

## **TOWN OF TUSTEN PLANNING BOARD, February 28, 2023**

A regular meeting of the Town of Tusten Planning Board was held February 28, 2023 at the Tusten Town Hall and via zoom link ID 89713768662, with the following members present:

### **PRESENT:**

Ken Baim  
Mary Bermudez  
Barry Becker  
John Kaufman  
Peter DeAngelis  
Mike Farrell  
Brendan Kelly

### **ABSENT:**

**OTHERS PRESENT:** Amy Lohmann Planning Board Clerk; Crystal Weston Town Clerk (via zoom), and approximately 55 members of the public in person and 35 on zoom.

Regular Meeting was called to order at 7:30 pm by Chairman Baim, following the Pledge of Allegiance

### **RESOLUTION #04-2023**

#### **Approve Minutes**

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

**ADOPTED 7 AYE 0 Nays**

**RESOLVED**, to accept the December 2022 and January 2023 meeting minutes.

Check received #8660 from Bobov Yeshiva for \$1900.00 for escrow

### **CORRESPONDENCE:**

There was a lot of correspondence received from members of the Town in regards to Bobov Yeshiva. The correspondence from the Gurdijeffe Foundation was read to the board and public.

Many concerns of the public are traffic and buses.

The applicant reviewed the project: The school operates out of Monsey, NY and these are 10 & 11 grade boys who would be attending. There would be no more than 150 students during the summer approximately July and August. The children would be dropped off via bus with the belongings and stay approximately 8.5 weeks. The children would be allowed to go home during one Chavez with their parents or by bus. It would be the same boys for the 2 months.

The public hearing was closed during last months meeting and this is not a continuation of the public hearing.

Members of the public (Denise Dunlevy, Star Hess, Jane Nydick, Brian Mendoza, Nora Isenberg, Steve Depinto, Joanne Pentangelo, Steven Barshof, Mark, Brendon Weiden, Brett Wallace, Wanda Gangle, Steve Barshof, Ya El, spoke at the public hearing with their concerns:

Public comments:

- Accessory traffic ~ food, teachers
- Cost town several hundred thousand dollars to redo the shoulder of the road
- No mention of environmental concerns
- Plan does not conform with waste or conserving water
- No special use in town zoning for summer camp
- Already have camps in the town
- Neighbors have to be mailed letters regarding public hearing why do the letters if everyone is against it
- Problem entertaining the camp, indoor /outdoor activities
- Articles were handed out concerning camp on 17B, recordonline dated 7/15/11
- Never seen 100's of people at Gurdijeffe Foundation during the year
- Summer camp not a school increased road use, cause burden on town
- Curious about incident in Monsey with neighborhood complaints, what is the clarity on violations in Monsey
- Memo should be sent out to the town-on-town laws. Can 1 person vote for this to go to ZBA for clarification
- The Town Engineer needs to complete his review of the documents submitted. The planning board is not acting on this tonight. There are many statements asking questions which will be responded to in writing. The Planning Board puts conditions of approval that the applicant needs to live up to. There are problems with the dam that will be addressed by the applicant if approved, nothing will be improved if the application is not approved
- What is the reason why the town decided no more camps previously in the past
- In Brooklyn a school building was built and sold to the public as apartments with no CO which made it no legal for the public to live there. Codes here are different than NYC
- Ruling for Talmud Torah, Warwarsing, for Rabbis and Synagogues.

Public comments closed at 8:24 PM. No further action until the board receives additional documentation for this application.

**NEW BUSINESS:**

Russell Miller & Jacob Johnson, AMJR, Big Eddy Brewing Co, 93 Main Street, Narrowsburg, NY SBL 10-1-19 for a 10 barrel brewing and restaurant.

Seating for inside according to square footage calculations is 64. Need to condense some equipment to keep people from touching.

