

**DEERPARK PLANNING BOARD - JULY 13, 2011 - PAGE #**  
**PUBLIC HEARING - DRAGON SPRINGS BUDDHIST, INC.**

The Deerpark Planning Board met for a public hearing on Wednesday, July 13, 2011 at 7:50 p.m at Deerpark Town Hall, 420 Route 209, Huguenot, N.Y. The following were present:

**PLANNING BOARD MEMBERS**

Al Schock, Acting Chairman      Dan Loeb      Theresa Santiago      Mike Hunter      Willard Schadt      Bob Vicaretti      Derek Wilson

**OTHERS**

Mr. Glen A. Plotsky, Town Attorney	Mr. Alfred A. Fusco, III. Town Engineer
Mr. David Dean, Town Board Liaison	Mr. Karl Brabenec, Town Supervisor
Ms. Lana Han, Esq.	Mrs. Minzy Pan, PE
Mr. Chun Feng, Architect	Mr. Kaijin Liang, PE
Mrs. Rochelle Johnson, adjointer	Mr. Mike Reiko, Citizen
Mr. Alan Adler, Applicant	Mr. Ronnie Bertucci, Adjoiner
Mrs. Kelli Brink, Adjoiner	Mr., Gary Butler, Adjoiner
Mr. Scott Wells, Adjoiner	

The secretary read the public hearing notice: "Notice is hereby given of a public hearing to be held by the Town of Deerpark., Orange County, New York, pursuant to Article 7 of the Town of Deerpark Zoning Law on the application of Dragon Springs Buddhist, Inc. to enlarge a lake and build a new dam. The application effects the following premises: Record Owner: Dragon Springs Buddhist, Inc. Tax Map Designation: Section 31, Block 1, Lot 21.22; Zone Designation: RR. Located at 140 Galley Hill Road, Cuddebackville, Town of Deerpark, Orange County, New York. Information on this application is on file with the Town Clerk, Town Hall, Route 209, Huguenot, New York. The Hearing shall take place at 7:00 o'clock P.M. on the 13<sup>th</sup> day of July, 2011, at Deerpark Town Hall, located on Route 209, Town of Deerpark, Orange County, New York, or as soon thereafter as practical. All parties wishing to be heard shall be heard at that time."

Glen Plotsky: Mr. Chairman, before you even open, I'm going to suggest to the Board, that at the conclusion of this.... the public hearing that was just conducted, and comments about traffic and the specifications that's got to be done there, but also because maps were just submitted at approximately 6:58 this evening for a 7:00 public hearing. I think that ultimately it would be appropriate to hold this public hearing open as well.

Al Schock: Thank you. Okay, Ms. Han.

Lana Han: Good evening everybody. I just wanted to introduce ourselves again. We're Dragon Springs, we're a religious community, a religious temple. And many years ago, when we just started, we wanted the neighbors to get to know us better, and at that time there was some dialouge. But now we are trying to use our time to be more efficient and try to do as much as possible to construct what we have proposed within the time frame that we would like to have everything completed. And today we are here, because we are proposing to construct a 34 foot high earth dam and a 19 acre lake on existing property. The dam, we have communicated with the Department of Environmental Conservation. And they have actually been working with us and observing this. So, they have so far classified this as a small Class A dam, also known as a low potential downstream hazard dam. This is the dam that we are proposing. The plans that the Board members have, showed the proposal of this proposed dam and on the plan it also shows the two level parking lot that we are proposing, with a ramp going up and down. In the future, when all of the construction is all done, we anticipate that there will be a time where we let in the community. But now we are in the construction purpose, and also there is an outdoor concrete plaza that is shown around the lake. Actually just this portion above the lake and the dam. So, that's the reason we are here today, is to have this public hearing. We're hoping to get this proposed dam through.

Al Shock: Thank you. Now we'll open it up for public comment.

