"Minutes are not official until approved by their respective board."

TOWN OF FALLSBURG PLANNING BOARD MEETING

July 9, 2020

In Attendance: Arthur Rosenshein, Chairman, Balsey Luckes, Gary Tavormina, Irv Newmark, Paul Lucyk, Planning Board Members, Ken Ellsworth, Town Engineer, Helen Budrock, Town Planner, Paula E Kay, Lawyer for the Town

Arthur Rosenshein called the meeting to order at 7PM.

Arthur Rosenshein: I'll call the meeting to order. Planning Board of July and were going to start with a vote to accept the minutes of the June meeting. Anybody would care to make the motion.

Paul Lucyk: Okay I'll make the motion.

Arthur Rosenshein: Do I hear a second.

Balsey Luckes: Second.

Arthur Rosenshein: All in favor.

Irvin Newmark: I.

Arthur Rosenshein: The I's have it. There are only three of us so its easy. Okay, our agenda is short tonight, we have three public hearings and six items of new business. We'll begin with the public hearings. The way that's going to operate is the person whose representing the applicant will give a short description on what they intend to do and then we will open it up for comments. If you wish to make a comment I believe there's a button on the bottom of your screen with a plus sign, smiley face – Melissa.

Melissa Melko: Right, if you go to the bottom of your screen there is what's called 'reactions' it's a smiley face and a plus sign. You can either do thumbs up or clap and it'll show a symbol by your name and I'll unmute you.

Arthur Rosenshein: Okay the way that we like to run the public hearing – we want to hear from people that know the most about a project or are most interested in it so we are interested in peoples comments. The only thing that I would ask is if a person has spoken before you of the same item just acknowledge it and don't repeat everything over and over again. For example traffic. The traffic is terrible, we have an awful time, the cars speed though. Then the next person comes up and says the same thing, its redundant. You have the right to speak but we try to keep the meetings as efficient as we can. So given that whose representing Bodhan and Barbara Pakosz?

Paula E Kay: The other thing I'll say for everybody whose listening is if you came in and we don't have a name, if your computer just says 'iPad' and you're not identified with a name then we cant call on you, and if we don't see you we don't know if you'll want to speak. So if you haven't opened your screen and started your video we wont know whether you want to speak either.

Public Hearing 1. BOHDAN & BARBARA PAKOSZ (HOWARD LEVNER) – SBL# 61-1-19.1

Arthur Rosenshein: Ben, are you the person representing?

Ben Pakosz: Yes, sir. I'm the one who's looking to purchase this property.

Arthur Rosenshein: Then you go right ahead, I think you have a letter authorizing you.

Ben Pakosz: Okay I own a two acre lot along with a house on it and the person I bought it from owns the land around the house and he had a second driveway built while he still lived there but the driveway is actually not part of the land that I purchased and the driveway goes right up to my garage about 20 feet away from my garage so I asked him to purchase extra land so I can have that driveway so I don't have people driving up my driveway that I don't even know. And he didn't want to sell just the driveway which was 50 feet by about 100 maybe 150, 200 feet so I asked him what it would take to buy that part he says 'well how about ten acres or so'. If you look at the drawing that I provided it shows exactly where the property is in relation to my house and how much of it is there. I don't have any plans to improve the property other than figure out where im going to put my hunting stand, that's about it. I don't intend to build any houses on it or sell it off separate or anything like that, it would become part of my lot with the house. So then my lot will be 12.2 acres total rather than 2 acres.

Arthur Rosenshein: Okay that's a pretty good description, does anybody have any comments, if so push the button.

Paula E Kay: Galaxy X9, we need a name for Galaxy X9.

Balsey Luckes: It's Bucky.

Arthur Rosenshein: Bucky, you're a member. *Name changed on zoom to Balsey Louckes*. Alright is there anybody from the public that wishes to speak on this, you don't have to be a neighbor. In which case public hearing is closed. Now a reminder to people which I didn't say earlier, when an item comes up in a public hearing it comes up twice. Once when we hear the public for public input and a second time when you hear the planning Board discuss it. So if you came because you're interested in a project don't leave after the public hearing, it will be back. With that I guess we're going to our second public hearing. Sweet Wills, Center for Discovery, ice cream stand. Somebody? Sweet Wills. Nobody?

