

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

TOWN OF FALLSBURG ZONING BOARD MEETING

August 17, 2023

Larry Zierler, Chairman, Mike Bensimon, Steve Altman, Jennifer Lishansky, Ellyane Hutchinson, Board Members, Gregg Pitula, Code Enforcement, Dylan Harris, Town Attorney

- Larry Zierler called the meeting to order at 7:00PM
- Minutes from previous meeting approved
- Larry Zierler: The Town of Fallsburg Planning Board will review all applications on the merits and based on the Town of Fallsburg zoning code. The Planning Board approval does not guarantee issuance of a water sewer permit by the Department of Works. Due to the current and expected future constraints on the water and sewer systems that were discussed and open to public comments during the joint meeting on May 9th 2022, all water and sewer connections and applications will be accepted based on the then existing facts and circumstances. Each application connection or extension will include a review by the town engineer. It will be guided by the town engineer's expertise and knowledge of the town's systems. This information is posted at the Department of Public Works for public viewing. The Town Board is taking every reasonable measure to address the capacity issues.

OLD BUSINESS

1. SKOPPS – SBL: 27.-1-17.2 (Unit 17B) – Requests continued review of area variance to allow a second story addition with an increase of 3 ft in height. Zone: R, Acres: 16.99. Location: 305 Murphy Rd.

- Mr Hamran represented
- Mr Hamran: At the last meeting we brought pictures of the existing and the proposed.
- Larry Zierler: Questions?
- Ellyane Hutchinson: What was the final? What was the difference?

- Mr Hamran: A quarter of the existing for the addition complies with your requirements.
- Gregg Pitula: Do you have the exact figures of before and after with you?
- Mr Hamran: No.
- Larry Zierler: I believe you indicated on the paperwork.
- Mr Hamran: Yes.
- Larry Zierler: What was the timeline of your project?
- Mr. Hamran: About a year ago.
- Gregg Pitula: I am looking up the original paperwork when it took place. I am pulling it up in my system. The original date was 6-9-22. It was written in there as a two story addition built on 17m without permission. This was not to the zoning code. There could be no increase in height. You must apply for a variance. There is a stop work order. Fined \$250 without a permit. Should you continue there will be a fine of \$250 each day the work continues. They were pretty much done when we were there. They didn't continue any work. There was nothing to document. If it is done already there is nothing you can do. They did come in and apply for a permit on 3-20-23 is when they finally put a permit in for it. They immediately paid the building without a permit fine. They got an expediter and engineer. Submitted it all together in a package in March. Then we scheduled them for as soon as they could get on.
- Larry Zierler: Any other questions?
- Gregg Pitula: With all the stuff that went on at Skopps this was the least I was dealing with. It kind of fit in with the conformity but it was done without a permit and it didn't meet the zoning code.
- Larry Zierler: I don't think it can look any worse.
- Gregg Pitula: The pictures they show are from the back but when you go to the front of the building it is like a shed wall. The shed roof comes through. Let me see if I have any other documents. I put you guys in a tough position because it is already done. We hear this all the time here. People do this all the time and then beg for forgiveness.
- Steve Altman: So Gregg there is nothing we can say like do this or do that because everything is done.
- Larry Zierler: We see it as something that perhaps it would be diminishing returns but we still want to direct it. Is there something given the nature of the building that we can achieve? It may improve it. I am not advocating I am just putting this out there.
- Discussion.
- Gregg Pitula: The roof used to come down this way. The only thing you see from the road is this. They went up the three feet.
- Larry Zierler: My point would be just a caveat that would make it something we could extrapolate from. If we could find the exact verbiage to make that point. That is just an idea. Anybody else want to make comments?

