
Appendix B-1

ORIGINAL

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TOWN OF SOUTHAMPTON PUBLIC HEARING

116 Hampton Road

Southampton, New York

December 8, 2016

6:00 p.m.

P R E S E N T:

DENNIS FINNERTY, Chair

CATHIE GANDEL, Member

JACQUI LOFARO, Member

ROBIN LONG, Member

CARL BENINCASA, Member

PHILIP A. KEITH, Secretary

SPEAKERS:

WAYNE D. BRUYN, ESQ.

STACY PAETZEL, RLA, Marshall Paetzel
Landscape Architecture, PC, site planner
and landscape architect

DAVID WORTMAN, VHB Engineering, Sr.
Environmental Manager and Principal author
of the DEIS

PAUL GROSSER, PE, CEO, PW Grosser
Consulting, Inc., Hydrologist and Water
Resource Management Scientist

PIO LOMBARDO, PE, Lombardo Associates,
Engineer and Water Resource Management
Scientist

RONALD HILL, PE, Dunn Engineering
Associates, PC, Traffic Engineer

JEFFREY L. BRAGMAN, ESQ

STEVEN SCHNEIDER, PE, Schneider
Engineering, PLLC

JOHN G. ZBELL, CPG, LEP, Leggette,
Brashears & Graham, Inc., professional
groundwater and environmental engineering
services High Point Engineering

LARRY PENNY, former director of natural
resources for the Town of Southampton

1
2 CHAIRMAN FINNERTY: We'll move
3 now to the Southampton Country Day
4 Camp. We will briefly review
5 proceeds. First of all, it's been the
6 board's policy given the significant
7 application that we will not be
8 closing the hearing tonight. We will
9 adjourn the hearing and reconvene I
10 believe we are looking at the second
11 meeting in January. I think January
12 26th. If you don't get a chance to
13 enter comments tonight or maybe you
14 just want to revisit your comments or
15 amend them, there will be additional
16 opportunity on the environmental
17 impact statement.

18 At the same time, you may during
19 this period and following the close of
20 the hearing enter written comments,
21 letters, emails they are all read by
22 board members. They are not discarded
23 in some pile. So if you don't need to
24 speak this evening, please feel free
25 to enter correspondence. It is very

1
2 important for the record.

3 The format that we're going to
4 follow is we are going to have the
5 applicant's representative make a
6 presentation bringing us up to speed
7 on the application. It's been awhile
8 since the board has seen it.

9 Following that, you'll have questions
10 and comments from members from the
11 board.

12 Following the applicant's
13 presentation, we will open the floor
14 to the applicant's representatives
15 whether it's legal counsel or
16 representation here and we will afford
17 them equal amount of time to enter
18 comments or present any issues they
19 wish to bring before the board.

20 Following that, we will open the
21 floor to questions and comments from
22 members of the public. We have to
23 place a three-minute time limitation
24 on comments. We apologize. We have a
25 time keeper and we will try and ensure

1
2 that no one goes over that time
3 period. We will give you a
4 thirty-second notice before you run
5 out of time.

6 I will also ask you to place
7 your cell phones and pages on silent
8 mode at this time.

9 Do we have the Public Notice?

10 MR. KEITH: "Notice Of Public
11 Hearing.

12 "Please take notice that in
13 accordance with the Town Code of the
14 Town of Southampton a Public Hearing
15 will be held by the Southampton Town
16 Planning Board on Thursday, December
17 8, 2016 at 6:00 p.m. prevailing time
18 at the Southampton Town Hall, at 116
19 Hampton Road, Southampton, New York to
20 consider the Draft Environmental
21 Impact Statement entitled Southampton
22 Country Day Camp, pursuant to SEQRA
23 regulations. The Draft Environmental
24 Impact Statement addresses the
25 proposed change from one

1
2 non-conforming use to another and
3 associated site improvements, located
4 at 665 Majors Path, within the Hamlet
5 of North Sea, Suffolk County Tax Map
6 Number 900-97-3-17.1.

7 BY THE ORDER OF THE PLANNING
8 BOARD OF THE TOWN OF SOUTHAMPTON
9 PHILIP KEITH, SECRETARY."

10 MR. BRUYN: Good evening, board
11 members. Wayne Bruyn, O'Shea,
12 Marcincuk & Bruyn Southampton, New
13 York on behalf of Southampton Day
14 Camp, Realty owner of the property
15 doing business as Southampton Racquet
16 Club and Camp.

17 As the chairman indicated this
18 has been an application that has been
19 before this board and the zoning board
20 of appeals for a number of years. I
21 would like to first introduce you to
22 our consulting team. But before I do
23 that I need to let you know that Mr.
24 Jay Jacobs, the principal of the
25 company is here as well as Thomas

1
2 Coffey the director of the facility,
3 as well as other members of the
4 company.

5 Our consultant team in addition
6 to our firm has been the firm of
7 Harris Beach. We also have David
8 Wortman our senior environmental
9 manager and principal author of the
10 Draft Environmental Impact Statement
11 from VHB Engineering.

12 We have Stacy Paetzel from
13 Marshall Paetzel Landscape
14 Architecture, our site planner and
15 landscape architect.

16 We have Jeff Butler our civil
17 engineer and architect.

18 Paul Grosser from PW Grosser
19 Consulting, a hydrologist and water
20 resource management scientist.

21 We also have Pio Lombardo from
22 Lombardo Associates, also an engineer
23 and water resource scientist.

24 And lastly we have Ron Hill from
25 Dun Engineering.

1
2 What we would like to do is make
3 a brief presentation as the chairman
4 indicated on this application. The
5 board has not seen anything formally
6 before you since 2012 when it issued a
7 positive declaration on what was then
8 a different application before the
9 zoning board of appeals. Nonetheless,
10 the applicant decided to proceed with
11 a full Environmental Impact Statement
12 review and that is what this board has
13 deemed complete under seeker for
14 public review and is the subject of
15 this public hearing.

16 Any questions of law or other
17 issues before the zoning board, there
18 will be an opportunity for the zoning
19 board after the final Environmental
20 Impact Statement is prepared to have
21 their own hearings and adjudicate
22 their matters.

23 First of all, the jurisdiction
24 again as mentioned is for a super
25 hearing on the Draft Environmental

1
2 Impact Statement to hear the comments
3 on the document that was prepared in
4 connection with that. The application
5 in front of the zoning board of
6 appeals is a variant for a change from
7 one nonconforming use from a tennis
8 club and tennis camp to a tennis club
9 and day camp.

10 But before I do that, this
11 property has had a long history and I
12 need to briefly mention that prior to
13 1995 the property had been used as a
14 recreational camp all the way back to
15 the 1930's.

16 In the early '70s, the
17 Kronmeyers family who purchased the
18 property and was using it as a camp
19 decided to evolve a camp and applied
20 and obtained various permits for
21 tennis courts.

22 At some point in 1995 those
23 tennis courts -- because the property
24 was zoned residential the building
25 department required the landowner to

1
2 go to the zoning board of appeals
3 particularly because they wanted to
4 convert what was horse stables and
5 other facilities and add additional
6 tennis courts.

7 The zoning board of appeals in
8 1995 reviewed that application and it
9 was then decided that they could add
10 two additional tennis courts and
11 convert the facilities. The use of
12 the premises was defined as the tennis
13 club and tennis camp. This board
14 thereafter actually reviewed and
15 approved the site plan for the
16 property.

17 After the zoning board decision
18 in 1998 the land owner obtained the
19 current COs for the property. And I
20 just want to note part of my outline
21 and some of these documents and the
22 history of the property is in the
23 handout that I gave you that you can
24 peruse on your own. It's also in the
25 Draft Environmental Statement.

1
2 In 1998 the certificate of
3 occupancy that was issued was for a
4 tennis camp with twelve cottages, a
5 two-story house, a basketball court,
6 decks, cottages, shop building,
7 caretaker's office, kitchen, dining
8 hall, garden shed and tennis courts
9 and clubhouse.

10 The Kronmeyers family conveyed
11 the property in or about 2006 to a
12 company who continued to run a tennis
13 club and tennis camp until about
14 October 2010 when my client purchased
15 the property.

16 In 2011 my client made
17 application to the zoning board for an
18 expansion of the nonconforming use.
19 As you know the code allows up to a
20 fifty percent floor area expansion.
21 The plan the zoning board was
22 considering was this plan that you see
23 here. A reduced copy is in the
24 package for you to look at too. There
25 is also a comparison of the floor plan

1
2 that I'm going to mention in that
3 packet. That plan increased the floor
4 area from 11,900 square feet to
5 approximately 19,000 square feet of
6 floor area increased the court area
7 and all the other activity areas from
8 59,000 to 110,000 square feet.

9 As you can see on the plan, the
10 existing tennis courts were reduced to
11 only three or actually three and a
12 half because one was a half-size
13 tennis court. Purposed swimming pools
14 exceeding 6,220 square feet. There
15 were other courts and activity areas
16 including two softball fields, a
17 basketball court, three multipurpose
18 court areas as well as a playground.
19 There was over 90,000 square feet of
20 additional clearing on the property.
21 The five existing curb cuts on the
22 property were being reduced to three
23 with one of them being relocated.

24 After that application was heard
25 at the zoning board of appeals even

1
2 when we got comments from this board,
3 my client decided to reconsider, went
4 to the building department and asked
5 them what can we do that does not
6 require a variance? The building
7 inspector determined that if we do not
8 increase the floor area, the court
9 area, the activity area one square
10 foot, that that will not require a
11 variance. It was his opinion that the
12 existing use fell within the code
13 requirements that the tennis camp and
14 activities we were proposing were
15 appropriate.

16 Our neighbors didn't agree with
17 that determination and brought an
18 appeal to the zoning board of appeals.
19 The zoning board of appeals after
20 several hearings decided in March 2012
21 that based on the arguments brought
22 forth, first the neighbors asserted
23 that the property and the use of the
24 property had been abandoned. The
25 zoning board ruled otherwise. They

1
2 said it was not abandoned. The zoning
3 board specifically said that this
4 particular plan which was what we call
5 the renovation plan that the building
6 inspector looked at, did not increase
7 any floor areas, did not increase any
8 court areas and the like constituted a
9 change in the nonconforming use
10 primarily based on its design and
11 other activities.

12 As you can see on that plan,
13 again, there are only two tennis
14 courts that remain and that was very
15 instructive to the zoning board of
16 appeals. There are still four
17 swimming pools, six thousand square
18 feet of swimming pools, softball
19 field, basketball court, multipurpose
20 area, playground. The clearing was
21 reduced to 74,000 square feet. The
22 five curb cuts were reduced to three
23 and there were two being relocated.

24 After that decision which was
25 not appealed by either party, my

1
2 clients started preparing what would
3 be a change of one nonconforming use
4 for another for the zoning board of
5 appeals. At the same time we went to
6 the building inspector and asked would
7 it be possible not to place three
8 swimming pools or four swimming pools
9 on the property, but could we place
10 one swimming pool on the property as a
11 customary accessory use to a tennis
12 club and tennis camp?

13 The building inspector based on
14 the plan that we prepared actually
15 agreed but he said due to the
16 controversy on the application you
17 should get that affirmed by the zoning
18 board of appeals.

19 Thus we made a second
20 application at the zoning board of
21 appeals for interpretation under the
22 code as to whether or not one swimming
23 pool which would replace one tennis
24 court would be a customary accessory
25 use to a tennis club and tennis camp.

1
2 After review the zoning board
3 agreed with the building inspector's
4 interpretation and agreed that one
5 swimming pool is a customary accessory
6 use and granted that necessary
7 interpretation.

8 Our neighbors didn't agree with
9 that. They in fact sought relief in
10 the Supreme Court, sought a temporary
11 restraining order and a preliminary
12 injunction which was denied by the
13 court. Thereafter proceeded with
14 their petition to overturn the zoning
15 board of appeal's decision. That
16 decision was denied and upheld by the
17 courts based on the finding that the
18 zoning board was correct and that
19 decision was never appealed.

20 About the same time our client
21 undertook and that's something
22 different than what this board saw
23 which was in 2012, about that time
24 this was the plan that we actually
25 submitted to this board, to the zoning

1
2 board for the change in use which you
3 issued a positive declaration on.
4 This is the plan that we also used to
5 show where we would locate the one
6 swimming pool while that was all
7 pending. The difference between this
8 plan and the last plan, all the square
9 footage and everything is the same,
10 except for one of the recommendations
11 that the planning board had looked at
12 was the southerly access point was in
13 a place where the sight distance was
14 not necessarily good. So you had
15 suggested we look at a way to try to
16 mitigate sight distance issues at that
17 existing intersection. So this plan
18 actually purposed to connect the
19 southerly parking lot to what was the
20 middle access point to create a dual
21 access point. So this was the plan
22 that was never reviewed or otherwise
23 dealt with. This is the biggest
24 difference between those plans.

25 At that point we go back to the

1
2 2012 decision of the zoning board.
3 One of the questions that was raised
4 was whether the use was abandoned.
5 The abandonment of the use was found
6 not to be the case. In fact the
7 zoning board said if we don't occupy
8 and use the property, the time period
9 in which imminent could occur would
10 happen and therefore our client was
11 advised to occupy and use the property
12 in accordance with a certificate of
13 occupancy issued to the property as a
14 tennis club and tennis camp.

15 In the spring of 2013 in
16 addition to the swimming pool now
17 being constructed, certain interior
18 cosmetic improvements were done and
19 the site was occupied with the tennis
20 club and camp and operated that entire
21 summer. However, at the time when the
22 club and camp were opened our
23 neighbors didn't think that would be
24 ideal and they also brought an action
25 in Supreme Court for a temporary

1
2 restraining order and a preliminary
3 injunction to prevent us from
4 occupying the property and operating a
5 tennis club and tennis camp pursuant
6 to the COs. That request for a
7 temporary restraining order was denied
8 and we were able to operate.

9 And it was not until the next
10 December of 2014 that Judge Spinner
11 actually denied the request for the
12 preliminary and permit injunction for
13 the use of the premises as a tennis
14 club and tennis camp pursuant to the
15 existing COs. He also noted that the
16 camp had been operating legally as a
17 tennis club and tennis camp and there
18 had been no violations that were noted
19 of record or brought forth before the
20 court during that period. Although
21 that action was a notice of appeal
22 filed by our neighbors, they never
23 perfected it and now it's the law of
24 the case.

25 Since then our client operated

1
2 the premises for actually three or
3 four summers and one of the things
4 that my clients came to find out is
5 that the use of the premises, the
6 tennis club, which they brought in and
7 continued to have Cliff Drysdale
8 manage and operate the tennis club
9 portion of the operation.

10 The plan that's now before you
11 is greatly different from any of the
12 plans previously described. The
13 current plan no longer shows just two
14 tennis courts. But basically this
15 plan is maintaining the seven existing
16 courts that are along the southerly
17 part of our property.

18 The request for the change of
19 use is not what it was earlier where
20 we were changing the tennis club and
21 tennis camp to just a day camp, but
22 it's been changed from a tennis club
23 and tennis camp to a tennis club and
24 day camp with a day camp component.
25 The purpose of that as stated in the

1
2 Environmental Impact Statement so the
3 purpose of this is to modify the
4 defined use of the subject property as
5 I mentioned and improve the existing
6 facilities.

7 And Stacy Paetzel will take you
8 through our proposed plans. This
9 change is needed to transition from
10 the existing tennis club and tennis
11 camp to the use that incorporates a
12 day camp program providing a broader
13 range of camp activities. The
14 proposed action would not necessarily
15 increase the intensity of the use of
16 the subject property, but would
17 diversify the recreational activities
18 available to the campers.

19 The existing tennis camp program
20 has a focus while also offering a
21 range of other camp activities for
22 example swimming. The proposed day
23 camp use would continue to offer
24 tennis related camp activities but
25 would also diversify and also offer a

1
2 diversity of programs to accommodate
3 campers who do not wish to play
4 tennis.

5 If you recall, attached is some
6 of the evidence on the last page a lot
7 of the evidence that the zoning board
8 had reviewed because there are no
9 definitions of a tennis club or tennis
10 camp in the code which has been part
11 of the issue controversy from day one.
12 What was instructed to the zoning
13 board is common usage of the language
14 and what we experience here in the
15 town of Southampton and the end of
16 Long Island and elsewhere on Long
17 Island. So the evidence of about what
18 other tennis clubs and tennis camps
19 operate is very important to the
20 zoning board of appeals and very
21 instructive in their decisions
22 previously on both first case as well
23 as the case with the swimming pool.
24 We have mentioned that in our Draft
25 Environmental Impact Statement and

1
2 I've also provided you with some of
3 the issues. I'll give you the best
4 example is on the town of Southampton
5 property the future scars use -- if
6 you go online and look on their tennis
7 camp program, you will see the type of
8 activities that are given on a typical
9 day, it's no different than a typical
10 day at our tennis camp.

11 So what I would like to do at
12 this point is to have Stacy Paetzel
13 come up and give you a brief
14 description of our project and the
15 design behind it and some of the
16 issues that you remember as well, the
17 buffer and their usage on one page.
18 And then we'll have David Wortman give
19 a brief overview of the Environmental
20 Impact Statement that is before you
21 and also have Paul Grosser and Pio
22 Lombardo talk about the water resource
23 impact. And lastly Ron Hill will give
24 you an overview of our traffic.

25 MS. PAETZEL: My name is Stacy

1
2 Paetzel. I'm the landscape architect
3 for the applicant from Marshall
4 Paetzel Landscape Architecture.