Paula E Kay: Doesn't Glenn usually represent Center for Discovery? I don't see him here.

Public Hearing 3. FALLON'S – SBL# 36-1-11

Arthur Rosenshein: Well, I want to postpone it later in the meeting in case someone shows up. Lets go to Fallons, who is representing?

Fallon Malard: I am, I'm Fallon Malard.

Arthur Rosenshein: Okay and do you want to tell us what you're doing and what you're asking for.

Fallon Malard: I'm asking to open a store at 333 Laurel Avenue for the summer, for July and August, children's and women's wear clothing. I was asked to open by the people of the community. They don't have a local store of that type in the community. They wait for the store all year. I come up with summer clothing, by the time I leave 8 weeks later its winter clothing so they get to buy all the merchandise for the year from my store. We have a parking lot, a paved driveway, that allows for 7 cars. Theres no traffic other than perhaps a car waiting to go in or a car waiting to go out. and this year with no overnight camping, sometimes it made it a bit heavier traffic perhaps on visiting day but now without camps being open there's no increase of traffic on that road. It's a service for the local community and id love to be able to do it again this season. I actually applied in February, Gregg told me to, and then the whole corona thing happened and the whole thing just stopped in its track.

Arthur Rosenshein: Well nothing has happened since then, we had one meeting since then.

Fallon Malard: Right and I've neem on top of it trying to get going so this is where we are right now, hoping to open it up again.

Arthur Rosenshein: Thank you for coming in, anybody have a question or a comment. Go ahead, James Legari. Go ahead, please.

James Legari: Well I have three comments, Arthur. One, the town, quite some time ago spend a lot of time effort and money along with the committees putting together the comprehensive plan. One of the things expressed in that plan was that these types of businesses would be hopefully year round number one. And number two they would try to be centered in the town or one of the hamlets to enhance those areas to make them a little bit more lively. That's my first comment.

My second comment is if it is these type of family stores operating out of a house were allowed to be here on Laurel Road and once you open that door, anybody that wants to open any type of summer store for one or two months during the summer visitors time, regardless of where its at, what it looks like or what they're selling for the most part, I think it would be difficult for the board and/or this town to turn them down. I provided for the board three photographs that were taken of this property on July 8th, I asked that they'd be forwarded to you, I'm not sure if anybody received them.

Arthur Rosenshein: I received those.

Irvin Newmark: I did too.

James Legari: I think obviously this stores been open for quite some time, not just this year so when we look at parking for this type of a store, if were going to follow store rules that have been established by the town then we need to include things like handicap parking, we need to have an entrance that's properly marked, we would need a sign, we would need a whole bunch of other things for a business whether its open for two months or hopefully, what I would be hoping for, is something like this to be in one of these towns or hamlets and be year round. Those are my comments and I'm not in favor of this type of thing to be allowed to possibly continue in a lot of other rural areas.

Arthur Rosenshein: Thank you for coming in, somebody else, anybody else. Go ahead, Tzivia.

Tzivia Gottlieb: Yeah hi. I just want to speak, my name is Tzivia, I live in Fallsburg all year round. I am an upstate local resident who lives here all year and I actually live around the corner from where Fallons is looking to open and I want to speak from a local and Fallsburg resident perspective that it's a store that

we wait for all year. I get many many phone calls and many many requests throughout the year and especially as we get closer to the summer. People calling me and asking me, because I was a former employee there, also, I worked for them over the years, asking me when Fallons is coming up, could they come up earlier, when are they coming, they're all like eagerly awaiting for them and they all wait for them and want them and appreciate when they come up. And yes they provide a service here that no other business in the country provides that I know of and I know that people need them, people want them, and I don't know of any other business that could replace them both in the service that they provide, and the merchandise they have specifically for our needs in our community. And also the staff, which is so accommodating, so welcoming and appreciated by everybody so I am 1,000% in favor of them coming up as soon as possible.