Rochelle Johnson: I don't know if everybody knows this, but the lake at the top is man made, it was made by Frank Cuddeback. The lake that they're talking about, is also man made and was made by Mr. Gert, the father. I'm going to send these down, these are an example of what I'm seeing now when the rain gets a little bit heavier. Supposedly it came from up above. I know the Town is doing some work on the road, and they're putting more water into the brook. That's the brook across from my house. And I'm taking that (photographs) from the Bashakill bridge. I'm afraid that if they do this, there are five families that live right along the kill there. What are we supposed to do if something goes wrong with that dam? What happens? People are not going to be there, we'll be totally gone. I don't have a lot, but it's mine and I've worked hard for it. But the point that these people, not to be smart, have invited me up, every year, for the first five years, and then all of a sudden nothing. Now I have to put up with their lights coming back and forth, at 10:00 p.m; and 11:00 p.m. You talk about traffic on the road between the truck traffic and the car traffic, it's unbelievable. And one of these days, we have some small kids down by me, they're going to get killed. But they don't care, they don't seem to care. Plus, now I've got a dog by the gate, and bark, bark, barking all night long, and fireworks and this and that.

Al Schock: Any other comment?

Mike Reiko: My name's Mike Reiko, 8 Avenue E, Godeffroy, and my concern is, the existing lake is just going to stay there, and they're going to add another lake?

Minzy Pan: It's another lake.

Mike Reiko: Oh, it's an additional lake, so you're not extending it, you're making a whole another lake. And how big is this lake?

Minzy Pan: Nineteen acres.

Mike Reiko: And how deep?

Minzy Pan: Thirty four feet deep.

Mike Reiko: And do you have any specification on the amount of water that this lake can even hold?

Minzy Pan: Yes, this part of the dam is 34' deep on the lower here, part of the dam.

Mike Reiko: Okay, I understand, but you're talking about an overwhelming amount of water. May I remind you of what happened here in 2005, everybody down here lost their homes because of a lot of rain, and the rivers backing up, and if we have another problem, if something fails. This is why people come up here and move out of the city, and start a new life, and now they're coming into a catastrophe that is waiting to happen. This is something that I am real concerned about. You're talking about a gigantic lake on the top of the mountain. There's so much up there, there's bald eagles, and nature, deer, bears, what's going to happen to them, have you even thought about it? Trucks, traffic. How long is this project going to go for? Ten years? Twenty years? Originally it was only supposed to be a little temple. How many buildings are up there now, that there was only supposed to be a little bit of construction up there. It's out of control, no one knows what is going on. We're not allowed to see what is going on. I am totally against this. I have been against this. I enjoy nature in my back yard. I don't want it to be ruined for our generation and then my kids' generation. So, seriously please consider this.

Derek Wilson: These pictures that you gave us, what date were they taken?

Rochelle Johnson: They were take not too long ago. Every rain that we get, it used to be a week, and then there's water on the road. Now, two or three days of heavy rain, and you're going to have that.

Derek Wilson: I'm just looking at the color of the water coming down.

Rochelle Johnson: That's what scares me.

Derek Wilson: The bashakill is running high, but that's a tributary..... I just want to make sure of where these pictures were taken. This is a tributary coming down as it runs off...

Rochelle Johnson: This is the bashakill bridge.

Derek Wilson: This is the bashakill, this is their property...the outflow from the proposed lake and the existing lake are the same? Do you recognize that?

Rochelle Johnson: Do you know where the Bashakill bridge is on Galley Hill? Looking down on it this way. This is a brook.

Derek Wilson: This is the tributary running off of your property, this is the water where it comes out of your existing lake, because it runs into the bashakill. It would be over here somewhere, right?

Rochelle Johnson: Not too long ago, when we get two or three days of rain, it never used to do that. Now, all of a sudden we get two or three days of rain, and it comes through muddy. The brook is now twice the size of what it was.

Derek Wilson: Okay, we are still running a public hearing, and it's making it impossible for our secretary to keep the minutes. So, my question for you is, that was a picture of the tributary that comes off of this property...

Rochelle Johnson: I call it a brook.

Derek Wilson: The brook that comes off of this property, as it enters the bashakill, that was taken when?

Rochelle Johnson: Everything from up above is coming down.

