

In The Matter Of:
Town of Mamakating
Town Board

Proposed Zoning Amendments Public Hearing
Vol. 1
June 2, 2015

Jeric Corporation
Court Reporting Services
P.O. Box 385
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COUNTY OF SULLIVAN : TOWN OF MAMAKATING
TOWN BOARD

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Public Hearing in the Matter of:

PROPOSED ZONING AMENDMENTS

DAY 1
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Town Hall
Town of Mamakating
June 2, 2015
6:30 P.M.

TOWN BOARD MEMBERS:

WILLIAM HERRMANN, Supervisor

ROBERT JUSTUS, Councilman

MATTHEW TAYLOR, Councilman

BRENDA GIRALDI, Councilwoman

RUSSELL WOOD, JR., Councilman

J. BENJAMIN GAILEY, ESQ., Attorney for Town

JEAN M. DOUGHERTY, Town Clerk

ROBERT FIORE, Deputy Supervisor

CATHERINE HERRMANN, Confidential Secretary

MAX STASH, Planner

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Reported By: Rosemary A. Meyer

1 - PAULA MEDLEY / PUBLIC COMMENT -

2 severity and scope which negatively impact all town zoning
3 districts. While the BKAA strongly supports the entire
4 effort to eradicate prevailing code plan conflicts, we are
5 continually receptive to those amendments protecting the
6 Basha Kill's watershed. Like lowering the densities in the
7 RVP and Mountain Green, the Ridge and Valley Protection and
8 Mountain Greenbelt districts; reducing density on the
9 Shawangunk Lodge property which is off Exit 114 of Route
10 17. At the Wurtsboro Airport, creating a protective buffer
11 between the Light Industrial Office and Ridge and Valley
12 Protection districts. In Westbrookville, reducing the size
13 of the Hamlet Center so that that particular district does
14 not abut right next to the Basha Kill. Right now it goes
15 right up to the water there. At Yankee Lake, eliminating
16 the Planned Resort Office District. Doing that will
17 eliminate projects like China City's a couple years ago,
18 proposed amusement park for Yankee Lake. With the lake
19 mega neighborhoods, removing or reducing the Neighborhood
20 Residential District and replacing most of that with the
21 Mountain Greenbelt. That has to do with Yankee, Masten and
22 part of Wolf lakes. In each instance just mentioned,
23 density is reduced and intensive development diminished or
24 directed toward sites already presenting the requisite
25 infrastructure for larger projects. In the process,

1 - PAULA MEDLEY / PUBLIC COMMENT -

2 Mamakating's rural residential character is preserved and
3 critical natural, cultural assets, like the Basha Kill,
4 Shawangunk Ridge, lakes and D and H Canal Linear Path Park
5 are safeguarded.

6 When considering Mamakating zoning, you, the Town
7 Board, had two distinct choices. One was to view the
8 preceding resources as handicaps or barriers to economic
9 success and squeeze in sprawling residential complexes and
10 commercial endeavors wherever possible, no matter the cost
11 for subsequent degradation. No. 2 choice was to embrace
12 those assets, recognizing that they enhance quality of life
13 while fostering ecotourism, the cornerstone of Mamakating's
14 economic sustainability for current residents and future
15 generations.

16 Town Board, thank you for listening to many of your
17 constituents and making the right choice, the second one.
18 Thank you.

19 SUPERVISOR HERRMANN: Thank you, Paula.

20 MS. DOUGHERTY: Cathy Dawkins.

21 MS. DAWKINS: Hi. My name is Cathy Dawkins and I
22 offer the following statement.

23 I enthusiastically support the proposed zoning map
24 changes. The process used to create these changes was
25 methodical, inclusive and fair. The proposed changes

1 - CATHY DAWKINS / PUBLIC COMMENT -

2 address many of the issues raised in the fact-finding
3 workshops, make sense, and fit both our history and our
4 future goals.

5 As a full-time resident of the Yankee Lake community I
6 am particularly pleased with the following proposed
7 changes. No. 1: Rezoning of the undeveloped property
8 between Yankee Lake and Route 17/I-86 from Planned Resort
9 Office to Mountain Greenbelt. No. 2: Elimination of the
10 Yankee Lake Economic Development Area. No. 3: Correction
11 of errors or inconsistent and inappropriate building
12 density and cluster development rules. And finally, No. 4,
13 overall correction of the zoning maps to comport with the
14 approved Comprehensive Plan.

15 I look forward to the next phase of the project where
16 we can consider changes to the plan.

17 I must say that I feel angry that someone created
18 zoning maps that deviated from the approved Comprehensive
19 Plan. That these falsified maps guided our town's
20 development for so long is a tragedy that has cost dearly
21 for both the Town and for individual residents. It is
22 heartbreaking to know that prior town officials were either
23 asleep at the wheel or were complicit in guiding this.
24 However, we are most fortunate that our current Town Board
25 has undertaken the effort to correct this shameful and

1 - CATHY DAWKINS / PUBLIC COMMENT -

2 costly situation.

3 I would like to take this opportunity to publicly
4 offer my most sincere appreciation to Mr. Herrmann and his
5 team for the wisdom and the personal sacrifices you have
6 made on our behalf.

7 Thank you.

8 SUPERVISOR HERRMANN: Thank you.

9 Jean

10 MS. DOUGHERTY: Richard Langseder.

11 MR. LANGSEDER: I think Paula Medley and Cathy Dawkins
12 have said pretty much everything that I would say
13 specifically.

14 I want to speak on behalf of the Langseder family and
15 the Holloway family that have been here since the 1920s to
16 thank you for your leadership and your vision to replace
17 the PRO zoning with the Mountain Lake approach. You're
18 tackling a tough problem and we greatly appreciate it.