Paula E Kay: When you say staff, how many staff, how many employees are there?

Tzivia Gottlieb: Well they have one person who runs the store and then occasionally they bring in a second member if they have to make things go smoother. I've worked there with the person who lives there who runs it and that's pretty much it. It's a well organized store, a well contained store, and yeah we all want them to come. Yesterday I got I think four phone calls from people in my neighborhood asking 'are they coming, when are they coming, could they come already?' all that.

Arthur Rosenshein: Thank you, Miriam, your name please.

Miriam Sunshine: My name is Miriam Sunshine, I'm from Woodridge New York. When my grandchildren come the closest place to go shopping is id say Middletown, but really more like Woodbury Commons that is – and every time I've gone to the store there's never been an issue about parking, there's so many places to park, I've never had that as a problem, and I hate parking so if it was a hassle I wouldn't have come. But it's a big asset and I understand where its priority and its more able to establish an year-round business but this is a mom and pop shop and we love that in the future they would be able to do that but right now they're just trying to grown and hopefully they'll grow and be able to establish a business here year round but that this point its not able to do that, I don't think so. And there's a website and I think that now people do order a little bit on the web so its not as much traffic but I don't know my kids love to go and try on things and it's a big big asset to the community, I don't have to go all the way to Woodbury.

Arthur Rosenshein: Thank you, does anybody else have a –

Helen Budrock: Looks like Gary has his hand raised.

Gary Koutcher: Hi how you doing. My only concern really is about safety in terms of I know Laurel Avenue is becoming a busy Avenue because there's a lot of building on that avenue so its not that its just an avenue that's kind of hidden away so I'm concerned now that were going to have stores on that street so I kind of agree with the comment made earlier that we should keep our stores in the town and not have, put stores along with the housing. Its going to be a busy road one of these days if its not already busy.

1. BOHDAN & BARBARA PAKOSZ (HOWARD LEVNER) – SBL# 61-1-19.1 – Requests lot line change for two lots. Zone: REC. Acres: 104. Location: 114 Ranch Hill Rd., South Fallsburg.

Arthur Rosenshein: The applicant is allowed to reply if she wishes. No? okay, is that it? In that case now its closed. We will move on to our agenda. Did anybody show up from Sweet Willys? Well we'll keep asking. Okay new business, first order of new business is a request for a lot line change. Pakosz. So basically you're applying for a lot line change, you have ten acres, that's fine, the piece of property that its coming out of leaves 100 acres behind?

Ben Pakosz: Roughly yes. 100, maybe a little bit more.

Arthur Rosenshein: Well, this is a pretty simple one. Is there anybody from the Planning Board that wishes to speak on this?

Irvin Newmark: Yes, I was involved with the sale of Howard Levners house to this gentleman. At that time he discussed buying additional land. I have the rest of Mr. Levners land for sale but I have no interest whatsoever in the changeover to him of that property because I understood that's the way it was going to be from the time he bought Howies house. So I have no interest in it whatsoever.

Paula E Kay: How many board members do we have?

Arthur Rosenshein: four.

Paula E Kay: Irv I would suggest that you recuse yourself on this and I appreciate you notifying the board. That would be my suggestion.

Irvin Newmark: Okay, I recuse myself from this matter.

Paula E Kay: Thank you.

Ben Pakosz: Excuse me this gentleman works for the realty company?

Irvin Newmark: Yeah I work for Lucille Hand realty.

Ben Pakosz: Yeah you kind of look familiar but I didn't recognize you.

Arthur Rosenshein: Okay so anybody on the planning board have a comment? Anything from staff? Paula, Helen?

Helen Budrock: No, its pretty simple to me.

Arthur Rosenshein: Id like to hear a motion to accept the lot line change as presented.

Balsey Luckes: Motion.

Paul Lucyk: Second.

Arthur Rosenshein: All in favor. Raise your hand if youre in favor please. Three in favor one abstention. Motion is passed.

Ben Pakosz: Thank you.

Balsey Luckes: You're welcome, have a good night.

Arthur Rosenshein: Enjoy the rest of the evening.