Derek Wilson: Okay, but those pictures that you gave us, were taken within the last month or two, and was during the heavy rains?

Rochelle Johnson: Yes.

Glen Plotsky: This photo has a date of 11/11/06. I don't know if that's the photograph or just the paper. All of these.

Rochelle Johnson: They all have that on there?

Glen Plotsky: Yes.

Rochelle Johnson: If that's the date, then that's the date then. Because I have newer ones, I can bring them down.

Derek Wilson: Five years, that's a big difference.

Rochelle Johnson: No, my neighbor... everyone of us that are on that kill, on the flats, they're worse than I am. But if this goes in, and something happens, we will no longer be there. But I will bring more ones in.

Glen Plotsky: Just for clarification, just so I can understand, and the Board as well. The blue water is the Bashakill. Right? The brown water is the brook that comes through their property?

Rochelle Johnson: No, it's not only their property, I'm not just going to blame them. It comes from the Tang lake, and then they've been doing work on the road, and they're putting all the water.... they're making ditches, because they're having problem with the water, and they're making ditches into the brook. So, when it comes down, we get it.

Chun Feng: That brook, a portion is from Dragon Springs, and another portion is from Galley Hill Road.

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Rochelle Johnson: And also Tangs' property, the lake up there.

Chun Feng: Yeah, yeah, yeah.

Rochelle Johnson: I'm not blaming you yet for this. I'm just saying that if your lake goes, I'm not going to be there no more.

Glen Plotsky: Have you received the Orange County Planning copy of their comments, they're dated June 15<sup>th</sup>.

Chun Feng: No.

Glen Plotsky: Actually, these are dated July 11<sup>th</sup>, sorry. They were faxed today, that's why I asked. Do you have them yet? Because you're going to have to comment about these.

Chun Feng: Can I have a copy?

Glen Plotsky: So, we'll make you a copy.

Derek Wilson: So, as far as we know, those pictures were probably taken five years ago, just from the dates on the back.

Rochelle Johnson: I have newer ones, that were taken a while ago, I'll bring them.

Derek Wilson: It would be very helpful if you had a picture of the same spot, a newer picture, because we'll probably ask our engineer to look into that, because when it rains, if the water is that discolored, that's a problem, that has to be coming from disturbance somewhere. If it's coming from the site, or off the site, then these should be able to tell us.

Rochelle Johnson: Tangs' lake, which was Frank Cuddebacks', sprung a leak. I was sitting by my window and I heard this noise, and Tommy Hawkins, may he rest in peace, was the highway superintendent at the time. So, I called him. He went up, he said it's for the DEC to fix. But then, actually every time there's a heavy rain, all that muddy water would come down. And what is not helping it, is the Towns' diverting water into the brook also.

Alan Adler: For clarity, I think around 2006, I'm the owner Alan Adler. I'm Alan Adler, I'm one of the managers of this project. I'm not sure of the date, right around 2006, the dam broke. The DEC came and it was repaired.

Derek Wilson: This is Lake Helen?

Alan Adler: Yes. It was back to its' original condition. Thank you.

Al Schock: Any other public comment? Sir?

Ronnie Bertucci: As I stated before, my name is Ronnie Bertucci, and I think that Dragon Springs should put a halt on any building or construction that they're doing up there, until we the people know what is going on up there. Six to seven, eight, ten concrete truck a day... what are they building? Bunkers up in there? What is going on up there? Do you as a Town Board, know what they're doing?

Derek Wilson: We're not the Town Board, just to make sure you don't get confused.

Ronnie Bertucci: You're the Planning Board, do you know what's going on up there?

Derek Wilson: I'll just tell you, just to be clear,

Ronnie Bertucci: Do you know everything what's going on up there, what they're planning?

Derek Wilson: I'll just tell you, just to be clear. We're not an enforcement agency. So, if there is a problem on a site...in other words, we can take into consideration when we look at the site plan, if there's a problem on this site, but a lot of comments on this, and on the previous application, sounds to be like they're problems of enforcement of existing ordinance, which should be directed to the Building Inspector, and probably to the Town Supervisor, to be acted on by the Town Board. The Planning Board has no enforcement authority in all over zoning, other than, if it comes before us for review and approval. I just want to be clear, because there's a little confusion between these two applications, as far as what we can do.