19 Thank you.

20 SUPERVISOR HERRMANN: Thank you.

21 MS. DOUGHERTY: Tom Shepstone.

22 MR. SHEPSTONE: Thank you very much. I appreciate
23 the opportunity to be here.

24 I think all of you received a copy of a letter that I
25 sent to the Planning Board so I'm not going to read the

1 - TOM SHEPSTONE / PUBLIC COMMENT -

2 whole thing, obviously. I just want to highlight a few
3 points.

4 First of all, I don't believe that the -- I do want to
5 say I want to thank you for not voting tonight. I think
6 it's important to give some additional consideration, as
7 Mr. Herrmann said, to the rights of whatever property
8 owners who have rights as well, and to develop responsibly.
9 I do represent some folks who want to do that and have been
10 doing that.

11 I do believe these amendments tend to take a form that
12 will discourage economic development that you need to pay
13 Mamakating's bills, and that's one of the major generic
14 points I want to make.

15 Secondly, I don't think you've taken a hard enough
16 look at the economic impact of these amendments as to how
17 they'll affect the town going forward. Specifically, I
18 want to talk about, first of all, the changes to the soil
19 survey method for the MG and the RVP districts. I note a
20 couple things. One is there's an assumption being made
21 here that the soil survey system, as it is, creates a
22 situation where you only have density, you allow density
23 three times what the plan recommends. In fact, if you look
24 at what's said in the recommendations, that the
25 Comprehensive Plan recommends a one dwelling unit for 15

1 - TOM SHEPSTONE / PUBLIC COMMENT -

2 acre standard, and compare it to the actual language of the
3 plan, the actual language of the plan says the overall
4 gross density in the Mountain Greenbelt, due to
5 environmental constraints, will likely be one dwelling per
6 15 acres, and it explains how it arrived at by saying it
7 recognized that there are a lot of properties in the MV
8 district that were already a very large size and were
9 unlikely to be subdivided. So they were assuming at the
10 time they said that, that the density would be affected by
11 the existence of those large parcels that would not be
12 developed. So I don't think it's fair to say that it
13 recommends one unit per 15 acre standard. It's not exactly
14 what it recommends.

15 I also note that in the Comprehensive Plan it
16 specifically says: The Comprehensive Plan recommends that
17 a mechanism be established whereby residential densities
18 may be increased based on relationship of soil suitability,
19 topography and so on. What we're doing here is drastically
20 reducing it, in some points, obviously, for very steep
21 slopes, but to increase the minimum lot size to as much as
22 45 acres. The Comprehensive Plan says that you're trying
23 to avoid large, scattered single-family home development,
24 large, scattered single-family lots. Well, of course, when
25 you do that, that's exactly what you're encouraging. So I

1 - TOM SHEPSTONE / PUBLIC COMMENT -

2 think there is an inconsistency in the direction you're
3 going. And it's not -- I think the previous zoning
4 ordinance, the existing zoning ordinance, is more
5 consistent with the Comprehensive Plan, to be perfectly
6 honest with you.

7 I would also note that the consultant's own report,
8 and I have a high respect for Mr. Turner, he's a good guy
9 and he does good work, but I note that the report that he
10 produced recommends tripling minimum lot sizes, yet his
11 report says, in the case of the RVP District, that the
12 density is only twice what the Comprehensive Plan
13 recommends. Well, why are we going with three times if it
14 says that it's twice in the case of the RVP? So I think
15 there's another inconsistency there.

16 And I would note that this really increases the, or
17 threatens, I should say, the ability of both small and
18 large landowners to subdivide their property. It's not
19 just the larger landowners. I represent multiple
20 landowners. It's just not those people who are affected,
21 it's also people with 10 acres or 15 acres or 20 acres who
22 want to do something with it. By limiting their ability to
23 do that so severe, what you're doing is you're negatively
24 affecting and eroding the tax base of the town, in my
25 opinion.

1 - TOM SHEPSTONE / PUBLIC COMMENT -

2 The second major issue I want to bring up has to do
3 with the Wurtsboro Airport which is owned by one of my
4 clients. The buffer district that's proposed in that area,
5 nobody is against the buffer. As a matter of fact, my
6 client proposed the buffer. Their plans that they had
7 proposed a buffer along the D and H Canal. The buffer
8 that's recommended in the Comprehensive Plan is one along
9 209. It also mentions one along the D and H Canal Park,
10 but in the same paragraph it talks about a 50 to 100 foot
11 buffer. We had provided, in the proposals that we
12 submitted, we provided for much more than that, and yet the
13 effect of this rezoning that we're talking about here would
14 be to create a buffer of as much as 1500 feet. When you go
15 2,000 feet back from 209, you're left with as much as
16 1,500 feet of buffer. That is absurd. There's no science
17 that justifies that. There's no basis for that in the
18 Comprehensive Plan. It just doesn't exist. And the
19 practical effect of it is it eliminates as much a million
20 square feet of potential office or warehouse space that
21 could be generating a tax base for this town. So I think
22 that's a very serious conflict with what the plan says and
23 it's a very serious conflict with your need for economic
24 development in this town.

25 I would also note that the airport, in order to be

1 - TOM SHEPSTONE / PUBLIC COMMENT -

2 sustained, requires economic development on that tract. If
3 you can't sustain the airport, which I think probably
4 everybody in the room agrees is an important community
5 asset, in fact, there's a covenant that limits development
6 of that airport, if it's going to be limited, and it has
7 been limited, to airport use, sustaining that airport and
8 retaining this operation means you need to have economic
9 development on the remaining parcel. In fact, if we do
10 this, what you're talking about with this, we're
11 eliminating most of that. So we don't think you're really
12 accomplishing -- again, one of the things in the plan
13 indicates what the Wurtsboro Airport economic development
14 area is for, which is, like, all economic development
15 areas, it's intended to benefit the local economy by
16 providing additional nonresidential rateables, provide
17 local employment opportunities and creating an employee
18 base which could utilize the local retail and personal
19 service establishments. That's the purpose of those
20 districts. By rezoning a portion of it to a 1500 foot,
21 buffer that certainly isn't necessary to protect the park,
22 you're going against that recommendation.