- Mike Bensimon: My comment here is that it might set a precedent. For the last few decades Skopps has been getting variances one by one by one by one. It is starting to get beyond excessive to a point. I think about 2 years ago we thought enough was enough. At the time we discussed a master plan for the 7 or 8 units that are left. Again we have a history of granting variances. We need to stop and say no more. What we should have done a long time ago was to create a master plan so we can negotiate the dimensions of everything all at once. Instead of this hodge podge. I would like to see that still happen because if we grant this variance it is not going to stop the other 7 or 8 units from doing their own thing. If we are inclined to give this variance which is not beyond what we have done before. I still would like to see a master plan to negotiate everything so we can finally say enough is enough.
- Gregg Pitula: I've had this talk with them several times. The individual owners don't want to come together. It is a co-op so everyone owns their own units. It is going to be at the expense of the entire place to put this master plan together. The other people who have their bigger units wonder why they have to be involved and spend their money to help the others out. They have what they wanted. That's where we are at with this place. After the last stop work order where they built it and couldn't occupy it. It is just sitting there. I am trying to get it worked out. I think they learned we aren't tolerating it. Either they are coming for a master plan or we aren't doing anything with them anymore. We have an eye on them every week now.
- Larry Zierler: I think revisiting it isn't a bad idea. This is part of the community. What will it take? The eyes are on them. Be a good neighbor. Come together. Show a sense of responsibility. When everyone is there and everyone has the wish list it can be considered and one fell swoop. Everyone can get close to what they need. Then it can get done in a regulated and supervised way. Right now it is not going to stop the problem. This verbiage won't have any teeth. We need to bring this altogether.
- Gregg Pitula: I will gladly bring them together in a Zoom meeting and see if you can do more than I can.
- Mike Bensimon: To add to your point, at least give them the opportunity to come forward and say they want to upgrade their unit.
- Larry Zierler: We'll know how big it is.
- Mike Bensimon: Not only that if they say they have no interest in upgrading their unit then that's fine. But when they come back in 5 years and say they want to upgrade we can say we came to them in good faith to at least get a plan to upgrade. At least we will have something to tell them that we gave them the opportunity. It is a cooperative.
- Steve Altman: Can we deny this?
- Mr Hamran: We already built this.

- Steve Altman: Almost every unit that was expanded at Skopps did it without a permit. That's not fair either.
- Mr Hamran: You granted previous to this one. Not only that, I think you are looking at this like it is a bungalow. People are in these all year round.
- Gregg Pitula: This place isn't winterized.
- Larry Zierler: This doesn't have to take a lot of time. They can all come together. Bring them together quickly. Get together what your wishlist is and get it in front of us. There will be a more wholesome and happier discussion rather than this one. Nobody is feeling good right now because there is a tremendous amount of uncertainty. You need to have maximum transparency and bring them together as soon as possible.
- Ellyane Hutchinson: Ultimately this is one of the few that has come forward. If this had come before they built it would have been fine because in comparison to 300% it was still within.
- Steve Altman: It was the height but we would have granted.
- Ellyane Hutchinson: But the issue is it is being done illegally and it is finished. If it is not granted they just get fined once a year?
- Gregg Pitula: They would get occupying without a CO for the addition. We have no legal recourse to make them take it down. It is a supreme court action to bring it down.
- Larry Zierler: These people are not criminals. What happens when we have a crime ridden situation? Even the innocent suffer?
- Steve Altman: In this case they divided themselves with us. They are a unit and have a board. But when they come before us they are individuals.
- Larry Zierler: We have a right to say it is out of control. It is unfortunate that when there is abuse that good people suffer. Everyone will be better off when you do something with a plan.
- Gregg Pitula: I honestly think we need to look at this individual case. Even with all the issues with Skopps we need to see if this is substantial. If it isn't going to fit with the character. I am frustrated with the situation. It is up to you to determine if this is a substantial ask.
- Dylan Harris: Gregg is completely right on that. We should be going through the criteria and reviewing that. Certainly not having a building permit and building the thing can be taken into account and it is a factor but there are pretty clear criteria that must be looked at. Building without a permit is an extra piece that can kind of weigh it one way or another.
- Jennifer Lishansky: I don't think if we get into a situation of comparison that it will be beneficial. We need to look at this as it is. I will say that the thing I am fearful of is that as we are going through the criteria that we are not taking into consideration that this is already completed then I think we run the risk that because it is completed it is easier to run through the criteria. I think we consider this in its own independent form. As Dylan just said, weigh the factor that they

built without a permit. Genuinely this is just blatantly against town code. Code says there isn't supposed to be a second story. I think we need to stop talking about comparison and how it weighs against others. I think we need to go through criteria and see what we think weighing the fact that it has been built without a permit.