Ronnie Bertucci: About that lake up there, I don't think it's necessary to have another lake up there, God forbid, something happens. Even though the DEC or the best of the best and say, put this, this and this and that here, there's still a possibility of default and I'm at the bottom of the hill, and I'm not going to get wiped out, like I did in 2005. And that poor lady over there had to build an ark, just to keep herself to survive. So, I'm against them having another lake put up there, in addition to what they got. Maintain what you got, and that's all I have to say about that. It's an issue about a lake, no lake, nothing. Let them maintain what they've got and let's protect the people that are at the bottom of the hill. And I'll help you build that ark. Thank you.

Chun Feng: The Building Inspector and the Town Engineer came up onto our property, and they went around and around. They looked at the property, and everything, they came and and took a look. There's no bunkers there.

Glen Plotsky: In looking at the plan, I understand that there is some modification to the use of the one building, and the parking areas that are now being proposed, adjacent to the road around the proposed lake. Can you just... you don't have to do it tonight, but would you put there, some sort of submission to be considered by the Board, as part of this application, specifically defining any changes in use, as well as, some information with regard to the concrete parking structure, the parking areas, those types of things that are now identified, arguably, for the first time, and are barely within the area of change on the overall site plan?

Chun Feng: My information is, only the parking structure to form a parking lot, now two levels, is different. And then there's an outdoor place, that was shown before. Those other uses on the last site plan approval had.

Glen Plotsky: I'm sorry, you had a rehearsal hall on the last plan, in that location?

Chun Feng: Yeah, yeah, I'll show you. The location is there, we just changed the orientation, but it is there.

Glen Plotsky: Okay, we've been through this before. The operable word is : "change" okay. When you change stuff, you have to ask first, change later. Not the other way around. So, I'm just asking for information so the Board can adequately review this plan, because it's not just a proposal for a bigger lake, and a dam. Correct?

Chun Feng: Yes, not entirely, yes. This is the time that we want to tell you to change the location.

Glen Plotsky: And that's fine

Lana Han: We will give it to you in writing.

Glen Plotsky: Exactly, that's my concern.

Lana Han: I understand. We will submit in writing, the change in orientation because of the retaining wall, we will put that in writing.

Glen Plotsky: The application says, "a proposed lake and dam." It doesn't refer to a parking structure, it doesn't refer to re-orientation. All I'm asking you to do is to give us a written narrative..... kind of like what you did for the dam and the lake, but a written narrative of all of the changes you are going to make in that area. That's all.

Mike Hunter: I have one question, real quick. What is the purpose of a second lake?

Lana Han: There is just a couple of benefits, to the additional lake. One, is that it helps with the fire protection, and throughout the years we have been talking about the fire protection issue. And second, is to help, to greatly help with the stormwater management, that the DEC is requiring. Now, the third is also for aesthetic reasons. And to make the place even more beautiful.

Mike Hunter: So basically, you're looking to put an almost twenty acre lake next to an existing lake, to one, help with fire control, because you're growing so large.

Lana Han: Fire protection, because there's a building in that area, across, as you can tell, across the lake, the building there. So, with the location of the new lake, it would help.... my engineers can help clarify that. It will be adjacent to the existing lake. And then also with the stormwater management, that would also greatly help, you know, with any stormwater management, a good size lake, that it would help with managing any stormwater. And the issues with that. So, it's part of the planning, that we want to continue.

Al Schock: Yes, ma'am, it's your turn.

Kelli Brink: I basically have the same concerns,...

Al Schock: You should give your name again and come up.

