Board to show financial hardship and not getting a return in needing this extra unit. He wasn’t able to make one of the Zoning Board meetings so he didn’t get through the board in order for the Zoning Board decides what they wanted to do. Unfortunately he falls underneath the appeals; he would need an appeal in order to move forward through the Zoning Board to ask for the request to have this initial unit on his property.”

**Motion to adjourn Public Hearing until Friday, August 26 at 5:00pm by Councilman Seletsky, seconded by Councilman Weiner**

**Vote 5 Ayes**

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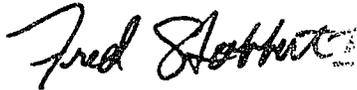
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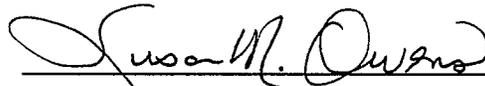
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**LEGAL NOTICE  
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Notice is hereby given: The Town of Fallsburg Town Board will conduct a Public Hearing on Monday, August 22, 2016 @ 5:50 pm relative to a "Application of The New Pines Villas, LLC for a hardship variance from the Town of Fallsburg's Residential Moratorium Local Law.

Such public hearing will take place at the Town of Fallsburg Town Hall, 19 Railroad Plaza, South Fallsburg, NY 12779.

BY ORDER OF  
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donna @falls-  
burgny.com 42766

**5:50 p.m. – Public Hearing relative to the matter of the Application of New Pines Villas, LLC for a Hardship Variance from the Towns’ Residential Moratorium Local Law.**

**Motion to open Public Hearing by Councilman Seletsky, seconded by Councilman Weiner**

**Perry Meltzer:** “I am an attorney in Monticello; I represent New Pines Villas, LLC. The sole member of a limited liability company is Abe Eisner, a resident in the Town of Fallsburg for 17 years. He got involved in the project about 8 years ago when the then owner of the property wasn’t able to develop the property because of his reputation and wasn’t able to get funding. He tried to help out the former owner because of some family tragedies they had. He became involved in the matter. Over the period of time the Board agreed to develop in phases and entered into 3 different contracts with New Pines relating to water and sewer. The prior owner of the property was supposed to reimburse Mr. Eisner the expenses he incurred and was supposed take care of the financing and make the payments of the mortgage. Unfortunately, Mr. Eisner made a bad deal with a big heart and he ended a has been paying all the costs and expenses to carry this property. Homes have been sold. We owe a million dollars. This amount we will not be able to come up with by September 1<sup>st</sup>. If we are not able to keep our Mortgagee happy it is likely this property will go into foreclosure. If we can keep going forward the bank will extend our mortgage.”

**Supervisor Steven Vegliante:** “Just want to make it clear for the record, Mr. Eisner is not the owner of the property?”

**Perry Meltzer:** “That is correct. He has no involvement with the property that has the buildings on it. This is vacant land. It was the Town Board and agreed that it was going through a phase development. We want to be able to move into Phase II. Mr. Eisner invested a significantly amount of money to bring water and sewer to this property”.

**Abe Eisner:** “I want to thank the Town and everybody, working with me it was very problematic for the last six years. Thank God we reached a point for the water and sewer agreement a couple years ago. Let’s all keep in mind that it has a clock ticking to it. If the moratorium kicks in causes a lot of problems and will not be able to meet the obligation of time limit. I am asking the Town to please understand the hardship especially the balance of the mortgage is due and the bank will not extend. The project that I own has nothing to do with the parcel of land 170 acres that include the old buildings of the Pines Hotel.”

**Keith Lederman:** “I want to show great sympathy to that application. It was an application and there is some germination of hardship in there. I look very favorably to that compared to what I have heard tonight. My only obligation to Mr. Eisner’s application is that it isn’t time yet. I am not opposed to keeping the record open on it. There are other avenues to explore these problems are contractual in nature. I think the Board needs to know how much you made on the first phase and where it went. Is reorganization under Chapter 13 appropriate? Can the bank negotiate it? Maybe a recommendation from the board can help with that. I am not opposed with the application he is making because there is hardship. He needs to take the steps to materialize. It is a little premature.”

**Abe Eisner:** “The first section was sold to Tribeca. The proceeds of that sale went directly to the bank to pay the mortgage. Not a dollar went into my pocket.”

**Motion to adjourn Public Hearing until Friday, August 26 at 5:00pm by Councilman Steingart, seconded by Councilman Weiner**

**Vote 5 Ayes**

6:00 p.m. Legislative Meeting called to order by Supervisor Steven Vegliante.