23 So I would respectfully suggest that you reconsider
24 those. I would also respectfully suggest that your
25 Environmental Impact Assessment Analysis should go into

1 - TOM SHEPSTONE / PUBLIC COMMENT -

2 much more depth on the economic impact. And I don't
3 believe that the document that's been submitted in that
4 regard gives serious attention to that.

5 Thank you very much.

6 SUPERVISOR HERRMANN: Thank you. Thank you.

7 Jean.

8 MS. DOUGHERTY: Diane McDermott.

9 MS. McDERMOTT: Hello. Thank you for letting me
10 speak. I am a full-time resident of Yankee Lake, and we
11 have been at Yankee Lake for many years. My husband even
12 grew up at Yankee Lake so we're not new to Yankee Lake.

13 What you have proposed to do, to have a greenbelt
14 area, which we call the tail of the whale, is a magnificent
15 thing for all of the people at Yankee Lake. I know there
16 are a lot of people that couldn't come tonight. Many
17 letters have been written in favor of this.

18 I would like all the people that are here from Yankee
19 Lake tonight just to so stand up.

20 (The public complied.)

21 MS. McDERMOTT: That's just a few of the 400 residents
22 that support this. So it's not just a few people that are
23 interested in preserving Yankee Lake.

24 We have bought the big island around Yankee Lake. We
25 also bought 35 acres that are forever wild and will never

1 - DIANE McDERMOTT / PUBLIC COMMENT -

2 be developed. Those things we've done with our own money.
3 The people at Yankee Lake have done that. They also bought
4 the dam and all of the land under the lake. So we're here
5 to protect the lake, and I hope you understand that.

6 Thank you for letting me speak.

7 SUPERVISOR HERRMANN: Thank you.

8 We did receive 60 letters from people in your
9 neighborhood, basically, and one text. So we received a
10 total of 60 letters, one text. And we also received four
11 other letters on it, so we received 64 letters, total.
12 That will be made part of the public record. I will copy
13 that and give that to Jean as part of this official Public
14 Hearing.

15 Jean.

16 MS. DOUGHERTY: Peter McDermott

17 MR. McDERMOTT: Thank you. I think my wife just
18 echoed what I would have said.

19 SUPERVISOR HERRMANN: You know, they always get the
20 last word.

21 MS. DOUGHERTY: Andy Wile.

22 MR. WILE: First of all, go Yankees.

23 It is a pleasure to stand here before you with a "yes"
24 pin on. I have waited for this moment for many years, so
25 thank you very much.

1 - ANDY WILE / PUBLIC COMMENT -

2 I chaired the Master Plan Review Committee over a
3 decade ago. It was a well rounded group of people who were
4 appointed by the Town Board, and we worked tirelessly and
5 diligently for over a year and a half. We were all
6 volunteers. Because certain developers, I believe, did not
7 like what we came up with, that plan was pretty much dead
8 on arrival.

9 So I stand here before you to thank you. This is a
10 wonderful piece of work, and I think it will do wonders for
11 this community for future generations. And I think it will
12 tighten things up which definitely needed to be tightened
13 up. So I thank you.

14 SUPERVISOR HERRMANN: Thank you.

15 MS. DOUGHERTY: Fred Harding.

16 MR. HARDING: Good evening. I'm Fred Harding.

17 Supervisor Herrmann, Town Board, I think most of what
18 I would like to say has probably been said, but I would
19 like to clarify one thing. Economic development does not
20 necessarily mean break and order and neon signs. You heard
21 a gentleman. I believe that I have the academic
22 credentials and business credentials to speak to that just
23 as fluently and as effectively as you have heard
24 previously.

25 Economic development can come in many ways. It can

1 - FRED HARDING / PUBLIC COMMENT -

2 come through tourism. Tourism comes because ecotourism, as
3 you've heard the term before, comes because you preserve
4 what you have that is green. The majority of these people
5 in this room like green trees and green mountains, green
6 valleys, and the jewel, one of jewels of New York, the
7 Basha Kill, if some of our politicians haven't already
8 taken it, the Basha Kill, as well. People come to see
9 that. They spend their money, they leave their money.
10 That money circulates in the community and builds an
11 economically sustainable future. And the mountains and the
12 valleys are also economically sustainable. You can cut
13 them down, you can build a building, you can build a
14 casino, but when it's built, that's it. It doesn't sustain
15 itself. All we have to do is to look to our good friends,
16 Town of Thompson to the north. And what happened when the
17 hotels fell out of favor? Cycle, they cycle. In the Town
18 of Mamakating we have all of this natural assets that we
19 can use to sustain our tax base. I think the majority of
20 the people here today are more than happy to risk that to
21 preserve the culture and their heritage.

22 I would do something different tonight. I would urge
23 you to vote tonight as opposed to waiting until the 16th or
24 six months. Unlike what you've heard there is -- we've
25 worked eight months on this. I don't agree with the fact

1 - FRED HARDING / PUBLIC COMMENT -

2 that our good consultants have missed any points. It is,
3 in fact, what we want for economic development. And so I
4 would say let's risk it. Listen to the people live in this
5 town and who told you what they want this town to be, not
6 people who come in from outside and tell you what they
7 think we should be.