5 Before I get into the nitty
6 gritty of the design I just want to
7 talk a little bit about how we
8 approach the design. When we first
9 ever came on this property, when we
10 first started looking at it, the thing
11 that touched me as a designer was how
12 ideal the setting was for a camp. I'm
13 sure not everyone agrees with that,
14 but as a designer it just seemed
15 perfect. Not only because the setting
16 and just feeling what an ideal place
17 to have camp period, but also because
18 we weren't going to have to change all
19 that much physically about the
20 property -- zoning a different matter
21 -- but physically the layout of the
22 property worked quite well. Not much
23 has changed as the crow flies on the
24 property operated as a tennis club and
25 tennis camp since the new applicant

1
2 took that over. And hopefully if I do
3 my job well, a passerby won't really
4 notice much of a difference after
5 we're finished.

6 The property is currently
7 heavily wooded primarily deciduous of
8 oak and hickory forest and there are
9 small buildings and interior roads
10 dotted throughout the property. It's
11 just sort of nestled in the woods.
12 Part of what we wanted to do to it to
13 keep that feeling. That's what was
14 contributing to the property feeling
15 like a camp.

16 Our goal from day one was to
17 utilize to whatever extent we could
18 the existing undisturbed areas and to
19 try to incorporate our proposed
20 improvements around that. I think
21 we've done a pretty good job of that.

22 The main changes that would
23 happen as far as the site is concerned
24 would be to the interior roads.
25 They're really kind of makeshift and

1
2 kind of wind throughout the property.
3 In order to accommodate parking needs
4 and accommodate buses being able to
5 come in and out of the property, we
6 needed to widen the roads in some
7 places. To counterbalance that we've
8 kept all of the existing roads and
9 utilized those disturbed areas only
10 expanding them the minimal amount
11 possible to make them functional. On
12 the other side of that where we could
13 we took the roads, sort of the
14 interior roads, that wound through the
15 camp out and replaced those with
16 pedestrian walkways and more
17 naturalized areas.

18 The other major functional
19 change to the property was the
20 creation of -- and I guess why we're
21 here asking for this -- is the
22 creation of a little more flexibility
23 of how they're able to use the site.
24 Most kids want to do more than just
25 play tennis. The one swimming pool

1
2 that they have is not quite sufficient
3 to accommodate different groups at
4 different times. You can't have ten
5 year olds in a pool when there are
6 three year olds having a lesson.
7 Maybe you could, but it's not
8 necessarily the best function. They
9 need to be able to have the program
10 allow for different groups of children
11 to be doing different activities in
12 pools. So we added two more pools to
13 the one pool.

14 This is the current pool that
15 was installed as per the renovation
16 accessory to the tennis club and these
17 are the two proposed pools that sit on
18 the same existing tennis court area.
19 It's really centralizing the property,
20 minimal disturbance to the neighbors.
21 We really felt that that was
22 important.

23 The other change would be right
24 now, there is a tennis court that sits
25 encroaching over the property line so

1
2 we brought that back to have a larger
3 setback to protect the neighbors. And
4 that tennis court they would like to
5 convert to basketball courts. That's
6 instrumental to you granting this
7 request. There's another basketball
8 court in this area.

9 The only other thing I'll point
10 out is there's a slight change to the
11 road. I think we have our traffic
12 engineer here, that was for site
13 visibility to get better distance and
14 visibility there. As well as down in
15 this area for employee parking we
16 changed where the road actually hits
17 Majors Path to improve safety there.
18 Our traffic engineer is here if you
19 have questions on that.

20 One other thing that I'll
21 mention is that there's a play area
22 here and that's another piece that's
23 instrumental to this application is in
24 addition to having the tennis,
25 swimming and basketball, there be just

1
2 a small play area where there could be
3 a playground for the children.

4 I think that's all I have. If
5 there are any other questions?

6 CHAIRMAN FINNERTY: Thank you.

7 MR. WORTMAN: Hello. My name is
8 David Wortman. I'm from the firm VHB
9 Engineering. I'm the principal author
10 of the Draft Environmental Impact
11 Statement the subject tonight's
12 hearing.

13 In response to your plea, Mr.
14 Chairman, I will review the DEIS
15 elements. The positive declaration
16 issued by this board in 2012 required
17 the preparation of this Draft
18 Environmental Impact Statement. It
19 was subsequently a reduction of the
20 project and we continued along this
21 path and prepared the document rather
22 than seek any other potential
23 determination of significance and in
24 doing so this board elected to conduct
25 a public scoping session which allowed

1
2 for an inconclusive and comprehensive
3 EIS preparation process.

4 A DEIS has been prepared as
5 you're aware and it was submitted for
6 review not only by your planning
7 department but also by a third-party
8 environmental consultant Cash and
9 Associates as well as KLD Engineering
10 who reviewed the traffic related
11 components.

12 The DEIS was subsequently
13 revised to address their comments and
14 was ultimately accepted by this board
15 as complete and adequate for public
16 review which brings us here tonight.
17 The DEIS did go over this extensive,
18 is comprehensive but I will just
19 briefly describe the documents in that
20 they're being comprehended. We
21 studied and addressed the soils and
22 the ground water resources including
23 elements such as hydrogeology ground
24 water flow, potential impact to the
25 sanitary system, potential impact

1
2 associated with the swimming pool use
3 and other chemical use of fertilizers
4 and potential impact to the surface
5 water to Little Fresh Pond. We have
6 experts here to introduce the
7 highlights of those analysis.

8 We address potential impact to
9 ecology, the vegetation type on this
10 site, the potential wildlife impacts
11 are addressed as well. We analyze
12 potential visual and aesthetic
13 resource impact, the character of the
14 site and the potential of this project
15 to affect community character. We
16 studied potential transportation
17 related impact and a traffic impact
18 study was made an integral element of
19 this DEIS. Here again, some
20 highlights from that report tonight.

21 Land use and zoning were
22 considered consistent with the zoning,
23 Town's code and the Town's
24 comprehensive plan. We considered
25 potential impacts upon community

1
2 facilities, fire protection, ambulance
3 service, et cetera. We conducted a
4 noise analysis to project what noise
5 levels could occur in the future as
6 the ultimate build out and occupation
7 of the proposed facility as compared
8 with the existing.

9 As an element of the DEIS we
10 describe the various mitigation
11 components of the project that have
12 been incorporated into the project in
13 order to preclude or minimize
14 potential. I'll mention just a few of
15 them. With respect to soil erosion
16 and storm water impact, various
17 control measures were incorporated
18 into the project and storm water
19 pollution test were implemented as
20 part of the construction activity.

21 With respect to ecology, we have
22 minimized the area of disturbance and
23 Stacy Paetzel spoke a little bit to
24 that just before. But in addition we
25 will also propose revegetate portions

1
2 of the site that are cleared currently
3 will be filled with native species.

4 With respect to aesthetics and
5 potential impact to character, we've
6 maintained buffers to minimize
7 potential impacts in the first place
8 but the limited additional proposed
9 lighting at the campus will be
10 shielded and downward facing.

11 We will be revegetating a
12 portion of the tennis court which
13 encroaches which is not only to
14 address the encroachment but is also
15 then taken further in order to
16 establish a vegetative buffering along
17 the north thereby also minimizing
18 potential impacts associated with the
19 site activities.

20 A number of safety related
21 measures have been incorporate with
22 respect to the verification and Mr.
23 Ron Hill will speak to those
24 specifically.

25 Last but not least, while no

1
2 significant adverse noise impacts have
3 been identified, the proposed action
4 incorporates the use of the very best
5 management practices in order to
6 further reduce the impact on the
7 neighbors.

8 I will also mention that there
9 were a range of alternatives
10 considered as part of the DEIS
11 including the required no-action
12 alternative a residential yield plan
13 which explains and puts it into
14 perspective for this board and the
15 public reviewing what the impacts of
16 the site would be were the site to be
17 developed in accordance with
18 prevailing building, in this case
19 several single-family residences. And
20 also similar alternatives a
21 residential development with
22 twenty-five percent open space set
23 aside was also reevaluated. A one
24 hundred foot set back alternative was
25 considered and had been addressed in

1
2 the DEIS. That relates to a code
3 provision regarding buffers for camp
4 site uses in the town of Southampton.

5 And last but not least,
6 alternative sanitary technology was
7 evaluated as a consideration of the
8 DEIS as well.

9 As provided for section 617.9A4
10 the purpose of tonight's hearing is to
11 provide a forum for public comment on
12 the substance of the Draft
13 Environmental Impact Statement and of
14 course to hear those comments of the
15 board as well as the public and to
16 cooperate with the Town, our
17 consultant team, your consultants, et
18 cetera to make sure all those concerns
19 are fully addressed. Thank you for
20 your time unless there are questions.

21 CHAIRMAN FINNERTY: Thank you.

22 MR. GROSSER: Good evening. My
23 name is Paul Grosser, PW Grosser
24 Consulting. My responsibility or my
25 firm's on this project was to evaluate

1
2 the interrelationship between Little
3 Fresh Pond groundwater and the
4 potential impact of the proposed
5 development.

6 Just to give you a little
7 background, the key aspect of Little
8 Fresh Pond is it has no outlet. So
9 there is no water flowing over land.
10 There is no control over the level
11 based upon flows out. Essentially
12 it's a hole in the ground where water
13 collects.

14 Just based upon the pond itself,
15 here on Long Island we get 44 inches
16 of rainfall and there's 32 inches of
17 evaporation. So on the average you
18 get a foot of extra water in the pond
19 without adding in a significant amount
20 of storm water which comes in through
21 the outside. By and large, you got a
22 ball here collecting more water than
23 it can hold essentially. Where does
24 that water go? It seeps down into the
25 groundwater. This is not a sink to

1
2 groundwater, it's a source to
3 groundwater. It goes into a recharge
4 basin that we have all over Long
5 Island. What holds that water up is
6 the sediments underneath collected
7 literally over the millennial. This
8 pond was created when the glaciers
9 reseeded so that's what's holding this
10 water up.

11 Here you can see the
12 relationship. Here is the pond
13 sitting up and actually the bottom of
14 the pond does go beneath the water
15 table but it's being supported up
16 above that and water flows. The only
17 way for water to get out of this pond
18 is to go through the soil and into the
19 groundwater. So groundwater
20 introduced at the site does not enter
21 Little Fresh Pond. It's actually
22 displaced around it. That's the
23 theory. What we did is we put in
24 groundwater monitoring wells to look
25 at that. And we put in a gauge in

1
2 Little Fresh Pond. We did a number of
3 readings in August to November, about
4 half a dozen readings at different
5 times. In every case the water level
6 in Little Fresh Pond was about six
7 inches higher than any of the wells on
8 the property. And that's as far over
9 as Majors Path.

10 We also found that looking at
11 the water levels on the property in
12 general follow the regional flow
13 generally slightly to the northwest
14 and we have a little bit of a mound
15 near where the major sanitary system
16 is. Which you probably would expect.
17 That's where the recharge the water
18 from the site. That's that.

19 We have ground water flow to the
20 west, northwest actually being pushed
21 down by Little Fresh Pond injecting
22 water into the ground water system and
23 the flow goes there. The ground water
24 will not impact Little Fresh Pond.

25 That's it briefly. Pio is going

1
2 to talk to you about the water quality
3 results and his thoughts on that. Are
4 there any questions?

5 MR. KEITH: So what you're
6 saying is that the atmosphere and
7 annual rainfall essentially Little
8 Fresh Pond is six inches higher and
9 the groundwater that collects around
10 Little Fresh Pond because of that
11 six-inch difference cannot flow into
12 the pond?

13 MR. GROSSER: That's correct.

14 MR. KEITH: What is the deepest
15 part of Little Fresh Pond?

16 MR. GROSSER: Six feet, maybe
17 four to six feet.

18 Our study was not to determine
19 what the problem is with Little Fresh
20 Pond. Our issue was classified as
21 being impact but was to determine what
22 the relationship was between
23 groundwater and Little Fresh Pond.
24 That was part of the scoping of the
25 DEIS.

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CHAIRMAN FINNERTY: We required
your study in our scoping.

MR. GROSSER: Right.

MR. KEITH: Thank you.

MR. LOMBARDI: Good evening. My
name is Pio Lombardo, Lombardo
Associates. Lombardo Associates was
retained by the owner Mr. Jay Jacobs
to perform the following activities;
conceptualization and evaluation of
alternative methods to achieve a no
net phosphorous and nitrogen impact
from the project onto Little Fresh
Pond. Evaluation of the water quality
impacts of the existing and proposed
camp on Little Fresh Pond in Peconic
Bay along with the impact of existing
development around Little Fresh Pond.
And then engineering and owner
selected solutions to achieve no net
impact. The objective was to have no
net impact on the pond.

At Lombardo's request the camp
had the four monitoring wells that

1
2 Paul just mentioned installed. We
3 were independently retained by the
4 owner and Paul's firm and our firm
5 worked concurrently and cooperatively.
6 We had four monitoring wells installed
7 in Little Fresh Pond. This aerial
8 photograph shows the location of those
9 monitoring wells (indicating). This
10 being Little Fresh Pond. This is the
11 north end of the property. This
12 monitoring well right here is where
13 some building activity is. And down
14 gradient monitoring wells.

15 The intent was to figure out
16 which way the ground water was going
17 because our objective was to intercept
18 it and treat it as permeable or
19 whatever to achieve the no net impact.
20 We independently had the wells
21 surveyed and I personally measured the
22 groundwater elevations in the wells.
23 So I can certify that those numbers
24 are correct.

25 Then based upon our examination

1
2 of the data that was collected in
3 August and October, you'll see that
4 these three wells generally were very
5 similar and hundredth of a foot
6 different from each other relatively
7 flat.

8 However this well here is much
9 lower and the pond much lower than
10 these wells in the pond. So clearly
11 water flows downhill and these arrows
12 show our interpretation of the data in
13 terms of which way the groundwater is
14 flowing, westerly, north westerly is
15 the direction.

16 Unfortunately for us we
17 concluded that there was no problem to
18 solve in terms of intercepting the
19 impact of the pond because it's not
20 flowing towards the pond. In our
21 opinion there was no need for
22 additional data collection because
23 changing groundwater's direction does
24 not materially change. It goes up and
25 down but it generally goes in the same

1
2 direction because the area goes up and
3 down.

4 Consequently, since that finding
5 indicated that the groundwater wasn't
6 going into the pond, there was no
7 further need for our work and our work
8 was concluded in the report that is
9 part of the DEIS submission.

10 We did speak about the quality
11 of the groundwater, the data that was
12 collected and in our opinion it
13 indicates background water quality of
14 relatively clean groundwater. It does
15 not indicate waste water. The key
16 factor is chloride level. The
17 chloride level in the groundwater
18 sample is groundwater and it's only 20
19 milligrams per liter. If there was
20 human waste water in there, you would
21 see much higher salt levels in the
22 water.

23 So again, the data told us that
24 it goes to a westerly, northwesterly
25 direction and does not impact.

1
2 MR. KEITH: Based upon your
3 findings and your professional
4 knowledge can you hazard any guess as
5 to whether or not your findings will
6 change materially based upon what
7 we've heard about as the new proposed
8 planned use of the facility?

9 MR. LOMBARDO: No, I wouldn't
10 expect anything to change. As an
11 example I did this "back of the level
12 envelope calculation" design flow is
13 six thousand gallons, actual flow
14 would be half of that, average three
15 thousand gallons a day. If the camp
16 doesn't operate 365 days a year and
17 you take the waste water they generate
18 and you put it over the entire site,
19 it's really small, less than an inch.

20 But more importantly there is no
21 reason to think there would be a
22 material change.

23 MR. KEITH: Do you think that it
24 would be materially different that
25 instead of a tennis and day camp on

1
2 the property there were twelve to
3 twenty-five new homes?

4 MR. LOMBARDO: The issue that
5 you're raising here is will ground
6 water direction or contribution to the
7 pond come from that property. In our
8 opinion groundwater flows through the
9 pond, okay. So to tip that from
10 westerly to northwesterly to this
11 direction it's going to take a lot of
12 rain or a lot of water or irrigation
13 if you're going to be pumping it out
14 and change the -- it's a lot of water.
15 It's a huge bathtub, if you will.
16 There is no reason to think that that
17 would happen.

18 MS. LOFARO: Did you do any
19 testing for nitrogen?

20 MR. LOMBARDO: Yes, there was
21 data collected on nitrogen. All the
22 forms of nitrogen and phosphorus,
23 there was contaminants, pesticides, et
24 cetera. The nitrogen levels were
25 dissolved in organic nitrogen levels

1
2 with ammonia and the nitrate levels
3 were well below one milligram per
4 liter. If there was waste water there
5 you would expect it to be more.

6 In one of the samples that had
7 the sediment in our opinion the sample
8 had sediment from the well itself. In
9 a new well it's not unusual to happen.
10 In the subsequent, and again, once we
11 looked at the chloride data that tells
12 you everything.

13 MS. LOFARO: You're referring to
14 one of your test wells?

15 MR. LOMBARDO: All of these
16 wells were tested.

17 MS. LOFARO: So one was higher
18 in nitrogen you said.

19 MR. LOMBARDO: No, I'm sorry,
20 one of the August samples had high
21 nitrogen and phosphorus levels that in
22 our opinion was attributed to the
23 sampling type. It was too early. The
24 wells weren't settled down. They were
25 stirred up. After that time there was

1
2 not that problem. I don't want to get
3 to technical but there are a number of
4 factors that we looked at that says,
5 yes, that's what happened.

6 MR. FINNERTY: Thank you.

7 MR. HILL: My name is Ron Hill.
8 I'm a principal in the firm Dunn
9 Engineering and Associates, 66 Main
10 Street, West Hampton Beach, New York.

11 We conducted a traffic impact
12 study that was a portion of the DEIS.
13 The study was scoped by the Town. We
14 complied with the scope and studied
15 five intersections and three driveways
16 that serve the site. The study found
17 that there will be no significant
18 impact on traffic with the development
19 of the camp as proposed.