- Larry Zierler: Let's open it to the public.
- April Griffman: The problem is what are the fines? It seems like if you keep building and just pay the fines you don't solve the problems. Are the fines too low? Is it considered a precedent for allowing this to happen? Not wanting to be mean but at some point you have to hold a line. Otherwise what is the respect for the law? I think this is the third infraction. It may be the smallest one. It is an issue. Skopps does it but then other people see what they can get away with. There is already so much over building. If there is not a severe enough penalty for breaking the law then you just keep paying it.
- Steve Altman: It is just the cost of doing business.
- April Griffman: Exactly. That is what we have to address at some point.
- Mary Adams: I have a question. These fines are determined by the law.
- Steve Altman: They are set by the town.
- Mary Adams: And the town can change them.
- Steve Altman: And they have.
- Mary Adams: Another concern I have is fire safety. The sense is they feel like they are getting away with something. Just pay the fine. My experience with Skopps is I don't know how much they followed the fire code.
- Gregg Pitula: All the units done properly with permits are properly separated. There are firewalls. The units that were done with a variance we made them add fire rated sheeting to the outsides. We do make them upgrade to the fire code.
- Mary Adams: I don't know how involved you are with Skopps.
- Gregg Pitula: I've been here 12 years. Everything that was done within the required separation has fire separation. You're not required to bring things up to the fire code but once you alter the structure up to 50% you have to bring it up to the fire code.
- Mary Adams: Let's 10 or 20 percent is new and following the fire code. They've been around since the 60s. They've been building all kinds of this and that. They have this tendency to do this when they want to. Therefore it is dangerous. I am just concerned about the fire code in general. I hope you don't set a precedent here even though this is small. I think we need to be concerned about that.
- Alice Merrin: I have a question since this keeps coming up. The developer built their (inaudible)?
- Gregg Pitula: No. This is a private owner that hired their own contractor. I am not even aware who the contractor was. It was never disclosed to us. The gentleman who got involved to represent them is a contractor. He did not do the work there. He contacted an engineering firm and had them come out to do a structural

analysis. Once a building is built the building inspector can no longer inspect it. It is up to an engineer architect to go out and draw up what they did and certify the work is up to call. They do that in different ways. Once it is done it has to go to a profession.

- Alice Merrin: Monetary fines aren't doing the trick. Maybe we can ask the Town Board to approve penalties or licensing
- Gregg Pitula: You would have to require licensing for contractors like we do for electricians which is done in Rockland County. Sullivan County does not require licensing for contractors.
- Larry Zierler: We don't have a punitive process?
- Gregg Pitula: Dylan correct me if I wrong the fault of the violation goes to the property owner?
- Dylan Harris: Correct. That is a discussion we have been having internally whether you can hold the contractor that keeps repetitively going in and doing this work liable. Really the way the law is written it goes more to the property owner. They are the person paying for it. They have the ownership of the property. Legally speaking that is who would be held liable.
- Alice Merrin: Someone who is breaking the law we don't send them to jail.
- Gregg Pitula: This isn't really a criminal thing. It is a zoning violation. To build something without a permit is not a criminal offense.
- April Griffman: If we can't have enough fines to set a precedent it would be required to tear it down. It sounds harsh in a way but that would hurt.
- Gregg Pitula: This is a discussion for the Town Board. They can explain it to you better. There is no tearing things down. That is a Supreme Court action. Raising fines is for the Town Board to look into. Dylan is our attorney for the town. He is listening and works with our other attorney.
- April Griffman: What has the total fine been so far?
- Gregg Pitula: This one lady or the whole colony?
- Steve Altman: You want to tell her about the prior one?
- Gregg Pitula: The prior one they built without a permit was a 500 square foot unit that went to 1,800 square feet. How much did they settle for?
- Dylan Harris: \$30,000
- Steve Altman: They offered 5,000. The Town accepted it. We refused it. We threatened the town to get our own lawyer which we are entitled to. The town went back and negotiated it to \$30,000.
- Larry Zierler: For the record I think we'd like to say that we would like this issue to be brought before the town. Hearing the fact there is frustration on inequities. We just can't say it and not do it. I would like the record to state that.
- Steven Burke: I am a former Board member. You gave a recommendation. I have asked for a master plan. You don't get the master plan. The new way of building or reconstructing homes in this town is just do it, no big deal. We'll deal with it later. Blame the contractor. That's the way we do business. I would maybe

bring it to the Town Board to demand a master plan before you do any other business with Skopps. You have the power to get what you want. When I was chairman I would get something before you gave something. These people are going to put pressure on the people they live with. Ask for a master plan. Otherwise this is just going to keep happening. \$250 is no big deal.