Ben Pakosz: I will stay for the rest to see what goes on.

New Business 2. SWEET WILL'S (CENTER FOR DISCOVERY) – SBL# 34-9-20 – Requests site plan approval for an ice cream parlor in an existing store front. Zone: MX. Location: 222 Main St., Hurleyville.

Application was not heard.

New Business 3. FALLON'S – SBL# 36-1-11 – Requests site plan approval for a home based business for clothing sales. Zone: R. Acres: 5.23. Location: 333 Laurel Ave., South Fallsburg

Arthur Rosenshein: Sweet Wills, anybody on? No. Fallons would be the next item on the agenda, #3. I did a little research on this and Paula I'm going to need your comments in a moment and its in an owner zone and the only thing even close is home occupation, there is no retail allowed in that zone.

Paula E Kay: Right and that's actually the application on the agenda reads 'site plan for home based business or home occupation'. So its got to fit into the home occupation and I believe Mollie had spoken to the applicant and asked for additional information by July 6 and I don't know if that information came in, I don't see it. But for a home occupation just for the board and the applicants reference, 'the space cant be more than 25% of the floor area of the dwelling unit and a home occupation within a detached accessory building shall not occupy more than 500 square feet. Employees of home occupation shall not employ more than one non-resident of the household on a regular basis'. And there are time limits, it cant be open than 8AM or 9PM. Mollie had asked for the location, and maybe the applicant has this now, the location in her home of the business and the square footage. Whether there are employees, outdoor storage or displays, will there be a sign, where there will be parking, will you be getting deliveries and when.

Arthur Rosenshein: Well Paula, I have something sort of before even that part. I have the definition of a home occupation it starts out by saying a profession or vacation full or part time. This does not include retail sales. I do not believe we can go any further on it because its simply not within the definition. If we did this, and I'm certainly sympathetic, but if we did this we would open up every garage in the locations to retail sales. I looked up profession, I looked up location and it just doesn't fit the definition. So unless it gets through to ZBA I don't propose to do any more tonight but rejecting it based on that. The planning board members can speak now, or helen, does anybody have any comments on that?

Balsey Luckes: I agree with you Art.

Paul Lucyk: I concur with your decision.

Arthur Rosenshein: Helen?

Helen Budrock: I'm just playing devil's advocate here, the town does have a home occupation law, so it does allow for businesses in homes, so if you take a strict literal interpretation of the definition I would agree with you but I would say the best thing to probably do is go to the ZBA for an interpretation but

some of the other communities that I've worked with these kinds of businesses are allowed within the home occupation realm. So, for what it's worth.

Arthur Rosenshein: I think your idea of sending it to the ZBA may be the best bet because I can't find where it fits at all. If the applicant would like to speak please do.

Fallon Malard: Hi, its Fallon again. Just to respond to Paula, we did respond to the request on July the 1st an email was sent from us giving all the answers to the questions that you asked about and id be happy to go over them with you if you'd like but every question that you had mentioned there was answered on July the 1st.

Paula E Kay: Okay but I think were beyond that now because as the chairman has said and as our planner has also said, sorry my dog just had surgery, she is in here chewing on a bone. You don't fit the definition, the literal definition, so what it sounds like the board is going to do is send you to the ZBA, if you make it past the ZBA then you'll come back here and then we can go over the particulars of it, but right now it sounds like they are, it sounds like, rejecting your application to send it to the ZBA for interpretation.

Arthur Rosenshein: Let me make it formal. Does anybody care to make the motion to send it to the ZBA as it doesn't fit the –

Irvin Newmark: I'll make the motion Art.

Paul Lucyk: Second.

Arthur Rosenshein: All in favor of the motion, raise your hands please. 4 to nothing. Anybody against? You'll have to make application to the Zoning Board of Appeals. The code enforcement office will help you with that.

Helen Budrock: And just to be clear to the applicant, when the zoning code is ambiguous, the language is not clear, it's the responsibility of the Zoning Board of Appeals to make an interpretation so its their job to decide whether or not in their opinion a retail store fits under the definition of a home occupation. So just make sure when you fill out the application its clear that you're not requesting a use variance or anything like that, its strictly an interpretation of home occupation. Is that correct Paula?