20 The lack of significant impact
21 is largely due to the way that the
22 camp operates with busing of all the
23 students. The camp houses two thirds
24 of the staff on site and that staff
25 doesn't generally have cars. Other

1
2 staff that is brought to the site in a
3 sixteen-passenger van. The whole
4 operation is geared at minimizing the
5 amount of traffic that comes to and
6 from the site.

7 The other thing is in doing the
8 site plan and working with the Town
9 planning board and staff there were
10 two driveways to the site that had
11 site distance issues. We are
12 proposing to relocate those to a
13 central driveway with exit only. And
14 the south driveway access is just a
15 parking lot for the tennis camp. And
16 relocating those will help improve the
17 safety of those two driveways as well
18 as the safety of Majors Path.

19 Another aspect of the site is to
20 put in a circular bus route. That
21 will operate very similar to any
22 school with two driveways, one for
23 passenger cars and one for buses. It
24 will make loading and unloading buses
25 safer and help the safety of the

1
2 operation.

3 So in summery, the traffic from
4 this site will have minimal impact and
5 the approval of the site with the
6 improvements will increase the safety.
7 Thank you.

8 MR. BRUYN: So that ends our
9 presentation. I did have a board up
10 here which I will not speak to but it
11 identifies something that we were
12 required to do for the benefit of the
13 zoning board of appeals the impacts of
14 the neighborhood. We believe the
15 proposed project as we've described it
16 will have the least amount of impact
17 on the environment considering the
18 reasonable alternatives to the project
19 which includes the no action which is
20 the continuation of the tennis club
21 and tennis camp right now without any
22 mitigation, without any upgrades that
23 have been offered throughout this
24 project, as well as the development of
25 the property with 22 new lots

1
2 subdivision.

3 The most important of which is
4 the operation of this particular camp
5 if you recall is ten weeks, fifty days
6 and no weekends, only weekdays. It's
7 very significant. That's one of the
8 major mitigation measures that's
9 actually the operation of our client.

10 With that we are here to hear
11 comments that are directed towards the
12 content of the Draft Environmental
13 Impact Statement. Thank you.

14 CHAIRMAN FINNERTY: Mr. Bragman,
15 we yield the floor. You have whatever
16 time you need.

17 MR. BRAGMAN: Thank you. I
18 appreciate that. My name is Jeffrey
19 Bragman. I'm at 15 Railroad Avenue,
20 East Hampton. I represent the Fresh
21 Pond Association which is a voluntary
22 homeowners association that has been
23 in existence for thirty years.
24 They've got about fifty members many
25 of whom are here tonight. The

H1

1
2 president is Celeste Frank.

3 Good evening to you Mr. Chairman
4 and board members. They asked me to
5 share our concerns about the
6 significant adverse environmental
7 impacts that are going to be created
8 by this new proposal for a public
9 camp. I like to call it a public camp
10 because it makes it easier to keep
11 these uses separate. I think it's
12 very important as we go through the
13 Draft Environmental Impact Statement
14 the classification of the uses does
15 have to be considered because it
16 affects the portion of the reports
17 that I will try to describe to you.

18 The existing principle use of
19 the membership tennis club decision in
20 March 2012 pretty definitively
21 answered all the questions of use on
22 the site. I think a lot of that prior
23 history that Counsel presented dated
24 back to the '70's and '90's and the
25 swimming pool is kind of confusing and

H1-1

1
2 not really that important in light of
3 the recent decision that the zoning
4 board made. It identified membership
5 tennis club as the primary principal
6 use. They explained that it's
7 different than the standard
8 classification category 7997. There's
9 a second use on the site they
10 discussed and that was the accessory
11 tennis camp and the keyword in that
12 phrase is accessory.

13 The zoning board specifically
14 said that there was a small
15 intermittent children's tennis
16 activity held in camp with only two
17 children's programs there. They are
18 all related to tennis and likely
19 provided to the children of members.
20 An accessory use as defined in section
21 230-5 as a subordinate use customarily
22 to the same as the main use. The DBA
23 also described the club as having
24 forty members, a few instructors, two
25 owners that lived on the site who did

H1-1
cont'd

1
2 all the work necessary to keep the
3 tennis courts going. It was a very
4 small operation.

5 The third use at issue in this
6 application use that we're talking
7 about in listening to Counsel is a
8 little difficult to discern what the
9 use is. You intermittently called it
10 a tennis camp. Then the landscape
11 architect said we really want to
12 diversify it. So it's not a tennis
13 camp. It's a second principal use.
14 It is a public day camp. It is not a
15 tennis-only camp for the children of
16 members for the principal use. It is
17 categorized in a different code 7799
18 as an amusement recreation service
19 provider that's not elsewhere
20 classified. I know that's getting
21 very technical. But to put it in
22 simple language, the zoning board of
23 appeals clearly said not equivalent to
24 and was not interchangeable with. It
25 was incompatible with the existing

H1-1
cont'd

1
2 tennis club and it's accessory camp.
3 Incompatible and noninterchangeable
4 with the club. They said if you want
5 to do that, you have to come back to
6 us and get permission to create a
7 brand new nonconforming use.

8 I would contend that this
9 application cannot be for the tennis
10 club and public camp because not even
11 the magic of all those experts can
12 turn one nonconforming use into two.
13 The preexisting nonconforming use is
14 the tennis club. They say their
15 application is to build a tennis club
16 with a preexisting nonconforming and a
17 public camp which the zoning board
18 already spoke on and said it's
19 incompatible not interchangeable with
20 that accessory club. They cannot get
21 both. They cannot make two out of
22 one.

23 The public camp user exception
24 use as defined in section 3316212, we
25 have some concerns about the

H1-1
cont'd

H1-2

1
2 requirements under that special
3 exception use that all buildings have
4 to be set back one hundred feet
5 property line. That there is a
6 minimum landscape buffer which is
7 obviously a critical important element
8 to have in your plan if you're going
9 to flop down a major camp in the midst
10 of a residential development.

11 Also of concern and something
12 that I anticipate we'll argue about is
13 that it prohibits any overnight
14 buildings except one dwelling for a
15 caretaker.

16 I would like to remind the board
17 that the zoning board of appeals
18 decision in 2012 is absolutely clear
19 -- they didn't have a staff of 55.
20 They didn't have 90 members. You
21 don't need 55 people to maintain ten.
22 It was maintained by two people and
23 they owned the club. This public camp
24 is a very different critter and it
25 involves a huge increase in volume and

H1-2
cont'd

H1-3

1
2 intensity.

3 That is another factor that we
4 have to keep in mind. I suggest that
5 you keep it in mind when you look
6 through the DEIS because the law for
7 preexisting nonconforming use if they
8 were to get an approval for this brand
9 new public camp is that that volume
10 can increase, you cannot stop the
11 volume from increasing. Which is
12 something that has to be considered
13 because the numbers that they've
14 thrown around in this DEIS have been
15 very, very loose. They've talked
16 about 108 campers. They've talked
17 about an enrollment of 280 campers.
18 They've talked about a goal of 350
19 campers. They've talked about a goal
20 of 390 campers. They even at one time
21 mentioned a goal of 500 campers. You
22 can bet your bottom dollar that -- you
23 know, this is a business. They're
24 anticipating growth and I would
25 suggest to the planning board that

H1-3
cont'd

1
2 when you look at the job they've done
3 in the Draft Environmental Impact
4 Statement, keep in mind that once this
5 gets out of your hands, this thing can
6 grow, it can continue to grow to be
7 very, very large indeed.

H1-3
cont'd

8 These use definitions, I wanted
9 to get them out because they are very
10 important in zoning but they're very
11 important in recommending the DEIS.

12 The traffic report refers to a
13 camp that could have a max of 360 in
14 any event. But it also impacts how
15 you review the traffic report. When
16 you define use in an environmental
17 impact statement, it's very important
18 what you do because an impact
19 statement is a task given to
20 applicants to systematically consider
21 adverse environmental impacts. How do
22 they do it? Well, they're required to
23 provide a concise description of the
24 proposed action and a concise
25 description of the setting of the

H1-4

1
2 action. It's like a before and after
3 picture of what they're supposed to
4 give you.

5 What I'm suggesting to you is
6 that these definitions of use are not
7 just words used. I'm not just talking
8 zoning law to show you that I
9 understand the DEIS decision. They
10 impact the mechanism of review DEIS
11 does. Because if the DEIS describes
12 the camp as what's going on now in
13 2016 as the setting, then what they're
14 looking at is a much smaller jump in
15 size. Because according to their
16 documents they're telling you that the
17 project description -- this is the
18 project description -- its 90 club
19 members, 280 campers, 66 overnight
20 staff and there's an implication or a
21 suggestion throughout this DEIS that
22 that's the setting and they're looking
23 to go up maybe another hundred, a
24 little more, we're not sure. Maybe
25 we'll use buses that have twenty-four

H1-4
cont'd

1
2 seats. I heard sixteen seats tonight.
3 The point is, if the use is bigger to
4 begin with, then the growth is
5 smaller. And if the use is bigger to
6 begin with and the impact looks
7 reasonable you're going to conclude is
8 that a camp with 90 members, 280
9 campers, 66 overnight staff, not much
10 impact, sounds pretty good. But the
11 report DEIS in a nice little summary
12 from the author that was really a
13 headnote. It didn't get into any of
14 the hows or the whys of how they did
15 it.

16 For example, the DEIS showed in
17 2013 when the camp began it had far
18 fewer campers. It had 108 campers, 35
19 club members and 44 staff. The 2012
20 DEIS confirms that they had 35 members
21 and 2 owners running the show.

22 By describing the camp as it
23 exists now with the enrollment of 280
24 campers, it allows them to say as they
25 did tonight, our plan doesn't have any

H1-4
cont'd

1
2 increase to the camp's use. Oh, we
3 eliminated that one structure with the
4 pool changing room, we took that out.
5 We have much less intense use. What
6 they're not telling you is they had a
7 hugely intensive use when you compare
8 it with the year 2011 which is where
9 they should have started when the club
10 had 35 members and a little tiny
11 accessory camp with a staff of 2
12 taking care of it. That's the
13 setting.

14 If you really want to know what
15 the camp is going to do to the area,
16 you have to start before they were
17 operating the public camp which
18 they're doing now. There's no mention
19 of the two new pools, the new
20 basketball courts, new dining rooms,
21 counselor overnight accommodation.
22 They like to talk about reduction of
23 the scope of the plan. I've heard
24 that a couple of times in the
25 introduction we had.

H1-4
cont'd

1
2 These kinds of statements
3 affected the traffic study. I brought
4 today a traffic expert Steven
5 Schneider and he's going to follow me
6 and he's warned me not to try to be
7 the expert. He's going to be the
8 expert. I want to talk about what I
9 think the implications of the traffic
10 study are on the DEIS.

11 The owner of the camp just
12 distributed these frequently asked
13 questions to calm everybody down. He
14 said that the traffic study by the day
15 camp confirmed by the Town consultant
16 found minimal impact on surrounding
17 roads and changed driveways improved
18 safety. Nothing to worry about he's
19 telling the neighbors. As far as I
20 know, the Town consultant didn't
21 confirm anything. He just confirmed
22 for us to comment on. He also
23 mentioned that they're going to use
24 sixteen to eighteen buses with
25 twenty-four seats each, twenty buses

H1-5

H1-6

1
2 on two weeks and a maximum of
3 twenty-five buses. That's what it
4 says in the traffic report. That's
5 600 campers. Remember when I said
6 they're not consistent on the number
7 of campers they're looking at?

H1-6
cont'd

8 In one place they're telling you
9 it's not going to get too big. And
10 then in the traffic report if you do
11 the math, they don't say 600 campers,
12 you have to do the math. That's the
13 hard part that I talked about in the
14 DEIS. Nobody wants to read it. It
15 makes me nervous to come in front of
16 you. I don't want to bore you to
17 death. You have to look below the
18 headlines. Which is what you got from
19 the other side. The description of
20 the use is the problem. The number of
21 campers that they're talking about 280
22 from what I know from my clients who
23 have witnessed the operation, suggests
24 they're running a camp with over 280
25 kids. They're telling me no. They

H1-7

1
2 have numbers much lower from 50 to 75
3 kids. We believe and I would suggest
4 the board ask and get this information
5 nailed down, that when they say they
6 have 280 campers, they're talking
7 about their total enrollment, not
8 their daily camper numbers. Which is
9 a significant difference.

10 The Draft Environmental Impact
11 Statement, if you're inclined to read
12 it, you might think, wow, they don't
13 have that many impacts for a big camp
14 with 24 buses and 280 campers. But
15 that is not really what's going on.
16 So one omission that's significant is
17 we need the actual list of campers
18 day-by-day while this camp has been in
19 operation since 2013 forward.

20 Traffic volume. One of the
21 things that traffic engineers do is
22 they come up with traffic volumes.
23 How do they do it? Well, the standard
24 in the industry is they take counts
25 for one week. Well, they didn't take

H1-7
cont'd

H1-8

1
2 counts for one week. They didn't take
3 counts for five days. They took
4 counts for three days. They used data
5 from -- you think they're describing
6 use in 2016 and they might have taken
7 data from 2016 -- nope, they didn't do
8 that. They took data from 2013. As I
9 said, they didn't take the full week.
10 And they took the data on August 20th
11 through August 22nd the last day of
12 camp which we would presume is not
13 that well attended and the post-camp
14 session. They took three-year-old
15 data. They're taking an inadequate
16 amount of data and they picked the
17 days that are going to be quiet days.
18 And then in order to get traffic
19 volumes that look like they're
20 believable, they chose a two percent
21 growth fact. If you didn't know
22 anything -- I'm no scientist. I don't
23 know if they pick this day and get a
24 two percent growth -- I guess that's
25 okay, it's not okay. Because if you

H1-8
cont'd

1
2 look at their own figures in the DEIS
3 where it's compared to 2013 and 2014
4 enrollment you can see were it's
5 shooting up hugely. They have huge
6 growth there. I have written down in
7 that first 2013, 2014 a 69 percent
8 growth rate between those two years.
9 It calms down a little, one is 18
10 percent, one is 30 percent. I think
11 the traffic engineer did a calculation
12 of growth up to the 86 percent.

13 My point, to not bore you to
14 death is, they didn't do a good job of
15 telling you what the real traffic as
16 it relates to the camp that they're
17 describing in the DEIS.

18 Accident reporting. Another
19 category where they should ask for
20 more information. They gave you
21 data from 2007 to 2010. It's 2016,
22 it's almost 2017. That data is six to
23 nine years old. Does that sound like
24 what the board should have? I would
25 suggest that the board review recent

H1-8
cont'd

H1-9

1
2 data and then resubmit it. We believe
3 that the 2016 data was available.
4 They're using old data on accident
5 reports and accidents have increased
6 from that time. If you think about it
7 -- not as a scientist, but as a
8 planning board member -- 2000 to 2010,
9 no public camp. No public camp. 2007
10 to 2010 you had the little sleepy
11 tennis club. That's the accident
12 report they've given you. That's not
13 accurate.

H1-9
cont'd

14 Another thing that traffic
15 engineers do is they figure out
16 directional capacities. I'm not going
17 to try to explain it because Steve
18 will tell me I'm doing something
19 wrong. From what I understand it just
20 means you figure out which way the
21 traffic is going out of the site
22 directional capacity.

H1-10
cont'd

23 So typically as I'm told, the
24 standard practice is you use the
25 percentage of existing traffic. They

1
2 figure out -- in fact that's what
3 these guys do all day -- they figure
4 out how many cars and trucks are going
5 out. I guess it's probably as
6 interesting as lawyering. That's the
7 typical way to do it. They didn't do
8 that. They decided that they were
9 going to use an 80 percent figure of
10 traffic going to the south. And I'm
11 going to let Steve tell you -- I'm
12 going to hold you in suspense as to
13 why they did that -- but it changes
14 the significance of the result of
15 their study when they say that most of
16 the traffic is going south. And by
17 and by, even if most of the traffic is
18 going south today or next week, if
19 this club were approved and is in
20 business for twenty years, don't you
21 think at some point they're going to
22 be drawing traffic according to the
23 traffic pattern north and south.
24 Logical to assume that as they grow
25 more successful, they're going to draw

H1-10
cont'd

1
2 from a wider range. I would say they
3 have to use the standard practice of
4 the industry. They did not.

H1-10
cont'd

5 There is a kids' safety issue --
6 that Steve pointed out to me and he'll
7 talk to you -- it had to do with kid
8 drop offs not being dropped off in a
9 safe place. They have to cross roads.
10 It's not a good design.

H1-11

11 Trip generation is another
12 category that a traffic engineer looks
13 at. Oddly enough in the traffic
14 report they claim the racquet club is
15 operating for many years and no growth
16 is anticipated. From 2011 to 2016
17 it's way more than doubled. They
18 report up to 30 -- it's almost
19 tripled. They report 35 members to 90
20 members. That statistic is wrong and
21 I don't know why they're using it when
22 their own document shows that the club
23 has grown. 35 members in 2012. 35 in
24 2013. 55 in 2014. 90 in 2015. 90 in
25 2016. This again I suspect that this

H1-12

1
2 is another part of an effort to seem
3 like the camp is much bigger than it
4 really was in its beginning stages.
5 It's not an accurate description of
6 taking the club and the accessory camp
7 and then comparing them to the impact.
8 They're boosting up the size of the
9 club, is what they're doing. And we
10 think that it should be evaluated from
11 the proper baseline which I described
12 to you back before they begin.