Kelli Brink: Kelli Brink. I have the same concerns over at that end of the road. It's obviously going to be a huge religious destination type place, and the traffic, buses, construction vehicles. If you've never driven down that road, you have to drive down that road to understand how dangerous those big trucks are on that road. There are part of that road where you can't squeeze by another car. There's no place to go, but in the lake. Literally. So, if anything is coming down the road, they're going to need to shut down the road, because nobody can get by in some spots. Other than going into the lake. I can't image the Town, at this point, in this economy, affording to fix that road. To be able to handle buses and trucks and cars and the obvious traffic that's going to the destination.

Al Schock: Thank you.

Derek Wilson: Okay, please just make sure that you put a note that we received comments from the Orange County Department of Planning on this application.

Gary Butler: How are you doing, Gary Butler, 528 Galley Hill Road. Once again, I'd just like to attack stuff from a common sense issue. One, their religion, I have nothing against these people. But do you know what. I can walk into a Jewish church, I can walk into any religious establishment that's possible, with open arms, whether you like it or not. This does not happen there. Two, common sense tells you this is more like a reservoir, they're looking toward the future. This is a reservoir. Surface ground water alone, just common sense. You just got to figure this out. Now, Port (Jervis) has been wiped out, the Grove has been wiped out, you've got to think down the line, if something should happen here. Okay, they have money, environmental groups. I have a friend in Ellenville who's been working on a dam for ten years, and the DEC. How this thing got pushed through so quick, is simply amazing. Once again, the road was actually shut down by that little bridge this year. I've been there 22 years, and I've never seen it done. Only one other time. Your ground surface water is going to be unbelievable. And again, just like everything will change.... Town Boards, engineers, nobody is accountable. Ten years from now, these people are gone. You can't find them nowhere. The engineer signing the papers, the guy from DEC upstate is gone. They're retired. Nobody is accountable. The road will be wiped, it'll be destroyed, houses will be destroyed, people will be killed, and no one will be accountable for nothing. Just keep this in mind. They also have a mini van, all they can get into it, and visualize what might happen up there. Take a ride with them, have them take you up there. Look at the path that the water's going to flow, if it should let loose. There's no water for this... surface water or a 34 foot dam. Swinging Bridge, what is it, 60 feet, and that's been there forever. And there's very few houses around there, we have 70 houses, 60 of them are at the other end of the road. Not including the Grove and all of Port Jervis. You've got to use common sense. You've got to think about this. Take a ride up there. If I can, I'll make us lunch. Have a good day.

Al Schock: Thank you.

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Rochelle Johnson: Can I say something? They've been drilling wells up there.

Al Schock: Yes ma'am, but you should go to the mike though.

Rochelle Johnson: They're talking about water for fire prevention. Am I wrong? Isn't that what she said? Now they've been drilling wells. Because where I live, I see everything that goes up there. Because a lot of big equipment cannot come in from up above, because they can't make that swing. And the time, I would say, in the last two years, I've seen actually two tractor trailers that came down, that actually made the swing. If they come down from up above, they have to go all the way out to the school, and the old firehouse in Cuddebackville. Now, if they're drilling wells, what do they need another lake for? Why don't they just drill some more wells, so that they can put their fires out there, if they have a fire. Like I said, if anything gets loose, between either one of their lakes, you will see nothing from the Galley Hill, to all the way past the school. If that's the way it is, then that's the way it is. And if you guys are sending somebody for traffic, come down about 10 or 11 o'clock at night, and you'll see what kind of traffic, coming in and going out. Because it's constant. I know, because when they come down the hill, lights shine in my house. And when they're going in, if I'm sitting there watching tv, we can see them.

Derek Wilson: I just want to ask, when we did this application several years ago, one of the approvals... the problem with the traffic on Galley Hill Road came up. And for the construction traffic it was recommended... that they come in from (Route) 211 or (Route) 209? You were supposed to be directing... like the big trucks and construction traffic and the buses to come from the safest way. So, they could be coming in... like, we're hearing a lot from both these applications. It sounds like there's a lot of... I hear concrete trucks, large trucks coming own through where Warren Cuddeback used to own. That means they're coming in from (Route) 211. Right?

Rochelle Johnson: 209.