8 MS. DOUGHERTY: Chris Leser.

9 SUPERVISOR HERRMANN: Thank you.

10 MR. LESER: I am Chris Leser and I live in Burlingham.

11 There are two camps near me, Camp Echo and Pine Lake
12 Camp. I'm reading this on page 8. I'm just curious. I'm
13 not trying to poke holes in anything, to see if this, if
14 these two camps ever sell. I'm very concerned about this.
15 It says: The agricultural character of the Burlingham Road
16 and Winterton areas. One dwelling per 25 acres shall be
17 the maximum residential density. Currently, those two
18 camps do bring us some money for the town, but they are
19 hundreds and hundreds of acres, total. I'm very concerned.
20 I brought map here of Shawangunk, Town of Shawangunk over
21 here in Wallkill, a proposed development over there. It
22 sure as heck looks likes this high density housing. On
23 less than 31 acres they put 25 homes on there. This is Lee
24 and Joanna Titus, if somebody wants to take a look at this.
25 I am very concerned with those two camps that are very

1 - CHRIS LESER / PUBLIC COMMENT -

2 close to me. Anybody, I guess, can buy them, but I'm just
3 very concerned to see that the coverage for this high
4 density housing definitely addresses these two camps. I
5 hope it does. I'm not positive.

6 Thank you, Mort. Perhaps maybe the Board can look
7 into that. That's one particular thought. There might be
8 others.

9 SUPERVISOR HERRMANN: Can we get --

10 MR. LESER: Yes. Sorry, that's the only one I got.

11 SUPERVISOR HERRMANN: I'll make a copy.

12 MR. LESER: Yes.

13 SUPERVISOR HERRMANN: I'm going to make a copy of this
14 and give it give this back to you, Chris. All right?

15 MR. LESER: All right.

16 MS. DOUGHERTY: Richard Stoloff.

17 MR. STOLOFF: Good evening. My partner, Gary Silver,
18 is going to talk to you initially. I want to introduce
19 who's with me additionally. We have Harry King who is a
20 representative of Mr. Flaum. We're here to speak only with
21 regard to the Shawangunk Lodge Ridge Project area. We
22 have --

23 UNIDENTIFIED SPEAKER: Can you speak in to the
24 microphone?

25 MS. MEDLEY: Yes. We can't hear you.

1 - GARY SILVER / PUBLIC COMMENT -

2 MR. STOLOFF: We are here to speak to the Shawangunk
3 Lodge Ridge Area project. We have submitted a detailed
4 memorandum to the Town Board. We provided it to them
5 yesterday. I'm also given Mr. Harding a copy of it so he
6 can look at it.

7 Please give Mr. Silver your intention.

8 MR. SILVER: First of all, I want to thank the Board
9 for allowing us to speak on this very, very important
10 matter for our client.

11 Also, as Richard indicated, we did provide you with a
12 memo yesterday. Please, I'm requesting you review it
13 carefully. If you have any questions, please feel free to
14 contact us and we will immediately respond.

15 I'm not here to repeat everything in the memo, I just
16 want to point out a few key points that I think is
17 important to highlight.

18 The proposed amendment to zoning states, in its body,
19 that its purpose is to conform the present zoning with the
20 2001 Comprehensive Master Plan -- I'll refer to that as the
21 CMP -- and that believing that the prior zoning, which is
22 in effect now, is inconsistent with that CMP. Insofar as
23 the Shawangunk Lodge site is concerned, that premise is
24 absolutely incorrect. The CMP specifically referenced that
25 the Shawangunk Lodge site should be redeveloped as a

1 - GARY SILVER / PUBLIC COMMENT -

2 resort, quote, "as of right". It calls for a modest
3 increase in intensity of use of the site which is a
4 reference to the fact that there was a proposed casino that
5 was desired to go there, and that the prior historic use
6 was merely a resort. So the increase they were talking
7 about was an increase in the resort for a casino.

8 I'm not sure if you're all aware of the current
9 zoning, but before the CMP was adopted and the zoning that
10 followed it was adopted, in that area it permitted one
11 guest unit per 2,000 square feet for hotels. The zoning
12 that was adopted in response to the CMP actually limited
13 that to one guest unit per 10,000 square feet. This, of
14 course, would allow the resort that the CMP envisioned in
15 that area. And the proof in the pudding that the
16 development of resort on the Shawangunk Lodge site is
17 consistent with the CMP is the February 4, 2014 resolution
18 of this very town board which supported casino resort on
19 the former Shawangunk Lodge site and stated that such
20 resort was consistent with the CMP.

21 The proposed zoning amendments you have for the site
22 now limit it to one guest unit for two acres which is more
23 than an 85 percent reduction in permitted density over
24 existing zoning, would effectively preclude any development
25 resort of the site as encouraged by the CMP. Thus, rather

1 - GARY SILVER / PUBLIC COMMENT -

2 than conforming to the CMP, insofar as the Shawangunk Lodge
3 site is concerned, the proposed amendment would contradict
4 the CMP.

5 We appreciate what the supervisor indicated earlier,
6 that you won't vote tonight. I know you have not yet
7 received the 239 response from the County. I would urge
8 you to not close this Public Hearing at the end of tonight,
9 but to please keep it open and adjourn it so that we can,
10 and other members of the public, who I am I sure are
11 concerned, can comment on that 239-m response. The
12 County's involvement in the process and the 239 is very
13 important. They often provide great insight, comments and
14 alternate recommendations for changes to the law with
15 referral to them. I think it's important that everyone,
16 both the Board and the public, have a right to review that
17 and on it.