The building next door has an access door and a four foot easement between the alley way and 101 Main Street. Jim, the neighbor is concerned about a roof deck being 12 foot from his

living rooms windows. The applicant will be working with the neighbor, there are no plans for a roof deck at this time.

The vault will remain in the building. It might be used as entertainment space or refrigeration. There are two vaults in the building, one is with an 8 foot door and the other is smaller.

Brewing will be done on off hours.

The access way on the North side possibly a grab and go from the existing drive-up window, more outdoor eating tables outside. A step would be in the back / fold down ramp to ADA compliant and to move items in and out. There is no food truck as the building would have a permanent kitchen.

### **RESOLUTION #05-2023**

#### **Lead Agency**

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

#### **ADOPTED 7 AYE 0 Nays**

**RESOLVED**, for the Town of Tusten Planning Board to be lead agency for Big Eddy Brewing Co, 93 Main Street, Narrowsburg, NY SBL 10-1-19. This is an unlisted action due to being a short form.

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

Ken Baim, Deputy Chairman	AYE
Mary Bermudez	AYE
John Kaufman	AYE
Barry Becker	AYE
Mike Farrell	AYE
Brendan Kelly	AYE
Peter DeAngelis	AYE CARRIED

### **RESOLUTION #06-2023**

#### **SEQRA part 1, 2, 3**

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

#### **ADOPTED 7 AYE 0 Nays**

**RESOLVED**, for the SEQRA approval for a Special Use Permit for an eating and drinking establishment at Big Eddy Brewing Co, 93 Main Street, Narrowsburg, NY SBL 10-1-19. This is a negative declaration.

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

Ken Baim, Deputy Chairman	AYE
Mary Bermudez	AYE
John Kaufman	AYE
Barry Becker	AYE
Mike Farrell	AYE
Brendan Kelly	AYE

Peter DeAngelis

AYE CARRIED

The location is not in the 100 year flood plain.

The board clerk will send the 239 information to the UDC and Sullivan County Planning.

**RESOLUTION #07-2023**

**Set Public Hearing**

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

**ADOPTED 7 AYE 0 Nays**

**RESOLVED**, for the public hearing to be set on March 28 at 7:25 PM for Big Eddy Brewing Co, 93 Main Street, Narrowsburg, NY SBL 10-1-19.

Certified return receipts will need to be mailed out to all neighbors.

**Roll Call Vote:**

Ken Baim, Deputy Chairman	AYE
Mary Bermudez	AYE
John Kaufman	AYE
Barry Becker	AYE
Mike Farrell	AYE
Brendan Kelly	AYE
Peter DeAngelis	AYE CARRIED

The next meeting will be on March 28.

**Board Comment**

No other board comments

**Adjournment**

With no further business or board comment a motion was made by Mike Farrel, seconded by John Kaufman to close the meeting at 8:55 pm. All in favor. Our next meeting is March 28 at 7:30 PM

Respectfully submitted, Amy Lohmann, Planning Board Clerk

**TOWN OF TUSTEN PLANNING BOARD  
PO BOX 195  
NARROWSBURG, NY 12764**

March 12, 2023

AMJR LLC  
10 Lake Street  
Narrowsburg, NY 12764

Tax ID # 10-1-19

93 Main Street, Narrowsburg, NY for Big Eddy Brewing Co.

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Mary Bermudez	AYE
John Kaufman	AYE
Barry Becker	AYE
Mike Farrell	AYE
Brendan Kelly	AYE
Peter DeAngelis	AYE CARRIED

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Mike Farrell	AYE
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Mary Bermudez	AYE	
John Kaufman	AYE	
Barry Becker	AYE	
Mike Farrell	AYE	
Brendan Kelly	AYE	
Peter DeAngelis	AYE	CARRIED

Thank you

Sincerely,

Ken Baim  
Chairman

Cc: Ben Johnson, Town Supervisor  
Jim Crowley, Code Enforcement Officer  
Neal Latkowski, Zoning Board Chairman