Derek Wilson: I'm just saying, 209. There was an agreement on one of the previous applications, and it was supposed to direct, like the larger vehicles, the construction traffic in from the safest way... I just want to be clear, 209.

Lana Han: You'd have to double check, I think what you're talking about is that in general, in principle, it's supposed to be 209, but with the bridge there, and its a very sharp turn, and that's why they can't make that turn.

Derek Wilson: So you're saying, in other words, the large tractor trailers, because of the angle, it's easier for them to come in from 211.

Lana Han: That's what I think.

Rochelle Johnson: It's opposite. You can't make the turn coming down from 211. So, they go out to the school, or they go to the Cuddebackville fire house, and they turn around, and then come back in, but most of the stuff comes in from 209 past me.

Derek Wilson: Okay, so every now and then you get a guy who doesn't know, and he figures he's going to come in the other way. Okay, I'm just trying to figure it out.

Gary Butler: I've got one question for the Board, besides the traffic issue. The DEC has been mentioned numerous time, and are there any reports from the DEC?

Derek Wilson: Our engineer, we can direct him to contact them.

Al Fusco: Yeah, we're awaiting comments from them.

Rob Vicaretti: Okay, I didn't know where it stood at. But we are waiting for comments from them? Recommendations?

Al Fusco: Yeah, the applicant has filed an application with DEC as well, and they're talking to the DEC, and should hear from them.

Rob Vicaretti: But we do have oversight over them/

Al Fusco: Yes.

Willard Schadt: I have a question, have you had an opportunity to review the Planning Department letter yet? I just wondered if anyone had any comments about it, that they would like to make tonight?

Minzy Pan: My name is Minzy Pan. Just that I read through the comments, and I think that most of the comments have been addressed about several years ago, when we first proposed to DEC. And I think that the town officials came to our side, the three officials and heard this. The other is that the dam, also there is a lady in charge of the fish. So, they come and check the stream of the existing lake, and they try to see whether we are having trout, and then the temperature issue and things like that. And they reach the conclusion that building a dam, and this size lake will have no impact on the environment, to the fish and to the temperature downstream. And also, according to the letter, they have sent us a letter...

Glen Plotsky: Could you provide us with a copy of that letter, please? Not right now, but provide a copy.

Minzy Pan: Yes, we will provide a copy. In that letter, it says that all of the things, the temperature, the streams, is not to be changed, so it does require an engineering report, which we submitted to them last month. And now this is their review.

Glen Plotsky: So, Lana, if you could arrange to have the letter from DEC and your report to them last month, so the Board could take a look at that, I'd appreciate it.

Lana Han: Yeah, sure.

Minzy Pan: And also I'd like to assure the concerns about the downstream neighbors. Because actually, this is a really nice lake, because the lake, the holy water, runs down the stream, and we can protect the downstream, you know, neighbors, homes and land. Because what happens, when the water is stored in the deep lake, and it has a big surface, so the water level, even though the water will come in, it has a very big area, and then you have the water coming in, and the surface is just a little bit on the lake. So, the water has a structure, so even just a little bit, the water goes out and it's slow. And during a long period of time. And that means that at the lake, the water is slowly discharged, after having the rain. The rain, you know, will be one day or two days. Actually that's why the DEC likes the lake. Actually, they're requiring a report, of the lake and the retention pond and something like that to control the stormwater. And also, according to the report, when we construct the dam according to the engineers drawings, and it will be a safe dam, it will be a good dam, a very sturdy one. And it's going to go to a stream and to a brook and to the Neversink River, and the river is wide enough to eventually discharge, in that water. And that's why this dam is being classified by the DEC as a low hazard dam. I hope that answered your question.

Derek Wilson: How big is the original footprint, of the original lake?

Minzy Pan: It's right now, 13 acres.

Derek Wilson: And you're proposing 19?

Lana Han: Thirteen.

Rochelle Johnson: Have you ever seen the Neversink River backed up to the Bashakill? I'm saying, the Neversink River when we have flooding, backs the kill up with backflows, and thus we're getting it down the brook at us, plus whatever is coming down that brook, which is part yours, part up above and part road. It can go nowhere, except around. I had never been flooded, and in 2005 I had 1 1/2 feet under my trailer.