- Mike Bensimon: I have a question for Dylan. The applicant's application. I don't see an owner's proxy.
- Gregg Pitula: We did get that.
- Mike Bensimon: I see the person from last month but he brought the contractor with him. I don't know if we can have a hearing without proxy.
- Dylan Harris: Yeah I mean technically there should be an owner's proxy. I thought that it was for the presenter. We did have the two individuals that were here last time. The proxy is for the individual that was here last time? The proxy is for the other individual that is not here?
- Gregg Pitula: Yes.
- Ellyane Hutchinson: So we can't move forward.
- Dylan Harris: Yes technically speaking we need to have someone here with authority. There is no authority on behalf of the presenter. We should kick it off to the next to the meeting to either get a proxy for the gentleman presenting now or for the person who has the proxy to appear on behalf of the owner.
- Gregg Pitula: It is for his company to represent this lady. This man is a representative of that company. It says Rockland Renovators LLC. He hired this firm to do all the architectural work. Where does that leave us?
- Dylan Harris: I thought the contract is different from the engineer. Is it the same firm?
- Gregg Pitula: Rockland Renovators hired the representative from this company to do the architectural engineering work for this project.
- Steve Altman: But he didn't give him the authority for him to speak for them.
- Dylan Harris: If he is an employee of that company then that would be one thing. If it is a subcontractor or outside contractor I think there would need to be some authority to appear as far as the proxy goes.
- Gregg Pitula: I don't see the sense of dragging this out another month. It doesn't make any sense to me.
- Steve Altman: It makes sense because it is Skopps.
- Larry Zierler: On the actual variance? Do we want a motion? More on the public portion? Do we have a motion?
- Ellyane Hutchinson: I have a motion to deny but not have them tear it down.
 - MOTION:
 - Ellyane Hutchinson motions to deny. Steve Altman seconds. All in favor.
- Mike Bensimon: Barring a master plan that will provide motivation in this case. It is not on the table as it stands right now.

- Jennifer Lishansky: I don't have further comment but I think this issue deserves its own vote.
- Gregg Pitula: Dylan I'll get a hold of you tomorrow and figure out where we are going to go with this.
- Dylan Harris: I can barely hear the Board.
- Gregg Pitula: They all made a motion to deny. It is being denied until we come up with some kind of master plan. Not saying it won't get approved in the future. For now you'll have to let me know how to handle it. I'll call you tomorrow.
- Mr Hamran: (inaudible)
- Gregg Pitula: There were several variances granted. Not 30.
- Larry Zierler: A lot of things happen. Whatever you want to call past business but we are here now. It doesn't mean they can come back. Right now this happened and we are hoping for them to come up with a master plan.
- Dylan Harris: Can we just go back a step for lead agency? That should be taken before the motion?
- Dylan Harris: You should go through the criteria for the area variance as well.
- Larry Zierler: Whether or not an undesirable change would be produced in the character of the neighborhood or nearby properties?
- All Board members vote no.
- Larry Zierler: Can the benefit sought be achieved by the applicant by another method other than the variance?
- All Board members vote no.
- Larry Zierler: Whether the requested variance is substantial?
- All Board members vote no.
- Larry Zierler: Whether the proposed variance will have an adverse impact on the physical or environmental conditions in the neighborhood or district?
- All Board members vote no.
- Larry Zierler: Was the alleged difficulty self-created which shall be relevant but not necessarily preclude granting the variance?
- All Board members vote yes.
- Larry Zierler: So the motion carries.
 - MOTION:
 - Ellyane Hutchinson motions for lead agency. Mike Bensimon seconds. All in favor.
 - MOTION:
 - Ellyane Hutchinson motions for negative dec. Mike Bensimon seconds. All in favor.
- Mr Hamran: You are in favor of the project but at the end you voted no.
- Mike Bensimon: Not everything.
- Steve Altman: The last question we answered yes to no.