18 I thank you, and I'll turn it over to Richard.

19 MR. STOLOFF:

20 MR. STOLOFF: I have to start from the premise that
21 when I moved into the town in 1976 the Shawangunk Lodge
22 wasn't open any longer. But historically, that hotel had
23 400 guest rooms, plus cabins, on a plateau. We provided
24 you, in our submission, with some photographs of the hotel
25 as it then existed. It showed a pool, tennis courts and

1 - RICHARD STOLOFF / PUBLIC COMMENT -

2 open areas. Before that time it was an economic generator
3 to this community. I've been told that by others. I've
4 been told here by supervisors who worked there at various
5 periods of time.

6 What is going on now is this. The critique recognizes
7 the importance of it being able to continue as an economic
8 generator and as a hotel. But in an RVP zoning, what you
9 provided for was you could have a resort hotel on 50 acres.
10 Now, assuming there are no setback problems, no
11 environmental problems, you could use all 50 acres, that's
12 impossible. No one can do that with the restrictions in
13 zoning. That would permit 25 hotel rooms. You don't even
14 find a motel with 25 rooms. It's not economically viable.

15 The basic area up there is about 280 acres that Mr.
16 Flaum owns. Some of it's on the hill going down where the
17 Horton farm is. The development area in that location
18 would be on a plateau. The plateau, and we've provided you
19 with topographical surveys, you could see that where any
20 development would be, you restrict the height, as earlier
21 proposed, would be below the ridge and below the tree line
22 of the ridge. You're not going to see it. And you want to
23 know something? Sometimes seeing a little bit is a good
24 thing. Look at Mohonk. Over a hundred years, Mohonk
25 Mountain Retreat. It's an economic generator. It's smart

1 - RICHARD STOLOFF / PUBLIC COMMENT -

2 development. You can create smart development at that
3 location, but you can't do it with a hundred rooms or 50
4 rooms. It just doesn't economically work. No one will get
5 the funding to do that and no one can pay off the funding
6 to do that.

7 Yes, the hotels did fail. They did support many
8 people for many years, and they weren't smart about their
9 business. Mr. Silver didn't tell you. We represent people
10 that are redeveloping Kutsher's. It's a smart development,
11 nothing to do with gaming. We represent the Chapin
12 Estates; a smart development, nothing to do with gaming,
13 and they're looking to get a hotel in that area. I'm
14 asking you to basically look at what would be an economic
15 generator that you could deal with conservatively with
16 meeting the public's desire to keep this as a beautiful
17 area. No one has ever told me, no one has ever told me
18 that Mohonk Mountain Retreat isn't beautiful. And when
19 they built on the area where they now have the spa area,
20 even though it's not the exact design, no one ever said
21 that's not a good thing. I'm asking you to look at this.
22 I'm not asking you to consider it's going to be a gambling
23 casino, but with Monte Reign developing that area, with
24 other people coming to us wanting and to put in water parks
25 in the area, what we're looking for is you need a place to

1 - RICHARD STOLOFF / PUBLIC COMMENT -

2 go.

3 Originally, when this master plan was constructed, the
4 developers came in with the LA Group. The LA Group is a
5 pretty well renowned development company. What they said
6 to everyone is you can't develop this without developing a
7 resort community, with restaurants, with other places to
8 go, develop the Basha Kill, develop the other sites, but it
9 can't be a stand-alone situation. I'm asking you to
10 realize that. They put a resort on top of the hill, that's
11 fine. But this community, and the reports are in your
12 closed file, I don't have it anymore, they were developed,
13 it was the idea to create this as a resort destination
14 community which would be consistent, I believe, with the
15 intent of the Basha Kill Society. I believe it can be
16 consistent with the intent of other people who want to
17 develop in the area. But it would be an economic
18 generator, and I ask you not to lose that opportunity.

19 Thank you.

20 One other thing I wanted to mention. It's in the
21 report. I understand the Basha Kill's intent on not
22 letting any wastewater discharge from that facility toward
23 the Basha Kill. Please understand, it's on the opposite
24 side of the mountain. Any tertiary plant that would be
25 built would be discharging to the Shawangunk Kill. Most

1 - RICHARD STOLOFF / PUBLIC COMMENT -

2 likely, the way this is done today, because of water usage,
3 any developer that I've seen do it, and you can require it,
4 you have to use gray water. You basically use that water
5 to run your system and you use that for your lawns, you can
6 use that for your grounds. That doesn't harm the property
7 and it limits any kind of distribution. And it's only if
8 the DEC would approve it. So I'm saying that's the way
9 smart development works today. I have a home, my kids live
10 in Arizona. They use rainwater all over the place. That's
11 the only thing they let you irrigate with.

12 Thank you.

13 SUPERVISOR HERRMANN: Thank you.

14 Jean.

15 MS. DOUGHERTY: Valerie Freer.

16 MS. FREER: Thank you. My name is Valerie Freer. I
17 am a retired professor of science from Sullivan County
18 Community College. I chaired the science division and
19 worked there for a very long time. I am having a wonderful
20 retirement.

21 I wrote a brief letter that I'm going to give to you,
22 and there are copies there for everybody.

23 I think the main thing that I would like you to
24 understand or remember, I'm sure you already know this,
25 Sullivan County is a remarkable place. It is a wonderful

1 - VALERIE FREER / PUBLIC COMMENT -

2 place from the point of view of the gifts of nature. These
3 are treasurers that should be maintained and should be kept
4 for future generations. I'm talking about the quality of
5 water in our rivers, and it's not gray; the quality of the
6 river water in the Neversink River that runs through the
7 entire county. Take look at it. You can look right
8 through the water and see the fish at the bottom of the
9 stream.

10 In any case, it's just not the water, it's the air.
11 It's so wonderful. It's the vegetation, it's the swamp,
12 the Basha Kill, it's the wildlife, the bears and the deer
13 and all the other kinds of wildlife.