Minzy Pan: You know the flooding is going to go to the water, because the water comes in when we have the rain. It overflows the river, the river is narrow and then the water goes into it. But now you will have a lake upstream that is going to reduce the flooding. Because the water comes in, and it discharges through the river, but because of the lake, the water will discharge slower, we're actually going to reduce the flooding hazard.

Glen Plotsky: Excuse me, any questions have to be directed to the Board, and the Board can try to get an answer for you from the applicant. Sir, you wanted to ask a question?

Scott Wells: They just mentioned...

Derek Wilson: Would you give your name please?

Scott Wells: Scott Wells. I live on Galley Hill Road. So, how deep is the original lake?

Glen Plotsky: Do you know the answer to that question?

Kaijin Liang: About seven feet.

Derek Wilson: I've got a question, the proposed lake, you're talking about fire protection, but a key goal is flood protection. Just like they're using the New York City reservoir system now, they're looking at them for flood protection, but the city of New York wants to keep the water levels at 100% all of the time, in case we go into a drought. That works against flood protection, because a drop of water in, is a drop of water out, if the reservoir is 100% full. So, are you going to maintain... you're talking about using this lake as a storm detention facility, partially. Are you going to maintain the level of the lake, 20%, 25% below its' maximum capacity? A lot of wetlands are used, they put storm detention dams across the front, so once they get full, then they start to discharge. In other words, on this, are you going to have the berm much higher, so that it can absorb a tremendous flow before it actually begins to increase in discharge? I'm just trying to be clear.

Minzy Pan: Yes, it's a really big area, it's how large the area is to let the water flow. And it's a 3 foot height for that size of lake. For that size lake, it must be one foot.

Derek Wilson: How many?

Minzy Pan: One foot.

Derek Wilson: Twelve feet, one foot?

Glen Plotsky: One foot?

Derek Wilson: So, you're saying that the storage capacity is going to be one acre foot, but you have one foot times your total surface area of nineteen acres.

Minzy Pan: That's what the DEC said.

Derek Wilson: Yeah, and that is a percentage... you did an estimate of the total volume of the lake. Because you said it's 34 feet in one spot, and I'm sure another spot is one foot deep. So, the total volume of the lake, I'm just curious of what the percentage of that one foot storage capacity at the top of the lake is, 10%? 15%? of the total lake volume.

Mr. Kaijin Liang: I'm Kaijin Liang. The water level is higher, than more capacity. We have one foot of the capacity before the stormwater... the same water, you have the whole lake...

Derek Wilson: But you would know then what that one foot represents to the total capacity of the lake.

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Chun Feng: It's 20%.

Derek Wilson: It's about 20%? Because a lot of questions come up, on flood control, down below... people are worried about a catastrophic dam failure. But one of the questions is, when it rains, this lake can absorb a tremendous amount of water without the stream rising, without the Neversink (River) rising. It actually alleviates, when the Bashakill backflows, that's the point I'm trying to get across.

Rob Vicaretti: On the site plan, the lake level is 657'. At the top of the dam it's 6', and the lake is 657'.

Minzy Pan: That's for the top.

Rob Vicaretti: 3 feet of free board.

Minzy Pan: So, when the very heavy rain comes, it goes through...

Derek Wilson: 3 feet over the top of the dam.

Al Schock: Any other comments from the public?

Scott Wells: Your outflow control structure that you have? I guess I'm assuming that it's like a concrete structure. What happens when that is overfilled, do you have a weir on the earth dam where it's lower, or is going to flow overtop of that weir? And that's uncontrolled.

Minzy Pan: It has an emergency spillway, it's like, it's designed for 100 year flooding, and the emergency is more than adequate.

Rob Vicaretti: You also have a gate house on there too? Right? If you have to drain the lake? Or just to release water?

Minzy Pan: This one is for use in construction, to let the spill water flow, during the construction. After that is complete, the spillway will go down.