H1-12
cont'd

13 The intersections I'm not even
14 going to try to talk about except to
15 say all of the intersections that you
16 know about in North Sea and Majors,
17 North Sea and Sandy Hallow are not
18 good intersections, they're not
19 functioning well. Some are near
20 failure. Steve will explain this in
21 detail. He's got the credentials.
22 But a lot of them are showing that
23 they're going to fail. They're near
24 to failing now and even if they didn't
25 build anything they would fail. The

H1-13

1
2 problem that I have with what they did
3 in this portion of the traffic report
4 is to basically say if it's near fail
5 and it's going to fail, we're going to
6 add a few more cars and it doesn't
7 make any difference. That's not a
8 traffic analysis. That's a denial and
9 they don't have any mitigation
10 offered. Just the roads are bad, the
11 delays are awful and Steve will tell
12 you some of the results that are sort
13 of slanted.

H1-13
cont'd

14 And finally, there is a serious
15 issue with the sight distance problem.
16 I know they get up and pat themselves
17 on the back and say well, we moved
18 that driveway and improved the sight
19 distance. Not so fast. Because when
20 you read the sight distance part of
21 the analysis you're going to see that
22 they used the wrong distance standard.
23 And they didn't take into account that
24 they're bringing in a bunch of buses
25 and that they need more sighted

H1-14

H1-14
cont'd

1 distance. Steve will explain to you
2 why this is a serious problem. We
3 don't think this can be fixed.

4 I'm also going to bring in a
5 hydrogeologist. His name is John
6 Zbell. He's a lot younger than I
7 thought. He comes from a highly
8 regarded company Leggette, Brashears
9 and Graham.

10 And again, the questionnaire,
11 the frequently asked questions that
12 they just passed out in the
13 neighborhood, the owner said that
14 we've had many exhausted studies of
15 groundwater flows on the site and we
16 found that groundwater runs away from
17 Little Fresh Pond and actually they
18 say from elevations lower than Little
19 Fresh Pond.

H1-15

20 I was a little surprised when I
21 read the report maybe you were too
22 when you got to Pio Lombardo's report
23 where it was pointed out the mound
24 that suddenly appeared near the septic
25

1
2 system. I read it and it says, the
3 water doesn't even get to the pond.
4 It miraculously goes to either side.

5 They had four wells. They did
6 two rounds of testing. They took
7 measurements in August and in November
8 both low groundwater levels. They
9 acknowledge in the report that
10 seasonal fluctuation from the
11 groundwater can make a big difference.
12 In their conclusions, they don't get
13 any readings from any other season.

H1-15
cont'd

14 The first set are sixteen days
15 apart and the second set is fourteen
16 days apart. They drill these wells --
17 and I'm told and I'm going to let John
18 be the expert here -- that the one
19 thing you always do when you drill a
20 well is you keep a well log that tells
21 you what the soils are like. That's
22 very important in hydrogeology if you
23 want to figure out what's going on
24 with ground water, you have to know
25 what's in the subsurface of the

H1-16

1
2 ground. They didn't have any well
3 logs. They really had no knowledge of
4 the subsurface of this area. Period.

H1-16
cont'd

5 They've given you a speed that
6 the water will traverse to land. They
7 didn't measure it. They could have
8 measured it. They didn't measure it.
9 And interestingly the results are
10 interesting. One set was high. One
11 set of results that they got in the
12 first set showed migration towards the
13 pond and to the wetlands. Then you
14 heard I think it was Pio Lombardo
15 talking about it and he said that the
16 samples were no good on the second set
17 and we took care of them. If it
18 wasn't Mr. Lombardo, it was Paul
19 Grosser. What they're telling you is
20 the second set came out undetectable,
21 no bad stuff whatsoever. But what he
22 didn't tell you clearly in plain
23 English was they filtered the sample.
24 And I'm going to let John explain why
25 that's not standard practice, not

H1-17

1
2 appropriate to do.

3 And they also ignored what that
4 mound meant because it had some
5 significance. If you read the report
6 they were a little surprised to see
7 this water mounding near the septic
8 system and they didn't do anything
9 about it. They didn't explore it.
10 They didn't talk about it. They
11 didn't tell you what it meant. I'm
12 hoping that John will do that.

13 We think this is a seriously
14 flawed section of the report. In fact
15 they actually admit because in the Pio
16 Lombardo portion of it he admits that
17 he had insufficient data to understand
18 the connection between groundwater
19 flow in the pond. That's not what he
20 said tonight, but that's what it says
21 in the report.

22 The third witness that I want to
23 bring up to talk to you is probably a
24 little better known to you Larry Penny
25 the former director of natural

H1-17
cont'd

1
2 resources with the town of Southampton
3 who is familiar with the pond and is
4 going to talk to you about the life of
5 the pond and the connection between
6 the wetlands and the pond. The DEIS
7 talks about the wetlands is some of
8 the water is going towards the
9 wetlands and not going to hit the
10 pond. They act as if the wetlands
11 aren't connected to the pond. They're
12 part of the system.

H1-18

13 I also wanted to say a word
14 about the noise section of the DEIS
15 which I think needs to be dramatically
16 added to. It doesn't identify the
17 largest open field that they cleared
18 almost half an acre. They have a
19 large deck overlooking related to the
20 dining hall with houses less than a
21 hundred feet away with an unimpeded
22 view, unimpeded blockage of the
23 sounds. When the field is in use the
24 neighbors have reported they can hear
25 on the other side of Little Fresh

H1-19

H1-19
cont'd

Pond.

The thing that I think they missed, is they took some decibel readings to confuse everybody in saying we're well below the town of Southampton decibel readings. But there's another standard laid out in the definition as the code defines noise pollution. Noise pollution is noise exceeding the standards or noise interfering with the comfortable enjoyment of life, property and the following are doing interfere. And this one is tailor made for a kids' camp -- yelling, shouting, hooting, whistling interfering with private property at any time that annoys or disturbs the quiet comfort of neighbors. That is an actual noise standard that I know at least one person and I know Foster Mair is going to talk to you about this. It has to be addressed. We've seen video tapes -- and maybe some people from Little

H1-20

H1-21

1
2 Fresh Pond have them -- of the morning
3 warm ups where they're pumping the
4 kids up, I can't hear you and shout
5 louder. A lot of fun but not fun if
6 you're a neighbor.

7 Also it seems to me that they
8 use amplified music. I've seen a
9 video of kids in the pool and they
10 were doing a fun activity to music.
11 That's also in the noise standard, the
12 use of radio, machine or device
13 producing sound in a manner that
14 disturbs the peace, quiet and comfort
15 of neighboring inhabitants in a manner
16 to be plainly audible within fifty
17 feet from the area from which it's
18 created. You can't just hold a
19 decibel meter up. And they didn't
20 even tell you how they did it. Did
21 they do it on days that the camp was
22 in session? Or did they do it on days
23 after the camp was ended? I don't
24 know how they did it.

25 And also section 2352

H1-21
cont'd

H1-22

H1-23

1
2 prohibition that no one controlling
3 any source of noise can permit the
4 establishment of a condition like that
5 that causes noise pollution. Noise
6 pollution really has to be addressed.
7 You can't just give us a couple of
8 decibel readings. And I would suggest
9 that you get the daily routine of the
10 camp; if they have breaks; if they
11 have special days, special competition
12 days, special event days, visitor day,
13 parent days. Those are the days that
14 they tend to have noisy activities.
15 And also I've heard from people that
16 live around the camp that sometimes
17 they bring in recreational -- I don't
18 even know what to call them -- blow-up
19 devices that the kids like to play on
20 and jump on. And that's great except
21 they're run by air compressors that
22 are very loud. We should really have
23 a much more detail description of how
24 they're operating the camp and those
25 special events and where they're

H1-23
cont'd

1
2 located and how many kids are there.
3 Let them know that they're creating
4 yelling and shouting that could annoy
5 the quiet of the neighborhood. Also
6 if they have any fairs or visitor days
7 with rides and that sort of thing.

H1-23
cont'd

8 So I know that we have time to
9 submit more comments in writing and
10 we're going to continue, I'm very
11 happy that you did that. I appreciate
12 you're giving me the time tonight. I
13 thought I would have to fight my way
14 to the podium.

15 We think the DEIS does not
16 consider these errors as serious
17 errors that are skewing the results
18 and not giving us the information that
19 we need. We also think that right now
20 they do show significant adverse
21 impacts without any mitigation.

H1-24

22 I think another serious issue
23 operating as a third use as a public
24 camp which is supposed to be the only
25 nonconforming use and they're

H1-25

1
2 operating now and they're trying to
3 sort of spin it a little bit by
4 calling it a tennis camp. It's not
5 really a tennis camp. It's a
6 full-fledged public day camp with
7 distinguishable not interchangeable
8 per the zoning board. They started
9 and nobody appealed it so that's the
10 law pretty clear. I'm not sure how
11 they're doing it but we want to help
12 you understand why this DEIS is
13 inadequate.

H1-25
cont'd

14 With that, I'm going to hand it
15 over to Steve Schneider.

16 MR. SCHNEIDER: My name is
17 Steven Schneider, principal of
18 Schneider Engineering, 1 Comac Loop,
19 Ronkonkoma, New York 11779.

H2

20 I've been accepted here many
21 times, so he knew I was older because
22 he knew what I looked like but the
23 other gentleman I never met before. I
24 guess it's my gray hair. I also
25 promise next time I will not give him

1
2 my report. I'll try to make it as
3 brief as possible but as succinct as
4 possible.

5 I do have a report which I will
6 hand out now. I have enough copies
7 for everyone except for the whole
8 audience.

9 What I'm going to try to do
10 especially for the audience is go
11 through some of the highlights of it.
12 I'm not going to go through every
13 little point because you've heard most
14 of them already. But I do want to
15 mention some points that I think were
16 kind of important.

17 I did review a report that was
18 prepared by Dun Engineering. I guess
19 it was revised September 2016. I
20 received it a few weeks ago but that's
21 fine because I had enough time to go
22 into it.

23 I'm also confused about the term
24 camp. I know that Jeffrey brought it
25 up and it really did not help me in

H2-1

1
2 reviewing the report because I
3 presumed that the camp had full-day
4 camp since 2013. Now obviously it may
5 be a bad interpretation on my part,
6 but that's what I presumed here and
7 all the numbers that the traffic
8 engineer had done, I guess used those
9 numbers assuming that a day camp was
10 opened all that time. That's how I
11 reviewed this.

12 It appears that it may not be a
13 day camp fully operational yet; so
14 therefore all the numbers that we
15 used, all the line counts that we
16 used, all the trip generations that we
17 used, all the directional distribution
18 of cars that were used may not be
19 accurate. I'm not a hundred percent
20 sure. And if I'm not sure, you guys
21 may not be sure as well especially
22 when it comes to traffic.

23 I also noticed a few other
24 points that I'll go through here, they
25 did take manual turning movement

H2-1
cont'd

H2-2

1
2 counts which again might not have any
3 value because it may not have been a
4 day camp there at the time. But they
5 left out the time when the employees
6 show up. They did a count from 8 to
7 10 a.m. They really should have
8 started a little earlier.

H2-2
cont'd

9 I am somewhat confused about the
10 staff who "a lot of them don't drive."
11 I understand that to some extent. But
12 my guess is what do they do on
13 weekends? They have to have a car
14 unless they stay there twenty-four
15 hours a day seven days a week. So my
16 guess is that they do have cars even
17 though they may be staying there they
18 still may drive in the morning to the
19 site to do their job. So maybe
20 they're there at 7:30 if that is what
21 the requirement is. Because I know
22 according to the report they start
23 prior to 8 a.m. before the children
24 get there. So that is a point that
25 they should have taken into account.

H2-3

1
2 I'm also confused with the
3 numbers -- I'm not going to go into
4 them we're talking about 280. I don't
5 know what number is correct. There
6 are about three or four different
7 numbers and I was confused and I will
8 not go into it.

H2-4

9 I will mention the way I worded
10 my report about the campers once they
11 get dropped off, I said that it is
12 unclear -- it was not explained to me
13 at least in the report -- where they
14 go once they're dropped off. Do they
15 in fact go to a building adjacent to
16 the driveway? They might not be able
17 do that because there are two
18 driveways there. If you notice the
19 site plan, one driveway is to the west
20 or away from the main street. And the
21 second driveway is for the kids to be
22 dropped off by the parents I would
23 guess. I don't know where the kids
24 were initially going. I did not get
25 that or find that in the traffic

H2-5

1
2 study. It may be in one of the other
3 documents that you received today
4 which we hadn't gotten yet. That's
5 really important because you don't
6 want kids to be walking across roads.
7 Again, it's unclear. I'm not saying
8 it is or it isn't.

H2-5
cont'd

9 It was mentioned earlier by Jeff
10 that they took line counts for three
11 days. They really should have taken
12 them for a week typically even though
13 it's possible that the middle three
14 days may be the peak for a day camp
15 possibly. But they also took the
16 counts towards the tail end if not the
17 last week of "day camp" whatever that
18 meant. It could have been a tennis
19 camp only instead of a day camp. But
20 that should be redone I believe.

H2-6

21 They also used data that was, as
22 Jeff mentioned, out of date from 2013
23 at least for the traffic information.
24 They used a two percent growth factor
25 which was reasonable to add every

H2-7

1
2 year. It may be high, may be a little
3 low, but they should have done more
4 recent counts realizing that this
5 report was submitted in September of
6 this year which means they just passed
7 a new time period where the day camp
8 was actually opened. If it was me, I
9 would have asked to take more counts
10 especially now when that explosion of
11 kids is theoretically there. I would
12 have done that in August of this past
13 year or July, whatever dates are the
14 best dates to take I would have done
15 some additional counting. And it may
16 have been cost prohibited as well
17 depending on what the client wants or
18 didn't want to pay for. And I
19 understand that as well.

20 Jeff had mentioned and as I
21 mention in my report is the accidents.
22 They were really dated. They should
23 have had more recent data on the
24 accidents especially now in September
25 of this year they should have had

H2-7
cont'd

H2-8

1
2 accident data -- I know I can get it
3 -- of through December of 2015. All
4 of it, not part of it, all of it.

H2-8
cont'd

5 The growth they talk about on
6 page 21 of the traffic impact study
7 anticipated that the children go from
8 215 in 2015 to 390 in the near future.
9 That's an 81 percent increase in
10 children. I think that should be
11 included here. And if in fact they
12 didn't have those children as Jeff
13 said at the time when they took the
14 counts, that mean's the percentage
15 will be greater than 81 percent if
16 that's possible.

H2-9

17 So these are things that you or
18 your consultants really should be
19 looking at.

20 I'll briefly mention
21 distribution. Jeff mentioned it but
22 it's really critical. When we do
23 counts to determine what the future
24 might be you usually take a volume
25 count near the site or in front of the

H2-10

1
2 site. If you have for example like
3 they had here actually a 50 percent
4 going northbound and 50 percent going
5 southbound let's say at a p.m. peak,
6 that's how they should have split the
7 future traffic. Even though what they
8 were doing was using there are more
9 cars, more houses and homes to the
10 south now, that could be true except
11 that's not what the data is showing
12 us. The data is showing us that
13 people are going 50 percent north and
14 50 percent south. They took 80
15 percent going south. I think it
16 should have been 50/50 based on their
17 own data which would have increased
18 the left turns going out that site,
19 which is the critical movement because
20 left turns out of a site means they
21 have to worry about both directions
22 don't they. Both northbound and
23 southbound to have a gap in that
24 roadway, so in order to have that gap,
25 they reduced the left turn number --

H2-10
cont'd

1
2 and I don't know if it was
3 intentionally done, but that's what
4 they came up with. My guess is that
5 it wasn't intentionally done. But
6 when you stop and look at it it's
7 telling you that it could have been a
8 150 percent more left turns than what
9 they have percentage wise. So instead
10 of having 20 left turns for the 20
11 percent, it should have been 50 left
12 turns and 50 right turns percentage
13 wise.

14 These splits are very important
15 and affect the whole analysis.

16 Obviously there are a few
17 intersections that do have a
18 tremendous amount of cars where there
19 are stop signs right now off of North
20 Sea Road. You know where they are.
21 I'm not going to go into every detail
22 of them. Except if you have a queuing
23 right now that comes up with a level
24 of service ten or twelve whatever the
25 number of cars queuing up, no matter

H2-10
cont'd

H2-11

1
2 what you add to the site, it's going
3 to add more cars. That back up will
4 not only be for the cars now being
5 added, but it will be for all the cars
6 in that line. If it goes from two or
7 three minute wait to us is a lot to a
8 five or six minute wait, okay, your
9 phones will be ringing over here to
10 the Town. But the point is that it
11 affects everybody in line not just
12 that one person. They should have
13 looked into it and maybe they needed a
14 signal there. Maybe it will cost
15 \$100,000 to put a signal there. They
16 should have looked at some mitigation.
17 I didn't find any. The only
18 mitigation that I saw was the sighted
19 distance where they moved the
20 driveways. That was the only one I
21 noticed that was major mitigation.
22 I'll get into that in a minute.

23 I also looked at the site
24 distance for cars or vehicles coming
25 out of the site and going in the site.

H2-11
cont'd

H2-12

1
2 The worse condition obviously is going
3 out of the site, making a left turn.
4 Right turns can be a problem too
5 sometimes depending on the
6 configuration of the roadway.

7 What I've done here is prepare
8 two additional figures. I thought it
9 might be easier instead of having a
10 big overlay here I just made one for
11 everybody color copies. What I'll try
12 to do very simply is -- what this
13 shows nice and brief, there are two
14 figures here exiting site distance.
15 That's coming out of the new proposed
16 location. If you see it says proposed
17 exit in the big yellow and you can
18 barely see it's about fifty feet south
19 of the existing driveway where they're
20 exiting.

