

## **TOWN OF TUSTEN PLANNING BOARD, November 22, 2022**

A regular meeting of the Town of Tusten Planning Board was held November 22, 2022, at the Tusten Town Hall and via zoom link ID 89713768662, with the following members present:

### **PRESENT:**

Ken Baim (in person)  
Mary Bermudez  
Barry Becker (in person)  
John Kaufman (in person)  
Peter DeAngelis (in person)

### **ABSENT:**

Joseph Curreri

**OTHERS PRESENT:** Amy Lohmann Planning Board Clerk (in person); Crystal Weston Town Clerk (in person), and approximately 4 members of the public in person and 3 on zoom.

The Regular Meeting was called to order at 7:30 pm by Deputy Chairman Baim, following the Pledge of Allegiance and a moment of silence for Ed Jackson.

### **RESOLUTION #43-2022**

#### **Approve Minutes**

On Motion by Kaufman, seconded by DeAngelis the following resolution was

#### **ADOPTED 4 AYE 0 Nays**

**RESOLVED**, to approve the September minutes as there was no October meeting.

#### **Roll Call Vote:**

Ken Baim, Deputy Chairman	AYE
Mary Bermudez	AYE
John Kaufman	AYE
Barry Becker	AYE
Peter DeAngelis	AYE
	CARRIED

### **CORRESPONDENCE:**

Letter from Narrowsburg Union (about 79 pages) in regards to Barvolucci, this does not apply to the Planning Board. This letter is for the Board of Health and Code Enforcement Officer.

### **OLD BUSINESS:**

Bobov Yeshiva Educational Center, 189 Blind Pond Road, Narrowsburg, NY SBL 21-1-1, 5.1, 19.1

Rick Woidt, Engineer wrote the report regarding the dam. NYS DEC regulates Dams and in 2011 Hurricane Irene went over the spillway and a concern that it might fail. After 2011 the dam meets permit requirements. The dam has been classified as a B Hazard dam. Which is an intermediate hazard. This dam would need a compliance check list including maintenance of the dam, emergency action plan, etc which began in 2011. The current owner recently received a letter from the DEC for the compliance check list. The emergency action plan was completed, submitted to dam safety, reviewed, approved and finalized. The spill way capacity is a big issue -the water went over in hurricane Irene. There are 5 large trees about 12-36 in

diameter downstream that should be removed. These roots can grow into the dam. There is currently evidence of dam leakage. The structural review was submitted to the DEC and waiting for it to be reviewed and comments. The next steps are to wait for the DEC review, remove vegetation and repair the leakage. This process may take a few years.

Brad Grant, Town Engineer stated that the trees in the dam can grow into the bank and cause holes, which there are some holes already in the dam. A recommendation is to have the trees removed. The dam is not holding water, its seeping through.

The peak elevation is approximately one foot over the top of crest of dam. There is a fence upstream that should be removed as it is catching leaves and debris during the storms.

The applicant has an option to buy the property with the dam. The buyer will bring the dam into compliance.

The pool has been moved away from the road. The pool has its own leach field/ back wash. It is labeled as leach area #1 on the map. The pool should have its own with the chlorine, etc. the pool and mikvah will need health department approval along with the leach fields.

There are large water tanks in the basement. There are diagrams of water tanks that are 150 gallons, compact tanks and pressure tanks. The tanks are 30, gpm, 20 gpm and 10 gpm. This should be more than enough. A proposed storage tank on the outside of the building if needed but more analysis would need to be done.

The applicant wants to purchase this property and would like to have preliminary approval. The fence height code is 6 feet and it needs special use approval to be 8 feet for religious reasons. The fence height would be part of the special use approval from the board.

There will be 150 male students enrolled and approximately 10 staff.

The applicant will need to complete the long form SEQRA by December 13. The next meeting is on December 27.

## **NEW BUSINESS:**

Robert Weigers, Eagles Nest Subdivision, 437 Hankins Road, Narrowsburg, NY SBL ~23-1-22.5 for a two lot subdivision. This variance has been approved by the ZBA and resolution was reviewed by the planning board. The SEQRA does not have to be done as the ZBA completed it for both boards.

### **RESOLUTION #44-2022**

#### **Public hearing**

On Motion by Kaufman, seconded by Becker the following resolution was

#### **ADOPTED 5 AYE 0 Nays**

**RESOLVED**, for a public hearing for Eagles Nest two lot subdivision on December 27 at 7:25 PM.

**Roll Call Vote:**

Ken Baim, Deputy Chairman	AYE	
Mary Bermudez	AYE	
John Kaufman	AYE	
Barry Becker	AYE	
Peter DeAngelis	AYE	CARRIED

**RESOLUTION #45-2022**

**Lead Agency**

On Motion by Bermudez, seconded by DeAngelis the following resolution was

**ADOPTED 5 AYE 0 Nays**

**RESOLVED**, for the planning board to be lead agency for Eagles Nest two lot subdivision.

**Roll Call Vote:**

Ken Baim, Deputy Chairman	AYE	
Mary Bermudez	AYE	
John Kaufman	AYE	
Barry Becker	AYE	
Peter DeAngelis	AYE	CARRIED

The applicant stated that the cabin that is on the property will be used for storage and then it will be removed.

**Board Comment**

No other board comments

**Adjournment**

With no further business or board comment a motion by John Kaufman, seconded by Barry Becker to close the meeting at 8:20 pm. All in favor. Our next meeting is December 27 at 7:25 PM

Respectfully submitted, Amy Lohmann, Planning Board Clerk