David Butler: How big is this parking lot going to be, that they need this big of a pond for this kind of surface water, that they got coming off? What are we talking about, 100, 200, 300 cars? Something the size of Walmart? What kind of surface area will that be?

Chun Feng: The new parking structure will hold about 40 cars.

David Butler: That's it, 40? How many are you holding now? I mean what kind of surface area do you have feeding into this pond? I mean, if you leave the trees and dirt there, you're fine already. But you must have too much surface water already, to make this kind of pond. You know what I'm trying to say. It's common sense.

Derek Wilson: On this site plan, how many additional parking spaces are you adding to the existing site plan application. In other words, you have the existing site plan application, you have a certain number of parking spaces, you're going to increase them by 40 cars with this application? Okay, I think that answers the main question that we ask.

Scott Wells: What is existing there?

Derek Wilson: The total number of parking spaces? Do you know the total number of parking spaces at this site? I think he's talking about the total site?

Chun Feng: There is 100 cars total. In the lower and the top.

Derek Wilson: So you have 100 total, and you're going to be adding 40. Okay.

Al Schock: Any other comments from the public?

Rochelle Johnson: The parking, does that include the buses? The big buses?

Al Schock: Does that include the buses?

Chun Feng: We have a plaza, a parking area, where there are the buses.

Rochelle Johnson: On weekends, when they go up there...

Derek Wilson: Wait, wait, hold on there. To answer your question, when we looked at the previous several approvals of this site, bus parking was taken into consideration and reviewed by the engineer. So, it's part of the car total. Actually some of the questions are sort of confusing.

Rochelle Johnson: It's just that I see them coming in and out, that's why I asked.

David Dean: Just to refresh everybody's memory, how many people are allowed here, and any one time?

Derek Wilson: Do you want me to answer that?

David Dean: No, I do know that, I just want the Board to...

Rob Vicaretti: I would like to know Dave.

Derek Wilson: Correct me if I'm wrong, but I believe that there's an occupancy restriction of 99 full time and 99 part time.

Lana Han: I think it's 100 and 100.

Derek Wilson: Okay, 100 full time residents, and 100 guests at one time. So, a total capacity of 200. The deal with that is, when the studies were done, most of the time the maximum for capacity was going to be achieved on weekends, or if they have a special event during the week. That's on previous reviews, when we looked at traffic and other impacts. That's the whole facility.

Scott Wells: Is there like a hotel up there?

Derek Wilson: I couldn't answer that question.

Chun Feng: We actually, like we have safety problem with construction. We cannot allow people to come in now, but in the future the public will.

Scott Wells: You're saying that there is no overnight accommodations?

Lana Han: There's full time residence halls.

Scott Wells: But not for the guests? Is it just day time visits?

Lana Han: On the weekends, they come and usually they have friends that live around.

Glen Plotsky: Okay, you actually still need the information from the town engineer for traffic. I would suggest that you do the same, that we did for the other applicant, which is that somebody make a motion to hold the public hearing open, continue on July 26th. If the engineer and other agencies provide information in advance of that date, then you will actually continue on that date. If it's not provided on that date, we will try to notify the applicant and the board members that the hearing will not be continued on that date, but will be adjourned to the following meeting.

Derek Wilson: Okay, I'll make that motion. I just want to let everybody in the public know that the maps that were on file in the town clerks' office, there has been some changes made on them, concerning the parking area. So, anybody wants to inspect them, I guess there will be copies, starting tomorrow, available. Aside from the pond, there were some changes made on this application, so everybody has two weeks to inspect that in the town clerks' office, if they wish. So, I'll make a motion that we hold the public hearing open on the Dragon Springs site plan application until July 26th meeting.

Al Schock: I'll second that.

Theresa Santiago: Aye.

Rob Vicaretti: Aye.

Mike Hunter: Aye.

Dan Loeb: Aye.

Willard Schadt: Aye.

Derek Wilson: Aye.

Al Schock: Aye.

Motion carried.

Public hearing adjourned at 8:35 p.m.

Respectfully submitted,  
Barbara Brollier, secretary