21 The other one only looks at the
22 racquet club location where they moved
23 it a hundred feet away from where it
24 is today. They did that because of a
25 very poor sight distance. To make it

H2-12
cont'd

1
2 very simple for now -- and I'm sure
3 your engineers will look at it later
4 on -- if you look at some of the
5 numbers that are here for example,
6 let's look to the left, they had a
7 proposed sight distance of 370 feet.
8 It actually comes out the 385 feet.
9 And that's okay. Traffic engineering
10 is not an exact science. But one
11 thing they forgot to incorporate in
12 this -- and by the way these numbers
13 represent a car in this particular
14 case stopping at a stop sign, exiting
15 the site, looking to the left and the
16 right to make sure there's sufficient
17 space or gaps if you're making a left
18 turn and only worry about the left if
19 they're making a right turn, it's not
20 what's called a safe stopping distance
21 that you normally hear all the time.
22 A safe stopping distance means that if
23 you're driving your car and you see
24 something in the road, you have to put
25 your foot on the brake, that's your

H2-12
cont'd

1
2 reaction time, and stop the car before
3 you hit it.

4 In this particular instance when
5 you're exiting the driveway that's not
6 the number that's critical. The
7 number that's critical is the
8 departure site distance. A departure
9 sight distance, or DSD, means that you
10 can make your right turn out for
11 argument sake, make it easy, you can
12 continue going south and not have the
13 person who is going southbound coming
14 from the north to go south hit you.
15 So they continue to drive and not have
16 to stop for you when you make your
17 right turn out. So that's what that
18 distance means. These distances on
19 here are those distances, they're not
20 stopping distances.

21 The site distance has to be
22 available for that person to come out
23 of that driveway and look to the right
24 or to the left and say, you know what,
25 the guy is coming from the left and I

H2-12
cont'd

1
2 want to make a right, I can make a
3 right and not have him slow down or
4 stop. The idea is not to have that
5 happen. It's not an emergency per se.
6 That's what the other sight distance
7 is, the departure sight distance.

8 My next point in this being it's
9 only 15 feet distance except what they
10 didn't take into account were buses.
11 And buses throw these numbers off.
12 Because buses when they're there
13 versus a car that you may have making
14 a right turn, what's going to happen?
15 You need more time for that bus to
16 make that right turn to accelerate
17 from a stop sign and make that right
18 turn and the departure sight distance
19 will be greater.

20 That's why you'll notice that I
21 have on this sheet 505 feet required
22 for trucks and buses. We combined the
23 trucks and buses because they didn't
24 have anything that we found yet for
25 real buses but we used a smaller

H2-12
cont'd

1
2 truck, not a large 20-wheeler. That's
3 what's important. That's the number
4 that's important.

5 If you look in the other
6 direction they came up with a post of
7 320 feet for sight distance. And we
8 came up with for a car 445 feet -- one
9 of the standards that we all use --
10 that's the actual number for trucks
11 and buses sight distance is 560 feet.
12 They're off by 240 feet.

13 What does that mean? If you
14 look at this aerial it shows you that
15 they can't even do it. No matter
16 where they put that driveway you will
17 never have the needed departure sight
18 distance. That's the most critical
19 item to me as a traffic engineer.

20 I will also show you one other
21 thing that you should have. I printed
22 it out from Google but it shows on the
23 proposed exiting driveway -- that's
24 the 50 feet away from the current
25 driveway. They call it road T. This

H2-12
cont'd

1
2 shows you, when I guess the trees are
3 in session, how bad the sight distance
4 is because of the trees and the bushes
5 et cetera. It shows you a little
6 sighted distance. I don't mean to
7 skew it, but that was taken looking
8 northbound but I couldn't get it on
9 the west side of the road. The only
10 one they had was on the east side.
11 But it gives you an idea of what the
12 trees look like in that area.

H2-12
cont'd

13 Summing up, I feel as though
14 they may have a lot of homework to do.
15 They have a lot to look at. They have
16 to determine what they really had in
17 place in 2013, 2014, 2015. Based on
18 that information, Dun Engineering
19 should then say, now that I know what
20 those numbers should be or what's in
21 place, we can now play with them. And
22 we all do that.

23 Meanwhile the biggest problem is
24 that there is no sight distance
25 sufficient for that departure site.

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And that's a problem that the property has.

I end there. Any questions?

MR. KEITH: Did you or someone from your firm actually go out and do your own counts and take your own measurements?

MR. SCHNEIDER: No, I did not. First of all, I got involved in this after September. Their report was only done in September. To do counts today would be completely worthless.

MR. KEITH: You used the applicant's data?

MR. SCHNEIDER: All the data is their data.

MR. KEITH: And Google which is the ultimate authority.

MR. SCHNEIDER: They're closer to God than we are. I wish I had an answer to that. I'm just telling you the facts as I see it. I've been doing this for forty-six years.

MR. KEITH: I appreciate your

1
2 experience and expertise; however, a
3 lot of us drive that road frequently
4 and I don't see the challenges that
5 you see, but that's my opinion.

6 So you know, you're basically
7 doing guess work based upon the
8 applicant's own data. I feel more
9 comfortable in considering your
10 conclusions if you had done your own
11 research.

12 MR. SCHNEIDER: We didn't have
13 the opportunity obviously.

14 Forgetting the data. What's
15 most important is the sight distance
16 and that we can see right from here.

17 CHAIRMAN FINNERTY: This is very
18 helpful for laypeople because for
19 laypeople traffic data tends to be
20 very technical and not very
21 accessible.

22 MR. SCHNEIDER: I treat you like
23 an attorney, you don't know anything.

24 CHAIRMAN FINNERTY: This is very
25 helpful.

H3

1
2 MR. ZBELL: Good evening, Mr.
3 Chairman and members of the board. My
4 name is John Zbell and I'm a
5 hydrogeologist and an associate with
6 the professional groundwater and
7 environmental engineering consulting
8 firm of Leggette, Brashears and Graham
9 with an office at 4 Research Drive,
10 Suite 204, Shelton, Connecticut.

11 Relative to my experience I was
12 happy to hear Jeff had just commented
13 regarding my age, but I do have
14 eighteen years of experience in
15 conducting and reviewing geologic and
16 hydrogeologic investigations. I'm a
17 certified professional geologist with
18 the America Institute of Professional
19 Geologist. And a licensed
20 environmental professional licensed by
21 the state of Connecticut Department of
22 Energy and Environmental Protection.

23 Note regarding my firm, we are
24 the first and senior groundwater
25 consulting firm in the nation. We

1
2 have extensive experience in Long
3 Island and it's unique geologic and
4 hydrogeologic setting. In fact, our
5 firm was originally headquartered in
6 New York City on its founding.
7

8 Although I'm here speaking to
9 you tonight, others at the firm were
10 involved with the review on behalf of
11 the Little Fresh Pond. Those included
12 a principal owner of the firm and our
13 senior groundwater.

14 Leggette, Brashears and Graham
15 was retained by the Little Fresh Pond
16 Association to conduct a pure review
17 of the DEIS and specifically the
18 geologic and hydrogeologic data
19 presented therein and how this data
20 was used to support the conclusions
21 that affluent from the existing and
22 proposed subsurface sewage disposal
23 systems would not impact the water
24 qualify in Little Fresh Pond.

25 As part of our scope, LBG
reviewed the DEIS and appendix D which

1
2 discussed by Mr. Lombardo which was
3 entitled "Water Quality Impact
4 Evaluation". Based upon the review of
5 the DEIS, our understanding of the
6 scope of their study included as was
7 pointed out the installation of
8 monitoring wells, measurement of the
9 water level in those wells and a stage
10 within the pond and the collection of
11 both surface and groundwater samples.

12 The data that was collected in
13 the DEIS as we heard tonight found and
14 concluded that the groundwater of the
15 subject property does not flow toward
16 or into Little Fresh Pond and that the
17 groundwater beneath the subject
18 property was to be of high quality
19 with no indication of materially
20 significant impact of waste water.

21 Those conclusions as we heard
22 tonight were based on a higher surface
23 water level in the pond relative to
24 local groundwater and groundwater
25 quality data, both of which I'm going

1
2 to discuss.

3 Based upon our review and our
4 professional opinion, we've identified
5 various data gaps that are critical to
6 the understanding of the groundwater
7 flow and groundwater quality in this
8 area. And these data gaps would
9 provide the basis for the above
10 conclusion.

11 I've broken these data gaps into
12 three different sets which I will
13 review. The first of these is the
14 absence of site specific geologic
15 data. We've heard about hydrogeology
16 and groundwater flow and patterns of
17 that nature, but we really didn't hear
18 about the geology of the subsurface of
19 the site.

H3-1

20 There are various sources of
21 published geologic and hydrogeologic
22 data for Long Island. Again, it is a
23 unique geologic and hydrogeologic
24 setting and many studies have been
25 conducted over the years. However,

1
2 with this type of study, in our
3 opinion, it requires site specific not
4 only hydrogeologic data but geologic
5 data. The reason I bring this up is
6 the presence of silt clay layers which
7 are know to exist in Long Island could
8 have a significant impact on
9 groundwater elevation, flow gradient
10 and the direction of groundwater flow.

11 In order to evaluate that data,
12 as Jeff pointed out previously, one
13 would typically look at geologic logs.
14 A geologic log is basically a story of
15 the subsurface as the wells were
16 installed, the test pit dug. You
17 would collect samples in order to look
18 at the vertical profile of the
19 geology. I'll note that those were
20 not included. However, in our
21 experience, reports and studies of
22 this type that rely on an
23 understanding of hydrogeology and
24 geology would typically be included
25 with that type of data set.

H3-1
cont'd

1
2 I will note that appendix B,
3 also included in the DEIS, which is
4 the proposed storm drainage plan has
5 tested data included. That tested
6 data does suggest that silt and clay
7 layers may be present beneath the
8 site.

H3-1
cont'd

9 The second set of data relative
10 to data gaps was groundwater water
11 flow. We did hear from the
12 applicant's consultants tonight
13 regarding groundwater flow in and
14 around Little Fresh Pond. And as Jeff
15 pointed out, one of the key data gaps
16 there is an evaluation wasn't made of
17 the seasonal high groundwater. All of
18 the data was collected during the
19 period of seasonal low groundwater.

H3-2

20 As part of our study, we looked
21 at published USGF data for a nearby
22 well and in fact all of the data was
23 collected at a seasonally low period.
24 The reason that's significant is
25 during periods of high groundwater you

1
2 can get changes in the groundwater
3 flow and gradients which is
4 essentially like we talked about
5 groundwater flowing from a higher
6 elevation to a lower elevation.

7 The applicant did indicate that
8 they collected a series of water level
9 measurements. I counted four sets of
10 measurements in the DEIS. I'll note
11 that only one set of measurements were
12 taken during a period where the camp
13 was potentially in operation. One of
14 the sets that was conducted during the
15 camp's operational period however was
16 conducted on a Saturday, August 1st
17 and two sets of those four
18 measurements were taken in the fall on
19 November 10th and November 25th. That
20 again is significant because it
21 doesn't represent periods, with the
22 possible exception of one when the
23 camp was actually active and waste was
24 being discharged from these systems.

25 I'll refer to figure 7 and 8 of

H3-2
cont'd

1
2 the DEIS on pages 48 and 49 if you
3 have it in front of you, but the flow
4 patterns in our opinion appear to be
5 somewhat radial in the area of the
6 site and do show flow toward the pond
7 and the wetlands.

8 In order to gain a true
9 understanding of exactly where the
10 groundwater is flowing, rather than
11 four wells, we would suggest that
12 additional wells would be required to
13 better define the flow especially
14 along the property boundary in order
15 to evaluate where this water is going
16 as it leaves the property.

17 Another potential gap is that
18 there is no groundwater elevation data
19 from supply wells. It's our
20 understanding that there were former
21 groundwater supply wells that were
22 used for portable at one point which
23 are proposed for use as irrigation
24 wells in the DEIS. And there is no
25 data for those wells as well including

H3-2
cont'd

H3-3

1
2 geologic boring logs or water level
3 data.

4 The significance of that is
5 those wells are likely drilled deeper
6 than the shallow groundwater
7 monitoring wells that we see on this
8 map. And it would be useful to
9 measure the head or the level of the
10 water in those wells.

11 We heard from Mr. Grosser
12 earlier that there is a groundwater
13 mound that was identified. It was
14 depicted in one of the groundwater
15 contour maps included on figure 7.
16 This mounding in itself indicates the
17 potential presence of tighter
18 material. And when I say "tighter
19 material", I'm speaking on the silt
20 and clays that I identified
21 previously.

22 Relative to the assessment of
23 that mound there is no evaluation of
24 how the increase flow of the camp
25 could potentially change that mound.

H3-3
cont'd

H3-4

1
2 Not only the increased flow of the
3 camp, but the proposed storm water
4 system that is to be installed which
5 will also aid in recharge to
6 groundwater. These could create a
7 higher groundwater mound and other
8 localized mounds associated with the
9 storm water drainage systems which
10 could overall affect the groundwater
11 flow direction and velocity or the
12 speed of water flow toward this
13 surface water bodies.

14 They do, as Jeff pointed out,
15 calculate the groundwater flow
16 velocity flow at the site. They do
17 provide for that in the DEIS.
18 However, in order to obtain that
19 velocity they use the published value
20 hydraulic conductivity which is the
21 ability of water to move through
22 media. In this case the soil. It is
23 a recognized value; however, as I
24 stated previously this type of study
25 requires site specific data. That

H3-4
cont'd

H3-5

1
2 type of data can be obtained from the
3 groundwater monitoring wells that you
4 see were installed on the property.

5 By conducting slug tests -- I
6 won't go into how that works -- but
7 there is a method by which you can
8 calculate site specific values. You
9 can also conduct a sieve analysis or
10 grain size analysis if samples had
11 been collected of the soil when these
12 wells were installed.

13 The last set of data gaps has to
14 do with the groundwater quality
15 sampling that was conducted. The DEIS
16 states that the groundwater was of a
17 high quality and did not indicate any
18 material significant impact of waste
19 water and was indicative of relatively
20 pristine water quality. As we heard,
21 these results were based on filtered
22 samples collected on November 24th of
23 2015 presumably again when the camp
24 was not in session.

25 As we heard there was an initial

H3-5
cont'd

H3-6

1
2 set of samples that was collected on
3 August 7 which likely was during a
4 period of camp operation. Again, we
5 don't know how the camp was operating
6 then and the potential discharge to
7 the sewage disposal system and these
8 samples did contain elevated
9 concentrations of nitrogen, phosphorus
10 and the pesticide chloradine.

11 As we heard, these sample
12 results are attributed to turbidity or
13 what I'll call suspended solids in the
14 water samples. The applicant did say
15 that they filtered, but justification
16 for filtering, which is referenced in
17 this DEIS, is the New York State
18 Department of Conservation publication
19 entitled "Sampling Guidelines and
20 Protocols" and although it's dated
21 March 1991 and it was prepared for the
22 spill response program of the DEC,
23 this document does allow for
24 filtering. However, makes specific
25 reference to the filtering of metal

H3-6
cont'd

1
2 samples. It does go on to state that
3 samples that will be analyzed for
4 organic compound shall not be filtered
5 in the field.

6 As we heard from the applicant
7 the samples were collected soon after
8 installation. Industry standard
9 practice typically involves the
10 development or the removal of
11 sufficient groundwater from a well to
12 establish a connection with the
13 surrounding aquafore. No information
14 regarding whether that had occurred
15 was presented in the DEIS.

16 Typically after a well
17 development, the well will be allowed
18 to dequillaby (phonetic) for a period
19 of a few days at which time the
20 samples would then be collected.
21 Aside from the method used to collect
22 the samples, they used a bail-purge
23 method where you drop a bailer
24 approximately three feet down the
25 well, pull it back up and it does

H3-6
cont'd

1
2 disturb the water in the well.

3 However, there is a more conventional
4 method used to collect groundwater
5 samples.

6 It's using the United States
7 Environmental Protection Agency's low
8 flow or minimal draw-down sampling
9 method which was issued in 1996. This
10 sample method results in less
11 disturbance of the water resulting in
12 lower turbidity and more
13 representative of the groundwater
14 sample.

15 In closing, as Jeff stated,
16 Lombardo's report entitled "Water
17 Quality Impact Evaluation" concludes
18 insufficient data exists to determine
19 the groundwater flow patterns into and
20 out of Little Fresh Pond. I would say
21 that LBG concurs with this conclusion
22 and believes additional investigation
23 is warranted to support that and other
24 conclusions outlined in the DEIS.

25 This additional work we believe

H3-6
cont'd

H3-7

1
2 is not cost prohibited and will
3 include such things as the
4 installation of a podometer which
5 allows for the measurement of the
6 gradient between the pond and
7 groundwater, shallow and deep
8 groundwater monitoring well closer to
9 the pond to also evaluate those
10 vertical drains. Which essentially is
11 the vertical flow of water up or down
12 as Mr. Grosser explained earlier.
13 Also a pathometric survey of the pond
14 to confirm the configuration of the
15 pond bottom depth and a tight and
16 permeability, which is the ability of
17 water to flow through the sediments at
18 the bottom of the pond.

19 Following the above reference
20 work including those issues that I
21 mentioned previously, a hydrogeologic
22 cross section should be developed
23 beneath the site of the pond to depict
24 the various soil types and groundwater
25 elevation data to better establish the

H3-7
cont'd

H3-7
cont'd

1
2 relationship between surface water and
3 groundwater.

4 Thank you for your time.

5 MR. KEITH: I understand clearly
6 that your assignment was to evaluate
7 what you discovered in the DEIS.

8 MR. ZBELL: Correct.

9 MR. KEITH: But I also want to
10 be equally clear that your conclusions
11 are based on that alone and not any of
12 your own research on site?

13 MR. ZBELL: Correct. Presumably
14 we would not have been allowed access
15 to conduct that type of sampling. If
16 we were, we would have established a
17 scope of work similar to what I have
18 outlined.