Motion to open Town Of Fallsburg Legislative meeting motion by Councilman Seletsky, second Councilman Weiner

Vote 5 ayes

**Salute to the Flag:**

By: Keith Lederman

**Supervisor's Report:**

By: Supervisor Steven Vegliante: "I want to thank everyone for coming. It is that kind of participation that we don't always have that. It is sorely needed and welcomed by this Town Board. As you can hear we just had 4 public hearings requesting relief of Moratorium. We sit in a position that we have to make decisions going forward; something legal that is required under the Moratorium. This Board will continue to listen to all evidence presented. We will take written comments until the 5 days following the Public hearing night. We will take comments from our own staff and engineers and we will be vast on making decisions. More importantly when passing the Moratorium I said the real work was to begin. We have not let off the gas we have moved forward. We have a lot of interest presented to sit on the Comprehensive Plan Committee. I am proud to say that based on discussions and information we have received I am going to be adding a resolution today to panel our Comprehensive Plan Committee. When we begin the meeting we will be a resolution naming the Comprehensive Plan Committee members. They have been invited tonight. The exciting piece is that we can move forward. A cross section of our community will look at Fallsburg and chart a course for the next 10 or 15 years. Probably well after we will be sitting in these chairs this document will guide the development of this Town. I am excited about this. I thank these individuals, I will thank them individually. As a Town with gratitude for the next nine months to a year they will be meeting on a regular basis and determining our fate of Fallsburg."

**Legislator's Report:**

By: County Legislator Ira Steingart: "There is a lot of economic development going on in the County. It is an exciting time. Something I am proud of being involved in. Summer a lot of people up here stepping of increase of sales tax; a lot of good things looking forward in the County."

**Liaison's Reports:**

By: Councilman Arnold Seletsky - "Yes we do have a dog park. I will like to thank the Center of Discovery. We are going to have a ceremony down the road. They have funded the fencing for our new dog park, which is at Morningside Park. We also have a beach volleyball going in right next to it. Those are the 2 exciting things that should be opening in September. Also this Labor Day Sunday, we have the Sommerville band playing and rides for the kids all starting at 2:00pm so come out and enjoy."

**Supervisor Steven Vegliante:**

"In the redevelopment of the Hamlet of Hurleyville, there has been some frustration with the some of the residents. The original basketball courts were owned by the fire district. The fire district gave up the land and courts. I am proud to tell you that not only will we have a full basketball courts and another half court. We also have a pickle ball court, it just look beautiful. It will be officially opening Saturday, September 3<sup>rd</sup>, 2016. There will be a NBA Star, Felipe Lopez which just happens to graduate from my alma mater. That will be at 10:00 to 11:15am."

**Correspondence:** - NONE

**Citizens' Comment:** - NONE

**Operations:**

**Motion # 204**

Motion to announce the members of the 2016 Town of Fallsburg Comprehensive Plan Committee as follows:

Steven Altman  
Eric Boles  
Rabbi Lawrence Zierler  
Mike Weber  
Gerald Skoda  
Allison Brundage  
Ellyane Hutchinson  
Rebecca Pratt  
Joe Rausch

**Motion by Councilman Seletsky, seconded by Councilman Weiner**

**Motion carried 5 Ayes**

**Motion # 205**

Motion to set time and date for a Public Hearing relative to the matter of the Application of UTA of KJ for a Hardship Variance from the Town's Residential Moratorium Local Law for September 12, 2016 @ 5:45 p.m. at Town Hall, 19 Railroad Plaza, South Fallsburg.

**Motion by Councilman Steingart, seconded by Councilman Levner**

**Motion carried 5 Ayes**

**Motion # 206**

Motion to set time and date for a Public Hearing relative to the matter of the Application of Machne Ohel Moshe D'Krasna (Mountain Stream Villas) for a Hardship Variance from the Town's Residential Moratorium Local Law for September 26, 2016 @ 5:45 p.m. at Town Hall, 19 Railroad Plaza, South Fallsburg.

**Motion by Councilman Steingart, seconded by Councilman Weiner**

**Motion carried 5 Ayes**

**Motion # 207**

Motion to set time and date for a Public Hearing relative to the matter of the Application of Luxor Jr. Corp. for a Hardship Variance from the Town's Residential Moratorium Local Law for September 26, 2016 @ 5:50 p.m. at Town Hal, 19 Railroad Plaza, South Fallsburg.

**Motion by Councilman Weiner, seconded by Councilman Levner**

**Motion carried 5 Ayes**

**Motion # 208**

Motion to set time and date for a Public Hearing relative to the matter of the Application of Congregation Kahal Minchas Chinuch (a/k/a Park House Road), Inc. for a Hardship Variance from the Town's Residential Moratorium Local Law for September 26, 2016 @ 5:55 p.m. at Town Hall, 19 Railroad Plaza, South Fallsburg.