Paul Lucyk: Now, you're just retail sale of clothes, you're not alterations, correct?

Fallon Malard: That's correct.

Arthur Rosenshein: The vote has been taken, the motion is passed. I'm sorry I mean it sounded like a nice thing but I cant see it fitting in.

Fallon Malard: In terms of alteration can you be more specific by what you meant by alterations?

Paul Lucyk: you're in sales of clothing, is that correct? Women's clothing, men's clothing, children's clothing, is that correct?

Fallon Malard: Correct.

Paul Lucyk: So you're just in sales, you're not in where you modify the clothes to fit the person, like a tailor or a seamstress.

Fallon Malard: Not quite, when the clothing needs correct alterations or tailoring, we work with them, we work with the tailor, well bring it back for them. If they don't have their own tailor well do it for them.

Paul Lucyk: But the alterations are not done on premises, is that correct?

Fallon Malard: The tailor is generally not there.

Paul Lucyk: Okay thank you.

Arthur Rosenshein: Okay with that well move on to the next item and I'm sorry about this.

Fallon Malard: No you're not.

New Business 4. CONGREGATION CAMP D'MASMIDIM -SBL# 41-1-18.1 – Requests site plan review for the installation of 5 portable classrooms. Zone: REC. Acres: 92.14. Location: 69 Silver Lake Rd., Woodridge.

Arthur Rosenshein: Item #4 I believe were on. Congregation Camp D'Masmidim. somebody whose representing can give me the pronunciation. Raise your hand if you're presenting.

Tim Gottlieb: And Menachem Chernoff is also here, he's the director. I think he can pronounce it better than me.

Menachem Chernoff: Camp D'Masmidim.

Arthur Rosenshein: Thank you, who's going to do the presentation?

Tim Gottlieb: I will. Last year they were given a temporary permit for some portable classrooms for trailers for class rooms and they were told that in order to use them this year they needed to come back with a site plan to show them on the property where they were located. It took them some while to do that, we needed to update the site plan with topography and make it more palatable for the board so we submitted that and looking for some direction.

Arthur Rosenshein: Interesting. It seems, its one of these complicated ones where there have been so many changes we cant quite out them all together. This is one Helen that I'd like you to look into. Yeah I know that smile because I always taught you to complicate it more.

Helen Budrock: Sure I can look into it but the questions that I have is if they were portable or temporary class rooms last year why would they still be needed this year? And that was pre-covid so it wasn't for social distancing

Menachem Chernoff: Alright so I'll give the background then if I may because I presented to the Planning Board last year. I came with the site plan and I showed the planning board where we'd like to place these new class units and based on the fact that the site plan was outdated the planning board was not linked to pick it up. So Mollie was kind enough and she said was sitting at the meeting at that time and

she said she'd tie me over giving me a temporary permit to operate for that season so I can have my site plan updated and come back to the planning board to represent again.

Arthur Rosenshein: Okay, well starting the process mid-season as we were makes it a little bit complicated. I would like you to work with our planner, and Helen we want you on board for this one.

Helen Budrock: Sure.

Arthur Rosenshein: Just so we know, its very hard for the planning board at a meeting to put all the pieces together and we ask that our planner look things over. Its not an objection to what you're doing, its simply saying its more than we can handle in one meeting to figure out everything that's going on. So I guess you'd contact code enforcement for that, Helen?

Helen Budrock: Yeah I think the best thing is probably to schedule a work session sometime between now and the next meeting and that way we can sit down, have a discussion, have a site visit and figure out exactly what's going on.

Paula E Kay: And one thing that I would like to have answered is last year they were installed with a removal bond. What's the status of the bond now?

Menachem Chernoff: The code is still by the code enforcement office.

Paula E Kay: So it was a one year bond? Or more than a one year bond?

Menachem Chernoff: I gave them a check for the requested amount of money with the assist it would cost if it needs to be removed.

Paula E Kay: So it was a check, okay.