19 MR. KEITH: So it's opinion of
20 what you see in the data versus what
21 Mr. Lombardo's opinion of what he sees
22 in the data?

23 MR. ZBELL: Not necessarily.
24 We're saying there's an absence of
25 data. In essence there is an absence

1
2 of appropriate site specific geologic
3 and hydrogeologic data.

4 As I pointed out at the
5 beginning of my remarks, what they
6 have done to support the conclusion
7 regarding relative flow, is show stage
8 of water level elevation in the pond
9 and groundwater elevation. Simple
10 measurements. But they have not taken
11 into account the geologic setting
12 which is key to their understanding of
13 any hydrogeologic.

14 MR. KEITH: Thank you. I just
15 wanted to make sure that we're on the
16 same page.

17 MR. PENNY: I'm Larry Penny. I
18 submitted a short document to you with
19 the most voluminous DEIS in the
20 history of man I believe. I have some
21 things to point out. First of all I'm
22 working with Town trustees as author
23 and organic chemist looking at all the
24 Town ponds and we're starting with
25 this pond in particular.

H4

1
2 We notice that the DEIS says
3 nothing about the fish fauna. We're
4 going to elaborate that fish fauna
5 because that's very important in terms
6 of what species is there and their
7 sensitivity to the ongoing increase
8 project site idea.

H4-1

9 Secondly we're going to look at
10 the water chemistry that we're author
11 of. I want to say first of all
12 there's an epidemic going on that most
13 of our ponds are turning belly up.
14 This little pond which was declared
15 healthy in the year 1988 when
16 Southampton Town did a study of its
17 ponds -- not all of it's ponds -- they
18 did a study of Little Fresh Pond as
19 part of the five-pond study. And I
20 don't see any references of the DEIS
21 that's very helpful because they did a
22 fairly good study with chemistry,
23 vegetation and so forth and it was
24 declared healthy at that time.

H4-2

25 Now in terms of the process that

1
2 New York State DEC is looking at all
3 the fresh water ponds and lakes in New
4 York State in the last five years and
5 said before it turns out that Little
6 Fresh Pond healthy in 1988 has a
7 blue-green algae problem bacteria
8 problem in 2015.

9 So that pond has been degraded
10 and it's going downhill. We don't
11 know exactly why it's going downhill.
12 I think it would be very unwise to add
13 60 full-time residents during that ten
14 weeks, maybe a little longer because
15 that would amount to about fifteen
16 American families and 300 gallons a
17 day of -- I did all this stuff for
18 East Hampton, so if you want to check
19 me out, that would be fine.

20 I'm concerned that before we
21 make this thing larger -- and I
22 certainly understood the idea of
23 groundwater flow and whether the pond
24 gets some of that water interaction of
25 the pond with that water -- we still

H4-2
cont'd

1
2 have a lot of information to find out.

3 The worst thing by the way, is
4 the increase in waste water if it goes
5 to the pond, any of it, that happening
6 in the summer from the nearest outlet
7 and that's when the blue-green algae
8 gets started. I would say we have to
9 get a lot more information on this
10 before we can say yes, it's a good
11 idea. Thank you very much.

12 CHAIRMAN FINNERTY: We will open
13 the floor to public comment. As I
14 outlined parameters, we are limiting
15 comments to three mines.

16 As you know, the purpose of this
17 hearing is not to enter comments about
18 the facility, but it is to
19 specifically address the document at
20 hand. This is a public hearing of the
21 DEIS.

22 I can't imagine given the amount
23 of responses which were very
24 comprehensive to the study that we're
25 going to get additional comments about

H4-2
cont'd

1
2 the DEIS. We would ask that you
3 target your comments specifically
4 referencing the documents. If you
5 don't feel the need to speak at all,
6 note your presence, we see your signs.
7 It's not really necessary to state I'm
8 for the facility or I'm against the
9 facility. We have a policy of an open
10 mic. We give you three minutes. Some
11 regulatory boards cut off comments
12 when they stray off topic. We don't
13 do that. We are not going to cut you
14 off, but we do ask that you focus the
15 time on the documents. We're going to
16 take comments for about maybe forty
17 minutes the most.

18 As I said, we're going to come
19 back in January and in the interim
20 sent letters, emails will all be read
21 and entered into the record.

22 MR. GREENBERG: My name is Grant
23 Greenberg. I'm a resident in North
24 Sea for the past eleven years. I'm
25 also one of the administrators for the

H5

1
2 Little Fresh Pond Instagram account
3 where we have 780 followers who take a
4 keen interest in the pond.

5 I would like to talk a little
6 bit about the groundwater. We've
7 heard a lot about it. A lot of
8 opinions and a lot of contradictory
9 stuff.

10 In October 2012 our Little Fresh
11 Pond association hired a environmental
12 engineering firm called Lombardo
13 Associates who we've heard a lot about
14 tonight. And we hired them to examine
15 the potential water quality impact
16 from this day camp.

17 They provided us with their
18 report stating the following -- this
19 is the front cover of their report and
20 it actually has Mr. Lombardo's seal
21 and signature on the front and they
22 state: "Southampton Country Day Camp
23 site waste water discharge will likely
24 flow into Little Fresh Pond."

25 Fast forward four years and we

H5-1

1
2 learn that Lombardo Associates has now
3 been hired by the Southampton Country
4 Day Camp as their environmental
5 engineer for the DEIS submission. In
6 it they state: "Lombardo Associates
7 concluded that the groundwater at the
8 subject property does not flow into
9 Little Fresh Pond."

H5-1
cont'd

10 This is a stunning change from
11 the same environmental engineer in
12 just four years.

13 In 2012 the conservational group
14 from the east end took data from a
15 United States geological survey who
16 had been studying groundwater in the
17 south fork for decades and compiled it
18 into a map.

H5-2

19 Here is the Southampton portion
20 of the map. You can see the village
21 is here. They came up with what is
22 basically called a groundwater divide.
23 And the idea of groundwater divide it
24 shows you where the apex of the
25 groundwater is underneath the land.

1
2 They drew the groundwater divide from
3 east to west showing that basically
4 water south of that purple line flows
5 towards the Atlantic Ocean and water
6 north of the purple line flows towards
7 the Peconic bay. That's the general
8 idea.

9 They drew it half a mile wide
10 because depending on the season there
11 can be variations in the groundwater
12 divide.

13 If we go a little bit closer on
14 the map, you'll see there's Little
15 Fresh Pond. There's the proposed day
16 camp. These are actually the lot
17 lines that they put on the map. You
18 can see these purple arrows indicate
19 the general direction of the
20 groundwater flow is north, maybe a
21 little northwest, but it is pretty
22 clear which direction the water is
23 flowing from the day camp.

24 We cannot afford to lose another
25 pond to repeated blue-green algae

H5-2
cont'd

H5-3

1
2 outbreaks because one property owner
3 wants to radically change the use of
4 his property. Sports fields, swimming
5 pools and hundreds of children do not
6 belong on this piece of land so close
7 and so fragile to the system. Thank
8 you.

H5-3
cont'd

9 MR. KEITH: I should also
10 mention that you refrain from -- and I
11 know that everyone is very emotional
12 about this either for or against --
13 but I think in courtesy to the
14 speakers who may be a little hesitant
15 to speak or unsure, I would ask that
16 you refrain from any types of
17 applause, boos or any type of verbal
18 displays.

19 MS. PILLAR: Good evening. My
20 husband and I have been fighting for
21 Little Fresh Pond Association and all
22 interested parties. I thank you for
23 the opportunity to address you this
24 evening.

25 My name is Gretchen Pillar and I

H6

1
2 live at 19 Lakeview Court with my
3 husband and our two dogs. We bought
4 our house two years ago. When we saw
5 Little Fresh Pond we were immediately
6 sold on the area.

7 I am here today on behalf of
8 myself and my community as we come
9 together to lend our voices to request
10 a change of use for the Southampton
11 tennis club. We believe it will be
12 detrimental to the environment.

13 As I understand it, one of the
14 premises for a change of use variance
15 is that whatever changes are proposed
16 must be beneficial to the general
17 environment. I do not believe that a
18 residential area is conducive to a
19 children's day camp the size and scope
20 that is being proposed.

21 My concerns are focused on the
22 environmental impact of Little Fresh
23 Pond as well as the eventual increase
24 in noise and traffic that will
25 accompany the expansion.

H6-1

1
2 The Southampton Tennis Club has
3 been in their current location for
4 decades. Most of that time it existed
5 as a tennis club, an adult tennis
6 club. The zoning guidelines for the
7 area that I understand would be a
8 increase in ancillary activities for
9 children. According to the current
10 DEIS that you submitted, in 2016 280
11 day campers, 90 club members and 56
12 camp counselors will be on site. It
13 now seems that this situation is
14 reversed that the club members answer
15 only to the campers. The campers
16 numbers speak for themselves.

17 While I take issue with the
18 numbers submitted by the DEIS in terms
19 of passing and my concern really
20 centers around the fact that if a
21 change of use is granted there will be
22 no enforceable capacity constraints on
23 the numbers of campers.

24 I would also like to make a
25 comment about the noise. The noise

H6-2

H6-3

1
2 level is already disturbing for those
3 living close to the camp. I know
4 noise tests have been done but I take
5 issue with the methodology behind that
6 testing. It is not reasonable to
7 choose two specific days in August.
8 One being the last day of the official
9 season and one later in the month
10 which has been described as post-camp
11 season.

H6-3
cont'd

12 I thank you for your time. I
13 trust the planning board will take
14 into serious account our consideration
15 and concerns presented by the
16 residents this evening and reject the
17 application. Thank you for your time
18 and happy holidays.

19 MS. SMITH: Thank you for
20 letting me speak. My name is Debra
21 Smith and I wasn't going to speak, but
22 I went to an open meeting for the
23 Little Fresh Pond Association and it
24 was very misleading information that
25 motivated me to speak tonight.

H7

1
2 Like I said, my name is Debra
3 Smith and I live at 576 Majors Path
4 which is diagonal to the camp.

5 I have a six-year-old daughter
6 going there since she was two and a
7 half.

8 Majors Path has always had
9 problems with traffic. With the
10 recycling center there it's absolutely
11 unbearable. First came a recycling
12 center and then SYS, Future Stars and
13 all its operators, Block Spot, Active
14 East Physical Therapy, the supply and
15 pro shop, The Path and quite a few
16 others. There is also traffic to the
17 rifle range.

18 From the meeting that I have had
19 with proprietors at SCC, ninety
20 percent of the children were bused
21 this past summer. This is the number
22 one way that you can control and
23 implement a traffic flow problem.

24 For myself it would be
25 ridiculous to bus my daughter. Camp

H7-1

1
2 drop off is 9 a.m. I'm up there at
3 3:45 to pick up. They have the kids
4 signed out, packed up and ready to get
5 in the car. The traffic on Majors
6 Path was immediately recognized and
7 handled efficiently and cars can move
8 through. There has never been an
9 accident, never. And no one has ever
10 made a complaint while the camp has
11 been opened.

H7-1
cont'd

12 Yes, the camp offers
13 scholarships to help the people who
14 work and do services. And why
15 shouldn't those working in the fire
16 department, police department,
17 ambulance get camp. We really
18 appreciate that the owners want to
19 provide scholarships to the community.

H7-2

20 I hear a little bit of noise and
21 an occasional toot from Thomas the
22 train when the train takes the
23 children from one activity to another.
24 And I'm so happy to hear the giggles
25 and toots when the summertime comes

H7-3

1
2 for those ten weeks. It's a pleasant
3 way to have that sound within the
4 atmosphere of the neighborhood.

5 Where is there a problem? The
6 rifle range. I can be in my bedroom
7 with the TV on with the windows closed
8 -- we have brand new windows in the
9 house -- and there's the gunshots from
10 the rifle range. That's where the
11 problem is. What would you rather
12 hear, the rifle or the child.

13 If the camp does close everyone
14 will have to face something
15 unbelievable, a possible fourteen
16 house on one acre plot or twenty-eight
17 houses on half-acre plot. Then we can
18 have twenty-eight pools and everyone
19 is using the pond.

20 My daughter has gone to camp for
21 four years and has never seen the
22 pond. She doesn't know it exists.
23 Southampton camp and club is a special
24 place -- thank you.

25 MR. BART: What I had originally

H7-3
cont'd

H7-4

1
2 wanted to address was a little more
3 personal. I'll try to stick to the
4 issue at hand. I wanted to thank all
5 of you. It's very late. I'm sure you
6 want to go home. Thank you for
7 hearing us. I can't imagine just
8 being here and having to listen.

9 My name is Ivan Bart and I've
10 been a resident since 2005. I swim in
11 that pond all the time. I'm here for
12 one reason, and one reason only, it's
13 the health of this pond. We've heard
14 a lot of stories about -- I love
15 children. I do love children. They
16 believe the residents of the pond
17 don't love children. I love children.
18 I love the tennis club. I like the
19 idea of a tennis club. I have
20 actually sent people to the tennis
21 club so the developer has benefitted
22 from my recommendations.

23 What I can't understand is that
24 you're going to allow the unregulated
25 expansion of the camp. Because it

H8

H8-1

H8-1
cont'd

1 will be unregulated. Once you do
2 that, it will go unregulated.
3

4 As a resident I have kayaked
5 frequently and I've noticed a lot of
6 changes. Over here you can see this
7 is Little Fresh Pond and that's the
8 fourteen acres. I'm not a scientist,
9 but I know that the tennis club is
10 above Little Fresh Pond and I know the
11 law of gravity. Things fall. What
12 will fall? How about pesticides from
13 the children. Tell me that parents
14 here are not spraying their children
15 with pesticides. And that is going to
16 actually with chlorinated pools and
17 excessive waste, all of that is going
18 to go downward. That's all it can go.
19 I don't need a scientific study to
20 know that. A sloping hill is going
21 downwards.

H8-2

22 I have travelled myself in a
23 kayak and over here is Turtle Cove. I
24 have noticed changes in that cove.
25 The soil and the water has changed

1
2 color. There is new kinds of growth
3 happening in that cove.

4 Aside from the water body
5 itself, I would think that we should
6 test every part of that water body.

7 And lastly, we do not use
8 fertilizers. I do not use
9 fertilizers. I have growth in front
10 of the pond for drainage and there is
11 absolutely none right here which is on
12 the property line is a sandy beach.
13 So anything that's going has no filter
14 whatsoever. All of these things
15 should be taken into account.

16 I really appreciable your time
17 and I really hope that you do not
18 approve an expansion.

19 MS. FRANK: I'm the newly
20 elected president of Little Fresh Pond
21 Associates. Thank you so much for
22 your time. I live at 735 Majors Path
23 and that's forty-two feet from the
24 north end court.

25 I'm going to show you pictures.

H8-2
cont'd

H9

1
2 This photograph, which I will bring a
3 bit closer, was taken from my living
4 room. From my living room you have a
5 direct view of the north tennis camp.

6 We bought our home in 2007.
7 When we bought our home the top
8 photograph is the abandoned tennis
9 court. I can tell you that this
10 property was abandoned because there
11 were small oak trees growing through
12 the court. I was actually thinking
13 about roller skating there and it was
14 impossible. That court was abandoned.

15 On the bottom photo you can see
16 what that court is being used for. If
17 you look closely in the bottom photo
18 you will see a white image in the
19 background. That white image is my
20 house. We are forty-two feet from
21 where that is now happening.

22 I realize that we need to speak
23 to the DEIS. And I think this is
24 related to both parts of the DEIS
25 report. We were told when it was

1
2 submitted back in April and deemed
3 unacceptable or incomplete.

4 When the new one was submitted
5 this past month I was encouraged and
6 because I'm a layman and I wanted to
7 go through them and I felt that I owed
8 it to everybody, the Town and the
9 association, to completely go through
10 these reports in detail.

11 The first thing I did was enter
12 both of these DEIS reports in Adobe
13 software which pulled out the
14 comparisons in the reports. And the
15 reason I did that was because I was
16 hoping with the first report deemed
17 unacceptable and incomplete that they
18 had gone back and done additional
19 studies.

20 What my software pulled out --
21 and I have a copy for you
22 electronically is 6,000 changes
23 between the first DEIS report and the
24 second.

25 (Timer sounds.)

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I'm so sorry --

CHAIRMAN FINNERTY: Go ahead.

MS. FRANK: Thank you.

I painstakingly went through every 6,000 change and noted it for you guys. However, I will tell you that 5,993 of the changes are punctuation and reformatting. The seven content changes I pulled out and noted for you.

Back to my original reason for speaking. Forty-two feet from -- I just want to you enter my world for a moment.

What you are listening to was measured inside my house at 85 decibels. Inside my house. I recorded this several times throughout the summer. Because when I read the DEIS I was so upset that the noise study was only done on two days towards the end of the summer during the advertised post-camp season.

So I did my own. I bought a

H9-1

H9-1
cont'd

1
2 decibel reader and I started to record
3 all the information inside my living
4 room.

5 And finally I would like to
6 close with a letter from my employer.
7 When we talk about the environment, I
8 thought to myself, what is the
9 environment? It effects all of us as
10 we live in our homes and everything.

11 I have a letter from my
12 employer. During the summer months my
13 company allows us to work from home.
14 Which is the main reason we bought our
15 house. We love it here. And we want
16 to work from home. All these months
17 off and if you work from home, that's
18 the main reason. However, I'm going
19 to close by reading the letter.

20 "Celeste, it has been brought to
21 my attention by our clients Gary and
22 Phil that there have been several
23 instances during our daily web calls
24 that there is significant background
25 commotion on your line.

1
2 "While it is our company policy
3 to allow its employees to work from
4 home during the summer months, this
5 cannot be permitted if our client
6 service is compromise.

7 "Please plan to come back to the
8 office for the remainder of the
9 summer."