NEW BUSINESS:

1. YESHIVA GEDOLAH ZICHRON MOSHE- SBL: 39B-1-15, 39-1-6.1/6.2 – Review of use variance for construction of a synagogue and elementary school for K-8 boys, as well as an area variance to increase lot coverage. Zone: R, Acres: 7.46. Location: Yeshiva Lane, South Fallsburg.

- George Duke and Uri Miller represented
- George Duke: This application comes from a denial from the Planning Board for a site plan application. It was brought here for a use variance.
- Steve Altman: It was denied because?
- George Duke: The use was not permitted in a residential zone. It is a yeshiva K-12
- Uri Miller: My yeshiva is beyond that. It is beyond K-12. The yeshiva has been at the site since 1969. They are looking to replace a portion of their buildings which is the K-8. There are double wide trailers to portions of the dormitory. We are looking to relocate the yeshiva to the school. The K-8 portion to another location with a formal campus which would be beneficial to the students.
- George Duke: The use request is to allow the yeshiva in a residential district. The area variance request is related to the amount of lot coverage. The lot coverage is 10%. Our engineer couldn't make it tonight. There is a wetland that isn't mapped here which limits our ability to calculate the overall wetland areas as part of the area acceptable in the lot coverage.
- Gregg Pitula: Where did you come up with the 10% lot coverage?
- Uri Miller: In this use there is no formation. We took over what the hamlet zoning allows. I believe the R zone as well only allows 10%.
- Gregg Pitula: We have different percentages. The use of a school is allowed in like 3 or 4 of our zones. They all have different percentages. I didn't know where the 10% came from. It is the most restrictive out of all the zones we have for lot coverage for this use. I did a little research on that because I was trying to figure out if you are asking for a use that is not a use, there is no figure. No specific figure for those setbacks and lot coverages.
- Uri Miller: How can we determine the lot coverage if we don't have any kind of allowable?
- Gregg Pitula: It would be the most restrictive that allows the use that would be the criteria.
- Larry Zierler: Even though they might be grandfathered?
- Gregg Pitula: There was a discussion that the property was rezoned in 2018.

- George Duke: 2007. Do you want us to go through the unnecessary hardship criteria?
- Gregg Pitula: I would like to know the zoning if you have that data.
- Uri Miller: In 2007 it was rezoned to a hotel or resort zone.
- Gregg Pitula: That's what the yeshiva was under. It is not under a PUD. It is a planned resort.
- Discussion.
- Uri Miller: The yeshiva was allowed in that use. This is since 1969.
- George Duke: It's just that we don't have a use.
- Discussion.
- George Duke: They didn't bond all the lots. These 2 lots are owned by the yeshiva. They were bought at the same time 50 years ago but weren't combined into one. They don't carry the definition of an existing nonconforming. The yeshiva overall was a campus that existed in this manner.
- Mike Bensimon: They purchased with the intent that they would expand to this area.
- Uri Miller: They didn't think it would change.
- Mike Bensimon: At the time they should have combined into 1 but because they didn't do that it is a separate lot.
- George Duke: The two lots will be combined.
- Dylan Harris: It should be kept in mind that you can't enlarge a nonconforming use anyway. We would still be here if they were combined in the past.
- Ellyane Hutchinson: (inaudible)
- George Duke: It is off of LaBaugh Road here. It is between Yeshiva Lane and Brickman Road.
- Ellyane Hutchinson: So it is closer to Brickman?
- George Duke: Yes.
- Mike Bensimon: The intention is to build it and make it accessible to the community.
- George Duke: Correct.
- Mike Bensimon: It won't really be visible to Brickman:
- George Duke: Everything is staying there. We located it there for multiple reasons. The yeshiva functions where students walk to school and home. If we located the yeshiva on Brickman Road it would make it a little less safe as children would have to walk down Brickman Road. Students are going to walk to school, that's just how the yeshiva works.
- Larry Zierler: Countryside crosses Brickman Road.
- Uri Miller: I am not familiar with how Countryside functions.
- Gregg Pitula: I have seen buses picking up kids from Countryside and bringing them across. I don't know if that's the only way they get there.
- Uri Miller: You wouldn't really be able to see it.
- Gregg Pitula: It is behind all the single family homes.