Menachem Chernoff: I never, they still have that, I never got that back yet.

Paula E Kay: That's important, usually when we do things on a temporary basis we do like them to be temporary so maybe when you work with Helen you can come up with a more permanent solution and then you wont have to have a bond.

Menachem Chernoff: That was what was said at that meeting, that the check was given was to ensure that in case the planning board would reject this request that we'd be able to get it out.

Balsey Luckes: Are the places still there?

Menachem Chernoff: They're still on the property, yeah.

Balsey Luckes: Are you using them?

Menachem Chernoff: We are currently using them. I was in touch with Greg from the code enforcement office about using them until we have this meeting to pay.

Helen Budrock: And you have three that are currently there and you wanted to do five? That was part of the confusion on the plans.

Menachem Chernoff: there was four that were there from last season and we wanted to add one this season.

Helen Budrock: Okay so you wont be able to add one this season obviously until we get through this process.

Paul Lucyk: Can I ask a question? I had looked at your plan, how far is the sanitary facilities from these buildings?

Menachem Chernoff: So if you see, if you have the site plans in front of you –

Paula E Kay: Can somebody share screen, Tim can you?

Tim Gottlieb: Yeah. The buildings are here, the gymnasium is here and the sewer line is over near the gymnasium.

Helen Budrock: So right now they're sort of located on the edge of the athletic field, correct?

Menachem Chernoff: Correct.

Arthur Rosenshein: Alright well lets work to make them permanent and you wont have to come back every year.

Paul Lucyk: Is there a roadway up there that they can access an ambulance if needed?

Menachem Chernoff: Yes, Tim, if you don't mind showing them that roadway coming past the gymnasium coming from Rosemond Road. The entrance is on Rosemond Road.

Paul Lucyk: So you have a road all the way to the gymnasium.

Menachem Chernoff: Right there, yep.

Paul Lucyk: Okay.

Balsey Luckes: And let me ask, is this the old Retreterian Hotel?

Menachem Chernoff: Yes it is.

Balsey Luckes: Okay because the name changes every couple of years and I wasnt sure. Used to be Silver Lake and now its this, okay.

Menachem Chernoff: I appreciate everybody's time.

Balsey Luckes: Do they need permission to use those this summer, Art? Do we need to make a motion to let them use those this summer?

Arthur Rosenshein: We don't have anybody from code to tell us.

Balsey Luckes: Well I guess we could make a motion so they can use it until they get done with their plans?

Arthur Rosenshein: No, lets leave that to code enforcement.

Balsey Luckes: Okay, because I'm pretty sure they're going to need something for the summer there.

Arthur Rosenshein: It wasn't on the application and I would not want to do that without more knowledge of it. Is code enforcement allowing this to continue?

Menachem Chernoff: I was in touch with Gregg and I asked him if we can continue this until this meeting. This meeting is coming out inconclusive so I'm not sure. Ill be in touch with him after this.

Arthur Rosenshein: We're not against that its just that I cant formally put it on the floor right now as a motion. So if code enforcement is okay with it its alright with us.

Balsey Luckes: just as long as they don't need our permission.

Arthur Rosenshein: We cant give permission anyway. Its what code enforcement allows in this case.

Balsey Luckes: Okay.

Menachem Chernoff: Tim am I missing anything? Or that's if for now?

Tim Gottlieb: I don't think so, I will contact Mollie and get on a work session.

Helen Budrock: I think she's back from vacation next week and we can probably do something fairly quickly.

Menachem Chernoff: Thank you very much.

Tim Gottlieb: Thank you everyone.

New Business 5. SUN RAY COTTAGES – SBL# 60-1-4.2 – Requests site plan review to replace two existing duplexes (4 units) with two larger duplexes (4 units). Zone: R. Acres: 6.66. Location: 57 LaVista Dr., South Fallsburg.

Arthur Rosenshein: Sun Ray cottages. Joel.

Joel Kohn: Good evening. Melissa would you let me share the screen so I can get the site plan out? thank you.

Melissa Melko: Okay, go ahead Joel.