10 Thank you for your time.

11 MS. NADELLE: My name is Sophia
12 Nadelle. I reside at 38 Fresh Pond
13 Road for nearly forty years. I would
14 like to address a couple of issues
15 that have a negative impact on the
16 neighborhood since the activities of
17 the camp.

18 We've had a few disturbances by
19 the groups of counselors walking up
20 and own Little Fresh Pond Road at
21 night going to the North Sea Tavern to
22 drink and come back drunk. They are
23 very, very loud. That is one issue.

24 Another issue is the DEIS
25 report. I was troubled to read that

H10

H10-1

H10-2

1
2 the dirty discharge used water from
3 the camp miraculously flows around the
4 lake and not in the lake. That is
5 pure fantasy. The lake is fragile and
6 in the Federal Clean Water Act it was
7 listed as an endangered body of water.

H10-2
cont'd

8 As per the DEIS report, the use
9 of chemicals for the pools and
10 fertilizer for the ground all would
11 have no adverse impact on the lake.
12 That is also pure fantasy.

13 The results of increased
14 pollution, debris and waste will have
15 irreversible environmental impact on
16 the surrounding flora and wildlife.

H10-3

17 And lastly the tennis club. My
18 husband and I were members of a tennis
19 club some years ago in the 80s and
20 90s. We played there mostly on
21 weekends and only saw adults there and
22 very few children were playing tennis.
23 There were only a few cars parked in
24 front of the courts. It was pretty
25 nice and quiet then when it was purely

H10-4

1
2 and simply a tennis club. We never
3 saw any camp activities.

4 The DEIS report on page 13
5 mentions and I quote "Little Fresh
6 Pond has historically been used by the
7 existing tennis club for various
8 purposes." That again, pure fantasy.
9 It never happened. Not since the mid
10 '70s anyway. Never was there any
11 activities from tennis club members on
12 the pond.

H10-4
cont'd

13 Thank you very much.

14 MR. NADELLE: I'm Bruce Nadelle
15 and I live with my wife at 38 Little
16 Fresh Pond Road. I bought that land
17 1971. Built that small little house
18 on Little Fresh Pond then. I've been
19 there right from the beginning. I
20 played tennis there. I've seen and
21 swim the pond. I swim on both sides
22 of the pond.

H11

23 I do have an ad to attract
24 campers. The day camp has advertised
25 in the Southampton local paper and I

H11-1

1
2 quote, "Located on the property is
3 also a private beach that can be used
4 for kayaking, swimming and other
5 activities."

H11-1
cont'd

6 Later on in the DEIS in the
7 executive summary on page 13 it is
8 stated, "There is no use to the pond
9 related to the existing facility
10 operations at this time."

11 What they're planning to do
12 adding on later, you know, we can't
13 stop them.

H11-2

14 Also the DEIS has a term I never
15 heard before saying that the prior
16 existing use has now grandfathered
17 sanitary flow. I never heard that
18 term sanitary flow. How can sanitary
19 flow be grandfathered?

20 With 280 campers, 60 counselors
21 on the property in 2016, that alone
22 has to increase the sanitary flow.
23 And now they're asking in their
24 proposal for 360 campers and 90 staff
25 people. No matter what septic system

H11-3

1
2 they put in there, there has to be a
3 sanitary flow to the pond has to
4 exist. There is no way of denying it.
5 They just avoid that question.

H11-3
cont'd

6 The question on the Lombardo
7 Associates was answered. But he did
8 make a claim four years earlier that
9 water flow does go to the pond. Then
10 miraculously when he was hired by the
11 day camp, it doesn't go through the
12 pond.

H11-4

13 MR. SUMMIT: My name is Stuart
14 Summit and I've lived on Little Fresh
15 Pond for a little over twenty years.
16 I've been a member of the association
17 for the same length of time.

H12

18 This association you realize is
19 not one of your typical groups that
20 have been formed to oppose something.
21 This group has been for many decades
22 to protect Little Fresh Pond. People
23 volunteer their time and are out there
24 testing the water if somebody's grass
25 is too green. Somebody calls and

1
2 suggesting that there are other
3 fertilizers that won't hurt the pond.
4 We didn't form for this purpose. This
5 came on us. We weren't looking for
6 it.

7 I represented the two leaders of
8 the Little Fresh Pond Association a
9 few years ago when they were sued by
10 this camp owner Mr. Jacobs. What was
11 their offense? They had put a
12 bulletin board type of handbook about
13 the DBA meeting when it was first
14 coming up and urged people to attend
15 the meeting. In the course of this
16 very small handbill it referred to the
17 fact that the developer was using
18 deception in applying for the change
19 of zone and he sued them. It was
20 within two days for \$55,000,000.

21 That's called a slap suit. A
22 strategic litigation against public
23 participation. So much of this
24 process, you have to have confidence
25 in this applicant. You have to have

1
2 confidence that the numbers aren't
3 jury rigged. You have to have
4 confidence in whatever he said they're
5 going to do, that they will do. That
6 they will do whatever they're asked to
7 do.

8 Please bear in mind that two
9 days after those handbills went up
10 they were sued for \$55,000,000. One
11 was a special ed teacher in Riverhead.
12 The other was a man who was retired
13 and sued for \$55,000,000. You might
14 take that stuff casually, but believe
15 me, they did not. My firm represented
16 them pro bono and demonstrated that
17 what they said was exactly right on
18 the handbill. There had been
19 deception in the application of the
20 DBA. Mr. Bragman will be giving you
21 copies of our papers that will
22 demonstrate that there were two
23 different sets of figures, one to the
24 DBA and one to the Suffolk County
25 Board of Health on the very thing that

H12-1

1
2 we're talking about sewage outflow.
3 You'll see it. Don't trust what
4 you're being told. Thank you.

H12-1
cont'd

5 MS. MARSH: Good evening. My
6 name is Barbara Marsh. I live at 10
7 Justin Avenue. I've lived on Little
8 Fresh Pond for over sixty years. I
9 learned to swim there and I continue
10 to swim there all through the summer.

11 When I was a child we were told
12 that the water was clean enough to
13 drink. Now the pond is on the New
14 York State Department of
15 Conservation's list of endangered
16 bodies of water.

H13-1

17 The stress of this camp was put
18 on the lake. The DEIS waffles on the
19 numbers, 359, 390. Who knows how many
20 campers. 90 counselors, 100 tennis
21 members. There will be waste
22 generated from toilets flushing,
23 laundry, food preparation and the pool
24 will all make its way downhill to the
25 pond.

H13-2

1
2 When the facility was used as a
3 tennis camp, I never once saw a single
4 person swim in the lake or use the
5 lake front.

6 The camp has been very clear
7 about what their plans are per late
8 although they advertise something else
9 and it has suggested that they plan to
10 use the pond going forward.

11 Imagine the impact on the water
12 on 350, 400, who knows how many more
13 children covered with sun screen and
14 bug spray swimming in the lake. And I
15 would rather not mention what else
16 children do when they swim.

17 The septic system is designed to
18 eliminate the nitrogen that is
19 filtered out of the water but not the
20 phosphorus. Phosphorus is the main
21 ingredient that killed Mill Pond and
22 Avalon and is choking Georgia Pond.

23 Over half a million dollars has
24 been spent on trying to fix Mill Pond.
25 Over a million dollars to resuscitate

H13-3

H13-4

1
2 the water in Georgia Pond and it's not
3 working so far.

4 When toxic blue-green algae
5 infests a pond, it can no longer be
6 used for swimming, wading and fishing.
7 It costs a tremendous amount of money
8 to fix a body of water once it's been
9 compromised. It is much cheaper and
10 smarter and more effective to protect
11 the body of water before the damage is
12 done.

H13-4
cont'd

13 I just want to make two quick
14 comments on other related issues,
15 traffic and noise. On several
16 occasions during the summer when my
17 husband and I bicycle around the pond,
18 traffic around 3:30 to 4:00 was
19 staggering. Vehicles were backed up
20 from North Sea Road all the way along
21 North Sea Mecox on to Majors Path.
22 And if the camp is allowed to go, the
23 additional traffic from buses and
24 parents picking up their children will
25 be an incredible safety hazard.

H13-5

1
2 And as for the noise, when I sit
3 on my terrace which is halfway across
4 the pond from the camp, I can clearly
5 hear the noise from the camp in the
6 middle of the day. I can only imagine
7 how loud that noise will be for those
8 who live right next to the camp.

H13-6

9 Please refuse this application.

10 MS. SILVERMAN: Good evening.
11 Thank you for the opportunity to talk
12 to you about noise. My name a
13 Marcella Silverman. I am a homeowner
14 at 717 Majors Path and probably the
15 closest house. I think fifteen yards
16 between my property and their sports
17 field. So here is my house
18 (indicating). And about thirty yards
19 between two of my bedrooms and their
20 sports field.

H14

21 I bought my home, my husband,
22 Foster Mair, in 2003 when my boys were
23 nine and fourteen. We were members of
24 the Southampton Racquet Club as a
25 family membership. My children

1
2 attended the small -- probably
3 twenty-five children -- tennis camp
4 that accompanied the tennis club. One
5 of my sons was employed there cleaning
6 the courts after the days end.

7 We had no problem with noise,
8 with the smack of balls, kids
9 laughing. With them cheering their
10 wins after each game. I like kids. I
11 like even noisy kids. I like tennis.
12 I like camps. What I don't like was
13 to turn my summers into a nightmare
14 and what is before you is a screaming
15 at the top of your lungs type camp. A
16 ding dong bell ringing train type
17 camp. An amplified music whistle
18 blowing type camp. A generator
19 working six hours a day to blow up a
20 bouncy house type camp. And make no
21 mistake, that is what is before you.

22 Good neighbors can usually work
23 out noise problems. I've been a noisy
24 neighbor an I've had noisy neighbors.
25 Usually neighbors can work it out.

H14-1

1
2 But when it comes to noise, this
3 applicant is not a good neighbor.

4 Last June before the camp
5 opened, I think it was the Saturday or
6 Sunday before the first day of camp, I
7 heard from my home loud screaming. I
8 thought to myself what is going on,
9 the kids haven't even arrived yet. I
10 walked out and I walked the yards
11 across to the sports field and learned
12 it was spirit training day. There
13 were 30 adults with a group leader
14 leading them in chant, louder, louder,
15 I can't hear you.

16 I walked to the site and I
17 started to ask if they could move the
18 activity somewhere else. Mr. Coffey
19 -- who I think is here tonight -- said
20 to me, get off this property or I'm
21 going to call the police and if you
22 ever want to talk to us about anything
23 again you'll have to do it through the
24 lawyer.

25 I called Mr. Bruyn, I left a

H14-1
cont'd

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message and I never got a return call.

CHAIRMAN FINNERTY: Your time is up.

MS. MARSH: If I can just show you for a minute -- so, what I would like you to see first is counselor cheer day (playing video). Right outside my door. No amplified music, don't believe them.

This is pool day. This is loud. This is amplified music to no end. It's not 300 kids. I've never seen more than 40 kids on my end of the camp. It was just a few.

A summer or two before Mr. Coffey threw me off under threat of arrest I woke up to hear a generator on the sports field. It went on for hours blowing up an enormous bouncy house. And they say this is primarily a tennis camp.

This is all day, every day, the train bell, the choo choo ding dong train. I hear it from the web site.

1
2 Choo choo, that's right, ride in style
3 with Southampton camp. On and on ding
4 dong all aboard. It ding dongs all
5 day long.

6 As your neighbor, as your
7 constituent, I implore you don't let
8 this happen. Don't let this noise
9 continue. Don't let it grow. Don't
10 let a noise test done on the last day
11 of camp or after the camp session is
12 over.

H14-2

13 I'm not a child hater. I'm not
14 a camp hater. I love kids. My kids
15 have gone to camp. My kids have gone
16 to the predecessor camp. By way of
17 analogy, we all love the Good Humor
18 man, but none of us should have the
19 Good Humor man living next door to us.

20 MR. KREYMBORG: My name is Tommy
21 Kreymborg and I just want to say that
22 I've been attending the camp for many
23 years. I met so many friends and
24 counselors that I now call my friends.

GS-7

25 I was very lucky to attend the

1
2 camp for the three years that I did.
3 I look forward to working there as a
4 junior counselor this year.

GS-7
cont'd

5 I'm so grateful to have had this
6 opportunity to continue to work with
7 children in he future.

8 I just want to say thank you to
9 the planning board for letting me
10 speak.

11 MS. CARLEY KREYMBORG: My name
12 is Carely. I love going to camp every
13 summer to meet new friends, play and
14 have so much fun.

GS-8

15 I learned to read when I was
16 four at camp. I really love camp and
17 hope I can go every summer to meet new
18 friends.

19 MS. CAITLYN KREYMBORG: My name
20 is Caitlyn and I had the privilege of
21 working at the camp as a junior
22 counselor in 2015. It was my first
23 job experience and I couldn't have
24 asked for any better opportunity.

GS-9

25 Throughout the summer I really

1
2 got to know all the little kids and I
3 really felt a strong bond with them
4 and making friends with the
5 counselors.

6 Saying good bye to them was
7 extremely hard but I wouldn't change
8 it because the connections that I made
9 were unbelievable. I loved working
10 for children and consider this the
11 perfect chance to get the experience
12 with that. I was able to do something
13 that I love and that was fun and I
14 will always be grateful for the
15 opportunity.

16 About the noise thing, if you
17 can't stand to hear children laughing,
18 that sounds like a personal problem.

19 MS. MELTZER: Hi, my name is
20 Jackie Meltzer. I'm a Hampton Bay
21 resident. I've been a teacher for
22 fifteen years. My two daughters
23 attend the camp.

24 I am here to tell you that the
25 camp is in fact a betterment to the

GS-9
cont'd

H15

1
2 neighborhood.

3 The claim that the camp causes
4 traffic, I'm familiar with the
5 surrounding area of camp all parts of
6 the year and I see little to no change
7 to the traffic flow during the camp
8 season.

9 The camp employees use a local
10 bus company to facilitate the
11 transportation of campers and
12 counselors, which is helpful to local
13 businesses. It also cuts down the
14 amount of individual vehicles.

15 There is no staff parking on
16 site. The camp grounds have clear
17 entrance and exit marked which in no
18 way holds up traffic. It is fully
19 staffed during dismissal and arrival
20 to ensure the safety of children as
21 well as the flow of traffic.

22 In response to the claim that
23 the camp causes pollution, I am very
24 conscientious of the environment
25 myself and make sure that my children

H15-1

H15-2

1
2 use all eco-friendly products as well
3 as all the other mothers that are here
4 today.

5 The camp has never allowed
6 campers or staff access to the pond.
7 In touring the camp I have never once
8 seen the pond. If the pond is indeed
9 polluted, I'm confident that it is not
10 due to any activity that the camp is
11 involved in.

12 The grounds of the camp are
13 beautifully kept. The main selling
14 feature of the camp is about how lush
15 and green it is and the landscape of
16 the camp is something to be very proud
17 of.

18 Any structures that would be
19 added and built are respectful of the
20 surroundings.

21 In response to the claim that
22 the camp causes excess noise, the
23 Village of Southampton is inundated in
24 the summertime as people throw parties
25 and barbecues with fire works. There

H15-2
cont'd

H15-3

1
2 is no fact to the claim that children
3 enjoying similar activities which they
4 do all year round at school is causing
5 anyone any distress.

H15-3
cont'd

6 In closing, camp is a happy
7 place where children receive the
8 greatest care with experiences that
9 positively influence their ability to
10 retain knowledge for the next school
11 year, establish healthy habits and
12 self-confidence.

13 The camp provides local
14 youngsters with the opportunity for
15 summer employment, to gain career
16 related experience, requires skills
17 needed for college and beyond, gain
18 mentorship, making positive
19 relationships and are seen as role
20 models.

H15-4

21 Local businesses thrive with the
22 camp use. I would like to personally
23 thank Jay Jacobs for creating such a
24 wonderful place where the community
25 can thrive. I would like to thank the

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board as well.

MS. AERY: Melissa Aery. I live at 556 Majors path right across the street form the camp. My daughter goes there and loves it. It's really good for her social skills.

About the traffic issue, it's really bad all the time. The camp doesn't add much to it. Dropping off and picking up is very, very careful. They make sure that the child goes with the counselor and walks to their group with a counselor.

I think it would be really sad for the camp not to thrive.

That's all I want to say.

MS. DUNKIRK: Alyssa Dunkirk. I just have a few things to say. One, the camp was probably the only organization that came into this town to offer any kind of activity the way they have to our children. Especially to our local volunteers. They have reached out to us like no other

H16

H16-1

H17

H17-1

1
2 company or other organization in this
3 town.

H17-1
cont'd

4 They are very, very safe. You
5 pull in and they come to your truck,
6 they take the kids and they walk them
7 to their groups in the back of the
8 camp. There are no roads to cross,
9 nothing.

H17-2

10 They don't utilize the lake
11 whatsoever. My child has been in the
12 camp since they opened. They've never
13 seen the lake, not once. It's
14 ridiculous.

H17-3

15 The fact that we have people in
16 our own community trying to shut down
17 our children, is pretty sad.

18 This is Aubrey and she's a
19 camper as well.

20 AUBREY: I just want to say that
21 I've never seen a pool and we pick up
22 after ourselves. At the end of the
23 day we pick up our stuff.

24 If we can't go here and our moms
25 and dads are at work where can we be?

GS-10

1
2 If we can't have a babysitter come
3 over, where will we be without the
4 camp?

5 I only walk with the counselors.
6 And everywhere there is one counselor.

7 If you shut down the camp, where
8 will we go? I really like the camp.
9 I feel like I'm safe there. I'm never
10 upset. When I was leaving camp it was
11 really sad for me. If you shut down
12 the camp, where will we ever go? Not
13 our house. Here is a poster that we
14 all signed.