- Steve Altman: This area is woods?
- George Duke: That is woods.
- Mike Bensimon: Are you expanding with more students?
- Uri Miller: Same students. We are replacing the existing structures. We're not taking down all the structures because other structures have other functions. The double wide is no use for that anymore and we'd be moving the students here.
- Larry Zierler: The green building is to be (inaudible)?
- Uri Miller: You're talking about the gym building.
- Larry Zierler: The green building. It was (inaudible)?
- Uri Miller: It was at one point.
- Larry Zierler: That's a bungalow?
- Uri Miller: That building has classrooms there. The elementary does use those classrooms currently. We want to put those in one building.
- Larry Zierler: I would hope you would be increasing capacity. It would be a lack of foresight to build without expansion.
- Uri Miller: We are building proper full size classrooms. Classrooms max at 25 to 30 students today.
- Larry Zierler: How many students do you have now?
- Uri Miller: If I remember correctly we have 20. Roughly between 130 and 150.
- Larry Zierler: You don't see yourself getting to the point of 1,000 students?
- Uri Miller: I don't think we're trying to restrict but we're not building for that. If that does happen we have to build double classrooms. That would be financial hardship for us.
- Larry Zierler: You have land and possibilities.
- Uri Miller: We can build a building today for the purpose of a full classroom.
- Steve Altman: That's what you can afford.
- Larry Zierler: If you situate a building with that kind of restriction at where you are right now. You build a building that allows the students to come through and then you can add wings.
- Discussion.
- Larry Zierler: I don't feel this building will be adequate in 10 or 20 years.
- Uri Miller: Correct and we put it in a location where we don't have anything else in that area. We can expand further if need be. At the time you have to determine what lot coverages are necessary.
- George Duke: I don't think there's any plans for a master.
- Discussion.
- Larry Zierler: This is a subsidized population.
- Uri Miller: We are building the building right now with the building to go up to 250 students. We are at the level of 130 to 150.
- Ellyane Hutchinson: The question is a use issue.

- Mike Bensimon: The use issue only applies to the school not synagogue. You are going to build this as a synagogue but use it as a school and be certified as a school
- Uri Miller: That is correct.
- Mike Bensimon: There is a lot to digest here. There are mitigating circumstances. There are pros and cons to this. My first reaction when a school wasn't allowed in this zone was (inaudible). My other reaction was this is looking to replace a different building with a different density. I can understand in a sense where the R zone wouldn't have a school in it. Whereas the HR and other things do have it as a use. When it does come to the character of the neighborhood this is a school zone. You have the middle school and the high school right there. It isn't outside the character of the neighborhood to have this. I just wanted to talk about the use variance itself. I believe there is a financial component with the use variance where you have to show that everything else you could do with that property would create hardship. I don't think that's the case here. With use variances there is an overwhelming societal benefit. To talk about the financial piece you are definitely not getting a return on your investment.
- Discussion.
- Mike Bensimon: This is about 8 or 9 acres in the water sewer district. Technically you could build 17 or 18 houses there and get a real return on your investment. In a sense you are not taking a loss by putting something that does not generate income. You are doing that because it is an overwhelming community need within that community that predates other communities. It wouldn't be a decision had these properties been combined as 1 SBL and then moving one building from one side to another. That would have been a much easier process. We do force you to buy a property down the road in a district where it is allowed you are losing a few things. One is community cohesiveness for everyone walking. You have the busing which is not required for a school district. That takes financial resources away from the school district. Not to mention the extra diesel and traffic. Ultimately it comes down to quality of life. There are some mitigating circumstances here that warrant.
- Ellyane Hutchinson: Which buildings are being replaced?
- Uri Miller: We have it in white.
- Ellyane Hutchinson: Where is that?
- Uri Miller: Right about here.
- Ellyane Hutchinson: Just below that.
- Larry Zierler: That building?
- Uri Miller: That's the main study hall.
- Larry Zierler: The green sheet metal building?
- Uri Miller: We are talking back farther on campus. Right behind the white buildings. Right behind there is another double wide trailer where some of the students are housed.