Joel Kohn: Thanks. So Sun Ray Cottages is an existing bungalow colony, they have two duplex units that they want to demolish and replace units 4,5,6 and 7. You can see the existing one and the proposed. We need to get some variances for it particular the percentage of the increase in the unit. The zoning allowed 25% increase. We propose it to go 50 or 60% increase on the buildings. This is the variance for lot coverage. Lot coverage right now is at 20.4 percent, with these two buildings replaced it would be 21%. So all were asking tonight is for a denial so we can get to the zoning board by the next meeting.

Arthur Rosenshein: You need an expedited turning down?

Joel Kohn: I believe it is very easy to get turned down from the Planning Board.

Arthur Rosenshein: We're operating on that premise tonight. Somebody care to make a motion to send this to ZBA as it doesn't fit in with zoning at the moment.

Paul Lucyk: I'll make a motion.

Balsey Luckes: Second.

Arthur Rosenshein: All in favor.

IR: I.

Arthur Rosenshein: Anybody against? Joel you've been turned down in record time.

Helen Budrock: Art I should mention, Mollie had indicated that she would like to see a build-out plan and that might be helpful for the ZBA as well. I don't know Joel because there were some units that were replaced not long ago and these are four more units that you're going to replace with larger duplexes. Are there other units that would be at the docket for replacement in the near future?

Joel Kohn: Not really that I know of. Basically 80% or 90% of these places were already replaced or renovated so I don't think there will be anything in the future but ill ask.

Helen Budrock: Okay because you're already beyond on lot coverage and some of the other so you might be maxed out.

Joel Kohn: Right. Thank you.

Arthur Rosenshein: Let me give Sweet William one more shot. I guess not.

Paula E Kay: Interesting. Well its hard to know because we have a couple people who are not on video and a phone number, they cant raise their hand they cant do anything if we cant see them.

Melissa Melko: Again Paula, I can message the phone number if you'd like.

Arthur Rosenshein: If you can do that quickly.

Helen Budrock: Probably wouldn't hurt to be on the safe side. I was looking forward to ice cream in hurleyville. Especially on a night like tonight.

Arthur Rosenshein: Youre not the only one. We bicycle there so that would be the highlight of the trip. While melissa is doing that, this is going to be fast. Camp NAME.

New Business 6. BNOIS SPINKA – SBL# 39-1-86.1 – Requests site plan approval for the relocation of the pool. Zone: R. Acres: 16.02. Location: 5405 SR 42, South Fallsburg.

Arthur Rosenshein: I assume is because the pool is too close to the property line.

Joel Kohn: Right, so what they are doing, I don't know if you want me to bring up the site plan. They're removing the pool from the front of the property and relocating it to the back of the property. Its going to be slightly larger, when I say slightly I mean almost nothing, couple hundred square feet in total. So its

going to go up from 19% to 19.3% lot coverage and the fence of the pool will be 30 feet from the property line. The code says pool has to be 50 feet from the property line, I'm not sure if that would include a fence of the pool or not but the fence of the pool will be 30 feet from the property line.

Arthur Rosenshein: I think it might be 100 feet.

Irvin Newmark: 100 feet.

Paula E Kay: We show 100.

Helen Budrock: I Thought Mollie had sent something that indicated that her original email, or her original interpretation was incorrect, that it is 50 but I may be mistaken.

Joel Kohn: Yes Helen you're right.

Helen Budrock: Right because I think originally she thought it was a camp but its actually a bungalow colony or vice versa.

Joel Kohn: She thought it's a camp but its actually a bungalow colony so its 50.

Helen Budrock: 50, okay.

Joel Kohn: So we just need denial to go to Zoning Board with this.

Arthur Rosenshein: Okay, motion to turn it down because it doesn't fit in the zoning code.

Balsey Luckes: Motion.

Paul Lucyk: Second.

Arthur Rosenshein: All in favor raise your hand please. I have four votes in favor, its turned down. Unless the ice cream parlor has miraculously shown up, melissa? No?

Melissa Melko: The person didn't text back.

Arthur Rosenshein: To a great disappointment we'll have to call it a night. Thank you all for coming in.