**Motion by Councilman Steingart, seconded by Councilman Levner**

**Motion carried 5 Ayes**

**Motion # 209**

Motion to approve amended Stipulation of Settlements through tax assessment certioraris with Vacation Village Homeowners Association, et. al, County Road 104, Loch Sheldrake, NY and the Town of Fallsburg. (See attached Resolution).

**Motion by Councilman Levner, seconded by Councilman Steingart**

**Motion carried 5 Ayes**

**Motion # 210**

Motion to approve Stipulation of Settlement through tax assessment certiorari with Vacation Village Home Owners Association, et.al. SBL # 17. A-1-3, County Road 104, Loch Sheldrake, and the Town of Fallsburg.

**Motion by Councilman Levner, seconded by Councilman Steingart**

**Motion carried 5 Ayes**

**Motion # 211**

Motion to approve Work Session Meeting Minutes of August 1, and August 15, 2016.

**Motion by Councilman Weiner, seconded by Councilman Seletsky**

**Motion carried 5 Ayes**

**Motion # 212**

Motion to approve Public Hearing Meeting Minutes of June 20, 2016.

**Motion by Councilman Seletsky, seconded by Councilman Levner**

**Motion carried 5 Ayes**

**Motion # 213**

Motion to approve Bond Increase for the Loch Sheldrake Wastewater Treatment Plant Phase II Expansion.

**Motion by Councilman Levner, seconded by Councilman Steingart**

<b>Vote Polled</b>	Supervisor Steven Vegliante	<u>AYE</u>
	Councilman Arnold Seletsky	<u>AYE</u>
	Councilman Mike Weiner	<u>AYE</u>
	Councilman Nate Steingart	<u>AYE</u>
	Councilman Joe Levner	<u>AYE</u>

**Motion carried 5 Ayes**

**Motion by Councilman Levner, seconded by Councilman Weiner**

**Motion carried 5 Ayes**

**Motion # 214**

Motion to approve conditional award of contract to Sullivan Structures for the Hurleyville Rail Trail Preservation and Improvement Project subject to review and form of contract by the Town Attorney.

**Motion by Councilman Seletsky seconded by Councilman Weiner**

**Motion carried 5 Ayes**

**Motion # 215**

Motion to approve conditional award of contract to M & L Masonry for the Hurleyville Main Street Sidewalks subject to review and form of contract by the Town Attorney.

**Motion by Councilman Seletsky, seconded by Councilman Weiner**

**Motion carried 5 Ayes**

**Motion # 216**

Motion to approve conditional award of contract to JB1-2 Corp for Greber Road Construction Project subject to review and form of contract by the Town Attorney.

**Motion by Councilman Seletsky, seconded by Councilman Weiner**

**Motion carried 5 Ayes**

**Personnel:**

**Motion # 217**

Motion to approve Tyla Walker for Seasonal Employment in the Parks Department as Office/Clerk effective August 17, 2016.

**Motion by Councilman Steingart, seconded by Councilman Weiner**

**Motion carried 5 Ayes**

**Motion # 218**

Motion to approve resignation of Laurence Kramer from the Parks Department as a seasonal employment effective August 2, 2016.

**Motion by Councilman Seletsky, seconded by Councilman Weiner**

**Motion carried 5 Ayes**

**Motion # 219**

Motion to approve the termination of Jason Corley from the Parks Department as a seasonal employee effective August 5, 2016.

**Motion by Councilman Levner, seconded by Councilman Seletsky**

**Motion carried 5 Ayes**

**Finance:**

**Motion # 220**

Motion to review and approve Warrant #08B16 dated 8/24/16 in the amount of \$708,746.07.

**Motion by Councilman Seletsky, seconded by Councilman Weiner**

**Motion carried 5 Ayes**

**Executive Session:**

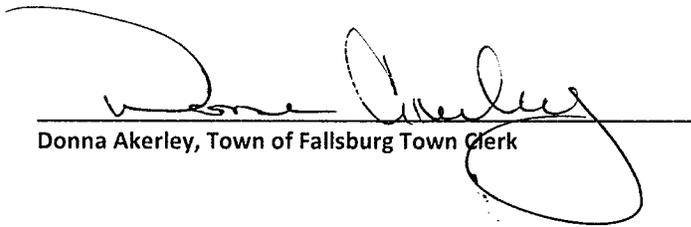
7:20 p.m. Motion to enter into Executive Session as set forth in Public Officers Law Sec. 105 (1)

regarding: Several Personnel Discussions

Motioned by: Councilman Seletsky Seconded by: Councilman Weiner

8:40 p.m. Motion to adjourn Executive Session & Legislative Meeting.

Motioned by: Councilman Seletsky Seconded by: Councilman Weiner



Donna Akerley, Town of Fallsburg Town Clerk