14 The work that you are doing could not be more
15 important. I know you're putting long hours in on this,
16 but the work you're doing is so necessary. It is so
17 important and so worthwhile, and I want to thank you for
18 every hour you have put in it.

19 I'm president of the Sullivan County Audubon Society,
20 incidently, and I am the representing that group in my
21 letter.

22 We have studied portions of the thoughtful
23 modifications for town zoning for purposes of protecting
24 the natural beauty, outstanding natural resources, wildlife
25 and environment of the Town of Mamakating in Sullivan

1 - VALERIE FREER / PUBLIC COMMENT -

2 County. We congratulate you on your courageous and forward
3 thinking work. We hope that other towns in Sullivan County
4 will be inspired to follow your lead by clarifying and
5 strengthening their zoning protections, your zoning
6 protections, which surely will be tested in the near
7 future.

8 Thank you very much.

9 SUPERVISOR HERRMANN: Thank you.

10 MS. DOUGHERTY: Jackie Broder

11 MS. BRODER: Good evening.

12 SUPERVISOR HERRMANN: Hello.

13 MS. BRODER: My name is Jackie Broder.

14 What I wrote is much less eloquent and passionate than
15 what Mr. Harding said, but along those lines. I'm a
16 resident up in the camps for ten years.

17 We moved here for the area's natural resources and the
18 school system. I just want to say that I'm deeply grateful
19 to the Board for honoring the Comprehensive Plan and their
20 willingness to amend in a responsibly green, yet
21 economically sustainable way.

22 I surely believe that Mamakating is the perfect area
23 to be economically successful through ecotourism. It is
24 has been in the past during the resort boom, and with your
25 support that we would have that possibility again.

1 - JACKIE BRODER / PUBLIC COMMENT -

2 Thank you.

3 SUPERVISOR HERRMANN: Thank you.

4 MS. DOUGHERTY: Bill Lucas.

5 SUPERVISOR HERRMANN: Hello.

6 MR. LUCAS: Hi. My name is Bill Lucas. I live in
7 Phillipsport, and I have for 30 so years.

8 I want to, first of all, I commend you guys on what a
9 job, taking a very difficult puzzle and rationalizing it to
10 something made sense for the many, not the few. What are
11 we here for? Are we here for the many or the few? We talk
12 about economic development. There's nothing that's keeping
13 this town from economic development. It doesn't need to be
14 on the scale that the few who want to take a small piece of
15 property and build a massive thing, a Yukiguni or something
16 else on property that isn't suited for it. That's what
17 good zoning can help this town do. So I commend you for
18 taking all the time to take a lot of disparate pieces,
19 rationalize it to something that's workable for the many,
20 not just the few, because when you have guys in suits come
21 in from the outside, confusing, try to promote something
22 that may not fit for the many. I'm one of the many.
23 That's why I'd like to see you guys continue to support.

24 Thank you very much for everything you've done.

25 SUPERVISOR HERRMANN: Thank you.

1 - HOLLY ROCHE / PUBLIC COMMENT -

2 MS. DOUGHERTY: Holly Roche.

3 MS. ROCHE: Hello. My name is Holly Roche.

4 SUPERVISOR HERRMANN: What's your name?

5 MS. ROCHE: It's Holly Roche.

6 SUPERVISOR HERRMANN: Oh. Hi, Holly

7 MS. ROCHE: I'm part of a group called the Rural
8 Community Coalition, and thank you.

9 Our town is under siege and the battle of zoning, that
10 is the ultimate battle. I believe you've taken steps to
11 strengthen our community, AND I think you've heard from the
12 majority of the community. And because it's a battle, I'd
13 like to just maybe present some of the players.

14 Mr. Shepstone, his employment history, Mr. Shepstone,
15 his employment history speaks for itself, which some of it
16 consists of high density development.

17 And Mr. Stoloff, who actually, at a certain point, sat
18 on this dais at a certain point, was able to allow an
19 illegal annexation with a segregated SEQRA. What that
20 means is he voted for an annexation without the proper
21 authority and knowing it was going to be connected to a
22 high density development, did not include that, which, by
23 the way, is illegal.

24 So I applaud those of you that are supporting it. Very
25 bad things have happened in this town, this community.

1 - HOLLY ROCHE / PUBLIC COMMENT -

2 Russ, you and I had a conversation on Brauna
3 (phonetic) Road about it. I said a lot of things have
4 happened and you said: But nobody's come knocking on the
5 doors. That was prior to the FBI raid. I'm hoping that
6 more doors are knocked on.

7 Thank you. Thank you for taking a step to basically
8 secure the rural community that we live in. That's why I
9 moved here, that's why our community moved here. That's
10 why you are sitting in the position that you are. Thank
11 you.

12 SUPERVISOR HERRMANN: Thank you.

13 MS. DOUGHERTY: Debbie Scott.

14 MS. SCOTT: I'd like to add my thanks for your hard
15 work. As you can see, my position is "yes."

16 We've heard a lot of people speak here tonight from
17 their hearts: Paula Medley from the Basha Kill, Cathy
18 Dawkins, Diane McDermott, many other people from the Yankee
19 Lake Community. I don't have a lot to add to what they
20 said because they said it quite well, but I have a slightly
21 different perspective.

22 My husband and I are not full-time residents of this
23 community, but we choose to come to this community for as
24 much time as we can possibly spend here. During our
25 working lives it may have been for two weeks in the summer.

1 - DEBBIE SCOTT / PUBLIC COMMENT -

2 Now that we're retired it's for four months, five months.
3 We'd like to extend it to be as much time as we possibly
4 can. We are the third generation of five generations, some
5 of them now passed on, who enjoy Yankee Lake Community.