- Jennifer Lishansky: I wanted to say that I went to view the site here. I looked at 84 Laurel Park Lane and could not find the location of the building. For that reason knowing that this was on the agenda both for our Zoning Board members to go observe and for our public members to see and make comments about. It is a little confusing. I am hearing that other Board members had issues finding the location as well. I think it would be helpful to have an additional month to view this property. Also make that accessible to the public so they can comment with more knowledge and clarity. When it comes to this request it is a use variance which has a high standard to meet. I don't think we've seen any financial information or anything that would let us make an informed vote. I would like to request more information from the presenters and the applicants to share more details so we can vote with a clear conscience that we have done our own due diligence.
- Larry Zierler: Give some kind of inspiration as to what building you are building. Based on the kind of building you are building it will tell us what your prospects are. This is a cornerstone institution. That being said I know it has a lot of challenges before it is voted on. Those buildings we weren't looking to find but we found. They are in bad shape. They need to be taken down. That will add to the financial challenges. If you could get a better sense of your forecast I think it will be easier for us.
- Discussion.
- Larry Zierler: We are missing a lot of information about your wishes and the other things that will have to happen in tandem or following this project. You build two beautiful girl schools. Are you going to be able to do the same? If you can, that will be a great statement. We don't have any architectural.
- Uri Miller: My apologies. We are fine tuning them with the architect. We do have a concept in mind.
- Larry Zierler: We are okay with that. There is great information that you have.
- George Duke: I welcome the opportunity to supplement the application. What we would like to do is give you the information well in advance of the next meeting.
- Steve Altman: Identify all the buildings on the map.
- Ellyane Hutchinson: There are buildings on the other side.
- Gregg Pitula: I think she is saying the aerial view and surrounding areas so it is a little easier.
- Dylan Harris: As far as the financial data goes if you have proforma that is the easier way to demonstrate the financial impact of building the school. What the income expenses are etcetera. The test is getting a reasonable return on it. Giving us an idea of the dollars and cents and the fiscal impact of building the school versus the current idea of the vacant lot. I don't how expensive it would be but a demonstration of subdividing it into 12 lots. I don't know if that would be cost prohibitive. I think that would be helpful

- Gregg Pitula: If you didn't get a ZBA sign from our office, get one and put it on the site so our members can visit.
- Uri Miller: It is up.
- Ellyane Hutchinson: But the address is 84 Laurel.
- Uri Miller: It doesn't have an address. The ZBA is located right on Brickman.
- Gregg Pitula: The access is off of Yeshiva Lane?
- Uri Miller: Laurel Park.
- Gregg Pitula: Maybe you should put the sign at that entrance. The ZBA should be located on Laurel Park Road where the driveway will be located so the ZBA members and public members have a better idea.
- Steve Altman: When does the mailing happen? There may be private homes.
- Gregg Pitula: They go out 10 days prior to the meeting.
- Steve Altman: They went out?
- Gregg Pitula: They went out. 90% of the property around is yeshiva and community owned.
- Uri Miller: There is a small mikvah here. The access is right along that mikvah.
- Gregg Pitula: Kind of where the supermarket is? Yes.
- Discussion.
- Uri Miller: This building is going to be built out of CMU with wood trusses.
- Dylan Harris: I think it might be time to open for the public.
- Larry Zierler: Alright
- Steven Burke: They are not looking to use anymore land. We should see what they are building before anything else. You're not going to use any taxpayer money for buses. If you build outside the taxpayers of this town pay for those school buses. They're not using that. They're not using any more property. They're there already. Instead they're getting rid of some dilapidated building. This is always a plus with the Town of Fallsburg. I think once this Board gets to see the beautiful building being proposed we are good.
- Larry Zierler: Any other public comments? We will keep the public portion open until next month for when we have more information. We are looking in a good direction together. You'll get us more data.

Mike Bensimon motions to adjourn. Ellyane Hutchinson seconds. All in favor.