6 Diane McDermott asked the people from Yankee Lake who
7 were here to stand and be recognized. But I ask one more
8 thing of them. If you are a member of a multi-generational
9 Yankee Lake Community, would you please stand?

10 (The public complied.)

11 MS. SCOTT: These are the people who have supported
12 this community in heart and soul and economically for
13 multiple generations. My family, six. Some of them are
14 only nine years old, but they will pay the taxes some day.
15 There are families here who go back more generations than
16 six.

17 We really, really enjoy the community because of what
18 it is. I come here to go birding in the Basha Kill. I
19 come to a lake that doesn't allow gasoline motors. I never
20 want to see a water park in our community. I don't want to
21 see the kind of economic development that replaces what we
22 have and what we've had for multiple generations. I think
23 it's incumbent upon those of us who have inherited this
24 beautiful place to continue what we have and can only do
25 that with the support of our local government. So I

1 - DEBBIE SCOTT / PUBLIC COMMENT -

2 encourage you to consider everything that's been here
3 tonight, consider the families that have been here for
4 multiple generations, consider the jewel that we have, and
5 help us do what we need to do to maintain it and protect
6 it.

7 There is good development and there is bad
8 development. No development comes without cost. Will it
9 contribute to the tax base? Probably. But what is the
10 cost to infrastructure? What is the cost to clean water?
11 What is the cost to the cultural environmental heritage?
12 You've come this far to get all the way home.

13 Thank you very much.

14 SUPERVISOR HERRMANN: Thank you, Debbie.

15 MS. DOUGHERTY: Alice Salmans.

16 SUPERVISOR HERRMANN: I like the fact you guys have
17 buttons on because they kind of tell what you're going to
18 say.

19 MS. SALMANS: Hi. Well, if you know what I'm going
20 to say, you can say it for me.

21 SUPERVISOR HERRMANN: Go on. You'd say it better.

22 MS. SALMANS: My name is Alice Salmans and I'd like to
23 take this opportunity to thank this Board for the
24 incredible work that you've done.

25 I am not a developer, I am not a lawyer, I'm just part

1 - ALICE SALMANS / PUBLIC COMMENT -

2 of many people. I moved to this area to retire, to enjoy
3 the beauty of the area that I've known my whole life. I
4 don't remember a time when we didn't come to Sullivan
5 County to enjoy the beauty of nature. It has been just a
6 joy. I could have retired to anyplace up and down the east
7 coast, or even the west coast as many of my friends want me
8 to go. But there's nothing, nothing, that I ever wanted to
9 do but be retired in this place the way it is and the way I
10 hope that you all have made it possible to remain.

11 Thank you.

12 SUPERVISOR HERRMANN: Thank you.

13 MS. DOUGHERTY: Lesleigh Weinstein.

14 SUPERVISOR HERRMANN: Hello, Lesleigh. It's a
15 pleasure to see you.

16 MS. WEINSTEIN: I just want to thank you guys for all
17 work you did, but that's, like, annoying; right? You don't
18 want to hear it anymore.

19 SUPERVISOR HERRMANN: Oh, come on.

20 MS. WEINSTEIN: Thank you so much for everything you
21 have done. We really appreciate it, we do. I mean we
22 little people, we do thank you from the bottom of our
23 hearts. We really appreciate being part of the process,
24 which was long and arduous. But we're here, we're able to
25 ask questions and to get the answers that we wanted. We

1 - LESLEIGH WEINSTEIN / PUBLIC COMMENT -

2 really appreciate that our thoughts were actually
3 incorporated into what this has become. So thank you.

4 SUPERVISOR HERRMANN: Thank you.

5 MS. WEINSTEIN: I have one other thing to say. I was
6 at that meeting with the Flaum Group and when Mr. Flaum, I
7 asked Mr. Flaum what he intended to do with that property
8 should he not get the contract, he looked me in the eye and
9 he said: I'm not doing anything with it. So my curiosity
10 is that all of a sudden, they're concerned about our
11 zoning. I'm curious about the entire, it's very suspect to
12 me. So I know that you have to listen to them. You have
13 to hear us, and you have, and we thank you and we all
14 applaud you.

15 MS. DOUGHERTY: Kathy Schtizner.

16 SUPERVISOR HERRMANN: Who was cleaning up Shawangunk
17 Lodge Road this weekend. I saw all the stuff there.

18 MS. SCHNITZER: It was successful. We've decided to
19 do it on an annual basis.

20 I do thank you for everything you've done and, you
21 know, pretty much what everybody's already said.

22 I have lived here my entire life in Sullivan County,
23 all --

24 SUPERVISOR HERRMANN: All 20 years?

25 MS. SCHNITZER: All but three of it in the Town of

1 - KATHY SCHNITZER / PUBLIC COMMENT -

2 Mamakating. I've seen a lot of change over the years being
3 here for a lot of years. I accepted the growth that I've
4 seen to a degree, except for what's happened lately. My
5 husband and I built our third home and I felt like, all
6 right, this where -- I love this area. My sister lives in
7 Westbrookville. We both love this area because it's
8 beautiful. The Basha Kill is gorgeous, the mountains are
9 beautiful.

10 My husband and I, we were in John's office, the
11 architect, and we saw thing up on the wall. I said: Well,
12 what's that? And he told us it's going to be 125 homes
13 with a golf course, senior citizens. I was, like: All
14 right. You know, 125, that's a lot. It's a beautiful
15 farm. It's a shame. I really wish I had the time to be an
16 advocate just to save farms in this entire of country, not
17 just in New York State. But I said: All right. All
18 right, that's growth. I guess we'll have to let that go.
19 That's not too bad. It's not to our taxes or schools or
20 what have you. And then all of a sudden, it becomes
21 something else. Well, that's a real shame.

22 I really hope that I don't get chased out of this area
23 because of high density. Traveling almost three hours one
24 way to New York City to work has been worth it for me
25 because I love it here so much. People go: Why on earth

1 - KATHY SCHNITZER / PUBLIC COMMENT -

2 would you live so far away? Why don't you move closer? I
3 say: Because I love this kind of community: Small,
4 quaint, beautiful. You could see the vegetation. You
5 don't see apartments that are, you know, four or five
6 stories high. That's what this could become and that
7 scares the hell out of us. I really don't want to get
8 chased out of here.

9 And with respect to putting any kind of a hotel on
10 that piece of property up there, it might have been that at
11 one time. I understand that. However, that was many, many
12 years ago, before there were all those people living up
13 there. So once you start going into your seven wells,
14 which they mentioned the last time I came up here and said
15 something, we have already had people up on that mountain
16 go dry on their wells. If they touch into the aquifer of
17 having however many rooms and whatever entertainment
18 they're going to do up there, I can tell you right now that
19 the residents who've been up there, paying the taxes here
20 all these years, living here, bring in money to the
21 community with all the different small businesses, I can
22 tell you right now, there's going to be a problem with the
23 water. It's just, you know, a very easy thing to figure
24 out. We've already had so many drought issues. Well,
25 except for the last couple days. But we've had drought

1 - KATHY SCHNITZER / PUBLIC COMMENT -

2 issues. It's going to affect everybody up there. So just
3 keep that in mind if you are looking to make any possible
4 changes or considerations for that piece of property up
5 there.

6 They've let somebody come in there and, you know, chop
7 down on all the trees, but yet he knew nothing about it.
8 How the hell do you not know something about what's going
9 on up there. We saw loggers up there. So, you know,
10 that's a bunch of nonsense. So please just keep it in
11 mind.

12 Thank you.

13 SUPERVISOR HERRMANN: Thank you, Kathy.

14 MS. DOUGHERTY: Carol Lucas.

15 SUPERVISOR HERRMANN: Nice hat, Carol.

16 MS. LUCAS: Oh, thank you very much. Good evening.

17 I keep switching it around. Thank you.

18 MS. MEDLEY: Into the mic, please.

19 MS. LUCAS: Last meeting I think somebody was lying
20 Yeah, right. And we've heard a lot of lying here. But
21 this is hopeful. I, as so many people tonight, thank you
22 so much for making this effort. This was like hope.

23 A couple people mentioned growing up here, family
24 multi-generation. Not that you've heard this before. My
25 family settled this area, King George, III. Some of us

1 - CAROL LUCAS / PUBLIC COMMENT -

2 have very sentimental attachment, 40 years in Mamakating.
3 Learning how to fish in the Basha Kill, caught my first
4 sunny at five years old. When I was a kid who lived in
5 Middletown and four years running there were dry summers,
6 we ran out of water. It has driven me nuts, the dozens,
7 the dozens, couple hundred, whatever meetings in this room
8 that I attended and spoken to, and some of the shenanigans,
9 I am so pleased to see so many of my neighbors. And people
10 who have been here, you guys, over the years, even if I
11 don't always agree with some people, it's just wonderful.

12 The first time I heard back when the zoning law was
13 changed that we were going to have neighbors with a house
14 on one acre, I only have a little piece of land. That
15 sounds like a lot of land to me. But all the developers
16 that have come through here -- you know, we're venting, you
17 know how we feel. This is our home and it's worth three
18 hours on that Shortline bus, you know. But the bottom line
19 is is that we are the guardians, and the quality of this
20 land, that I observed --

21 I learned how to swim in the Basha Kill. Oh, in the D
22 and H. I'm sorry. I learned how to swim in the D and H.
23 Imagine. It's the kind of community I would like to have
24 to pass on. You know, it doesn't matter whether the next
25 generation or not. There's so many people here that

1 - CAROL LUCAS / PUBLIC COMMENT -

2 deserve this quality of life, and you're doing it.

3 I want to say one more thing because finally, there's
4 a forum. Some people remember. Andy, you're going to
5 remember this. He was yelling as loud as I was. The night
6 we sat here with a different dais and heard about floating
7 zones, the definition, as we were told, the residents, the
8 taxpayers, the people, was that any zone could be floated
9 to any zone. In other words, Bobby, you're in a
10 residential zone. I can put my factory over there.

11 Insanity. That's what they were trying to pass. Does that
12 make anybody sick in this room?

13 So we're going to stay vigilant, we're going to help.
14 And if there's anything we can do, we're wearing a button,
15 maybe next time we'll have enough buttons and we can take
16 them home.

17 Thank you.

18 SUPERVISOR HERRMANN: Jean, we advertised two public
19 hearings for this?

20 MS. DOUGHERTY: No. We advertised one Public Hearing.

21 SUPERVISOR HERRMANN: For just tonight.

22 MS. DOUGHERTY: Correct. It's your choice to close it
23 or continue it or move it, whatever you want.

24 SUPERVISOR HERRMANN: Okay.

25 As part of this Public Hearing, I like to thank Max

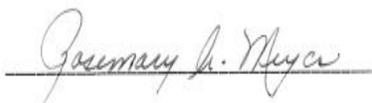
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REPORTER'S CERTIFICATION

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

That the foregoing transcript is an accurate record of the proceedings herein, to the best of my knowledge and belief, having been stenographically recorded by me and transcribed under my supervision.

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



ROSEMARY A. MEYER

Date Transcribed: August 26, 2015

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K E Y W O R D I N D E X

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