15 MS. DUNKIRK: I had gone to
16 Little Fresh Pond on their Instagram
17 page and they are very quick to point
18 fingers at the camp and blame the
19 camp's septic system and run off, but
20 how many of those homes on the pond
21 have their septic systems within feet
22 of the pond? And they're not updated
23 systems.

24 I was born and raised in this
25 town. As an ex-chief of the ambulance

G-10
cont'd

H17-4

H17-5

1
2 who runs in the district, there has
3 not been one accident caused by that
4 camp, not one. I was a member for
5 thirteen years and there has been no
6 accident caused by that camp
7 whatsoever.

H17-5
cont'd

8 AUBREY: If the neighbors don't
9 like it, how about they move.

10 MS. KREYMBORG: First I would
11 like to thank you for the opportunity
12 to speak. My name is Donna Kreymborg
13 and currently I'm a volunteer with the
14 ambulance. I too have been a chief
15 for over three years. I have never
16 had any problem with traffic accidents
17 or incidents at the camp.

H18

H18-1

18 As a matter of fact, when they
19 first reached out to me to come there
20 and check the facility out as chief of
21 an ambulance, it was very well run.
22 The ration of children to counselors
23 was amazing. I have yet to be called
24 for an incident for a child. I think
25 they put time and dedication into the

H18-2

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care of these kids.

Do my kids want to appear? They wouldn't have sat here for three hours on their own if they didn't truly want to speak. So if anybody thought that I asked them to, I did not. I can't get them to sit for three hours ever anywhere.

I thank you for listening. You know everyone wants to point fingers at the camp, I grew up here for 47 years. I know when Harry White used to tell me when the lake was safe for ice skating.

The lake has changed, let's face it. The population out here has changed. You can't go from North Sea Mecox to North Sea Road anymore. That's changed in the last ten years. That's not the camp's fault. You can no longer go down Sandy Hollow Road. I never once could not make a left onto Sandy Hollow.

The population is changing. The

1
2 times are changing. Let's not point
3 fingers at a camp that provides a safe
4 environment for our kids for ten weeks
5 out of a year.

6 Thank you.

7 MR. SCHOYR: As they say a
8 picture is worth a thousand words.

9 I don't think any of us are
10 against the camp. I think the camp is
11 just in the wrong place. That's what
12 this is about. Let's be honest. It's
13 too close to a pond. This is a
14 residential area.

15 There should be a camp. There
16 should be a place for kids to go. But
17 this is not the place for it.

18 I'm a homeowner on Little Fresh
19 Pond. When I bought it, it was a
20 wonderful place. I used to play at
21 the tennis camp. It was a club for
22 adults. There were no kids there. It
23 was quiete and that's what we liked
24 about it. Now they're trying to turn
25 it into a camp for kids with ancillary

H18-3
cont'd

H19

H19-1

1
2 activities for tennis. That's not the
3 way it should be. This is a quiet
4 community. Yes, there should be a
5 camp, but this is not the place for
6 it.

7 We're talking about the
8 environment here. This is damage to
9 the environment. That's what this is
10 about. It's not about traffic and
11 accidents on the road. It's about
12 what's happening in this community,
13 too crowded, too noisy. You hear
14 Celeste complaining that decibel
15 level. I say, listen to 90 decibels.
16 If you want I have a decibel meter and
17 I'll play it for you. I don't think
18 anyone wants it in their back door.

19 It's wonderful that people are
20 coming from Hampton Bays, but this is
21 our community here, not Hampton Bays.
22 It's the community we live in, it's
23 noisy. Have a camp but this is not
24 where it should be.

25 MR. FRANKEL: Good evening,

H19-1
cont'd

H20

1
2 ladies and gentleman. Thank you for
3 the opportunity. My wife and I are
4 owners on Little Fresh Pond. To be
5 clear, we are not against the camp.
6 We are not against children and all
7 the attending things that the procamp
8 people are talking about.

9 What we're concerned about is
10 the explosive growth that might be
11 eminent and have negative consequences
12 impact upon the community and more
13 importantly the pond itself.

H20-1

14 I must question the veracity and
15 the accuracy of the research and
16 findings presented by the gentleman
17 that spoke about the depth of the pond
18 being six feet when we know that it is
19 actually deeper than fifty feet at its
20 deepest point. People like to throw
21 facts around but we need to understand
22 what facts people are talking about.

H20-2

23 Each side is going to present
24 facts with their thoughts and
25 opinions. I think that was something

1
2 very telling when that gentleman
3 spoke.

4 Looking at the septic system,
5 seems more likely than the camps
6 research and findings suggest.

7 I myself have witnessed a
8 dramatic increase of traffic and noise
9 on Little Fresh Pond Road. The
10 traffic studies may have been
11 conducted on driveways and the major
12 access roads Majors Path and Mecox
13 North Sea. The traffic noise and
14 congestion both pedestrian and
15 vehicular have been noticeable and
16 significant on Little Fresh Pond Road.

17 I have two dogs that I walk and
18 just this past summer I have
19 experienced literally hordes of people
20 walking with flashlights walking back
21 and forth. They're allowed. This is
22 the United States. I don't have a
23 problem with that. But to say that
24 there isn't an impact of greater
25 traffic and various consequences, we

H20-3

H20-3
cont'd

1
2 are the people that live there.

3 I ask you to please take it into
4 consideration. Thank you very much
5 and I wish you a health and happy
6 holiday season.

7 MR. SILBER: This parcel is
8 really a unique parcel. It's not like
9 anything that this board has dealt
10 with with other sports clubs.

11 This parcel is a preexisting
12 nonconform use smack dab in the middle
13 of a residential area. There was
14 never supposed to be a business here.
15 It was grandfathered in because it
16 came before zoning.

17 This is the unique problem we
18 have with this site. It is smack dab
19 surrounded 360 degrees by private
20 homes, half acre and quarter acre.
21 And it sits on the shores of Little
22 Fresh Pond. That is a unique
23 situation. The crime here is that it
24 can endanger the future of Little
25 Fresh Pond.

H21

H21-1

1
2 We were all just asked to vote
3 for proposition 1 which was a great
4 noble cause. Let's take twenty
5 percent of the CPF funding and use it
6 to clean up bodies of water. Isn't
7 that great? That's what we're all
8 concerned about, saving our bodies of
9 fresh water so they don't die like
10 Mill Pond did because it was
11 overloaded with phosphorous.

12 That proposition means nothing
13 if the planning board and the zoning
14 board continue to allow unrestricted
15 development. You're killing the
16 bodies of water. Especially -- that's
17 what makes this site so unique -- it's
18 not only surrounded 360 degrees by
19 private homes, it's not in a
20 commercial district at all like all of
21 the other sports clubs and tennis
22 clubs you've dealt with. It's sitting
23 right on top of the water basin of
24 Little Fresh Pond. That's what makes
25 this so critical. That's what makes

H21-2

1
2 your decision so critical.

3 Because our pond which used to
4 be, as you heard, one of the cleanest
5 -- it was written up in the New York
6 Times as the cleanest body of fresh
7 water in the United States -- we were
8 proud of that. Members of the
9 association worked so hard for thirty
10 years to keep this body of fresh water
11 as pristine as it is.

12 Now it's deteriorating and it's
13 now on the 303 D clean water act
14 bodies of impaired waters. It's on
15 the road to death because of an
16 abundance of phosphorus. It's going
17 to die like Mill Pond. Haven't we
18 learned our lesson?

19 We see what happened with Mill
20 Pond. The Town is now spending
21 \$400,000 to try and get chemicals, tax
22 payer money trying to get chemicals
23 into Mill Pond to try to absorb the
24 phosphorus that is strangling the
25 pond.

H21-2
cont'd

1
2 We have to learn from our
3 mistakes. This is a unique situation
4 here, unlike any that you dealt with
5 before and you have to give extreme
6 consideration and be really careful
7 that you've gotten the data that you
8 need to make the right decision.

H21-2
cont'd

9 MR. GOODWIN: So the environment
10 impact on it depends on a fourteen
11 acre piece of property I think is
12 quite ridiculous. There is a lot of
13 property around that pond. We keep on
14 talking about phosphorus. That is a
15 big deal throughout the whole Long
16 Island. They've taken phosphorus out
17 of fertilizer.

H22

18 So to blame it on a fourteen
19 acre piece of property is ridiculous.
20 It involves everybody to keep that
21 pond fresh.

H22-1

22 I know at that camp that they're
23 septic system is up to code everything
24 is what they're supposed to be doing.
25 Can we say that everyone else around

1
2 the pond has the right septic system?
3 I don't think so. I think there are
4 some other problems that are involving
5 around that pond and to blame it on a
6 big green acre piece to property is
7 not fair.

H22-1
cont'd

8 Or would we rather have it
9 developed and have fourteen new
10 houses, fourteen McMansions built in
11 there?

12 MR. KORTE: Good evening. My
13 name is Jason Korte. I'm a homeowner.
14 My son goes to the camp. I just want
15 to touch on the background and the
16 benefit of the camp for my son and
17 touch on traffic and noise.

H23

18 I was raised in Southampton.
19 Third generation Southampton, as is my
20 wife. Combat vet civil servant for
21 twenty-five years. I've been in law
22 enforcement for twenty-two years.
23 I've been through that area both to
24 pick up my son and drop him off on
25 peak hours and during my work, my

H23-1

1
2 professional work and for the fire
3 department. I can tell you as far as
4 traffic goes, I have never been
5 negatively impacted as it would seem
6 the camp enhance the existing problems
7 that are up there. The traffic issue
8 is much larger than the camp.

H23-1
cont'd

9 Okay, so you build a couple of
10 houses and they're also going to add
11 to the traffic definition of existing.

12 I've never been to that many
13 accidents in recent memory. Majors
14 Path is the edge of our jurisdiction.
15 I've never been up there for any
16 accidents in recent memory.

17 As far as noise goes, the two
18 subsections quoted by Counsel, the
19 first one is the decibel level.
20 That's the measure of quantitative
21 section and that means something.

H23-2

22 The second section was
23 subjective. What annoys me might not
24 annoy someone else. If you're highly
25 sensitive and I'm a grouchy old

1
2 neighbor and I don't like kids, any
3 noise is going to annoy me.

4 What we ask is where is the
5 enforcement? Are they going to need
6 court actions? Were there any noise
7 violations written? Was there any
8 official action taken?

9 There was a lot of money spent
10 on studies and consultants to be here.
11 But did anyone pick up the phone and
12 dial the police free of charge?

13 The human factor, I'm a
14 homeowner. I've lived here all my
15 life. I feel that myself and my son
16 have the right to enjoy usage of that
17 property up there.

18 I want to reiterate, what's the
19 alternative? Open space day camp
20 seems like a pretty reasonable --
21 thank you.

22 MS. TEICH: My name is Edna
23 Teich and I live 54 Little Fresh Pond
24 Road. I live right on the pond.
25 We've owned the house for twenty-six

H23-2
cont'd

H23-3

H24

1
2 years. We are not some disgruntled
3 people who don't like children, we
4 don't like camps, we think that noise
5 is terrible. I don't live where
6 Celeste lives and I'm sure it's
7 horrible.

8 The main point that we are here
9 for is the pond itself. We are so
10 concerned about the health of the pond
11 that we don't use fertilizer. We are
12 very conscientious, all of us who live
13 around the pond.

14 About six years ago we did some
15 renovation in the house, there's no
16 grandfathering anything when you do
17 renovation. They had us take apart
18 all the septic and everything we
19 have. So it's my husband and I and a
20 dog living in a house.

H24-1

21 I think they asked for four dry
22 wells or six dry wells. We have two
23 new septic and it took three years for
24 us to get permits to do the renovation
25 because we had any environmental

1
2 agency on the planet come and look
3 because on the wetlands. Not allowed
4 to put a hot tub on the ground because
5 the water will flow and pollute the
6 pond.

7 So when you have a large camp
8 with so many children, with laundry
9 going on, with toilets being flushed,
10 it has to affect and it has to flow in
11 somewhere, somehow into the pond and
12 it has to affect the pond.

H24-2

13 Another issue I have is I
14 understand that the camp gave a lot of
15 scholarships to people who live around
16 the area and I understand that people
17 wanting and not being able to afford
18 to send their children to camp, so I
19 understand that they are procamp and I
20 can't blame them at all. But the
21 thing is it's a really short term
22 solution because in the end the
23 children will grow and we'll have a
24 dead pond.

25 We really have to think what we

1
2 do and how to do it to preserve the
3 pond.

4 MR. PALSGROVE: Thank you very
5 much all of you for this very late
6 night. I'm going to try to be brief
7 and bring a little fresh perspective.

8 I'm a new homeowner to the area.
9 I think a lawyer in this room helped
10 sell me my home. I am a neighbor to
11 these two young ladies in the front
12 row, Marcella and Celeste.

13 I'm just going to say that
14 everything they say is true. My first
15 summer spent here was definitely
16 unexpected. I bought eyes wide open.
17 I knew that there was a day camp
18 directly across the street from my
19 driveway.

20 With that being said, I would
21 like to say and I think I heard it in
22 some of the comments here, one of the
23 issues and to me the biggest issue
24 here is not that the camp go away or
25 that children go away or some of the

H25

1
2 other negatives have pros and cons to
3 it. For me, the real issue, besides
4 from saving the pond, is the number of
5 people that use this facility on a
6 day.

7 I've read that DEIS. He said he
8 wants to triple the enrollment of
9 students of kids and counselors in the
10 space. You're adding activities,
11 you're increasing enrollment by 500
12 active participants. You're still
13 staying on seventeen acres, so what's
14 changing?

H25-1

15 I would like to ask the
16 landscape architect why only a twenty
17 foot setback? I've read this Town's
18 zoning code is a hundred foot setback.
19 Why do we only get twenty here?

H25-2

20 Those are the two big things for
21 me. And obviously the environmental
22 statement on this pond is critical.
23 There are a lot of issues.

24 I love this community and I'm
25 here to support my neighbors. It's

1
2 not really about making a camp go
3 away. It's about making the camp be a
4 better neighbor.

5 MS. MORGAN: I live in
6 Southampton Shores. We bought our
7 house in 1981 and I've been a
8 full-time resident here since 1998.

9 This past summer I did notice a
10 big difference on Majors Path which I
11 use because Noyac Road is now backed
12 up to the Country Deli, probably about
13 between 2 and 4 p.m. It's very hard
14 for me to make a left.

15 Any way, I am who I am because I
16 went to camp. I love camp. Camp made
17 me. Swimming, tennis. From what I've
18 heard tonight this is in the wrong
19 place. To enlarge a camp with 360
20 kids -- and I heard the town of
21 Southampton is investigating and
22 researching building an aquatic center
23 at Red Creek Park in Hampton Bays with
24 swimming pools. Jay Schneiderman is
25 on board.

H26

H26-1

H26-2

1
2 We're going to have a place that
3 already exists to provide swimming,
4 tennis courts. They have hired a
5 couple who will bring in swimming
6 pools water safety.

7 From what I've heard the
8 developer is not someone who is part
9 of the community who sees that he
10 wants to make a business of camps.
11 Camp is for kids to learn and to grow
12 and we have to provide something for
13 our kids here.

14 I would suggest to the board to
15 look at Red Creek Park and the aquatic
16 center that they're talking about
17 building so it teaches all our kids
18 how to swim, have a place to go.
19 There are tennis courts there. And if
20 the camp stays, let it stay within its
21 boundaries so it doesn't affect Little
22 Fresh Pond. Thank you.

23 MS. WELKER: I'm here on behalf
24 of homeowners on Little Fresh Pond. I
25 am not myself a homeowner but I do

H26-2
cont'd

H27

1
2 reside in North sea. Speaking on
3 behalf of Trudy and Steve Aims, 142
4 Little Fresh Pond Road.

5 Firstly the owner of the camp is
6 insulting everyone's intelligence by
7 stating that a camp for 500 will have
8 no impact on the environment.

9 As a pond-side homeowner for
10 twenty years, we know how strict the
11 agencies are when applying for any
12 kind of work permits. The length of
13 time, the detailed work description
14 must be fulfilled beforehand. And the
15 purpose of the evaluation for many
16 environmental agencies both at the
17 state and federal level. I'm just
18 talking about single homes here, not a
19 camp.

20 As homeowners, we have a
21 thirty-five foot no touch buffer zone
22 to our property to satisfy
23 environmental demands. We have given
24 that over to nature for the pond's
25 protection for manmade waste. 500

H27-1

H27-1
cont'd

1
2 people will never appreciate or do
3 that.

4 The water quality of the pond
5 will deteriorate and will deteriorate
6 quickly. What happens in a few years
7 when the pond is polluted, depleted
8 and abandoned. Who restores it? Who
9 pays for that? Our homeowners
10 compensate.

H27-2

11 This is why it must be stopped
12 now. This is surely a very
13 short-sighted plan.

14 What I've said to you all is
15 just commonsense. To deny or state
16 otherwise would be an incomplete.

17 Right now the owner of this
18 property has to come to terms with the
19 reality of the situation to all of us
20 present. Little Fresh Pond has to be
21 respected for what it is, a small,
22 environmentally fragile body of water
23 that needs to be left alone. The
24 essential home that it provides for
25 many species of birds and animals and

H27-3

its importance in maintaining that
precious balance of man and nature.

H27-3
cont'd

I sincerely hope you will deny
this proposal and save Little Fresh
Pond.

MS. MINOGUE: Hi. I've been
working at Southampton Tennis Club
since its inaugural year so this will
be my fifth summer as a counselor at
the camp.

H28

I want to speak on behalf of the
kids and on behalf of my fellow staff
members.

First of all, our kids don't
know that the pond exists. I have
been with the same group of girls
since they were three years old. They
have never seen the pond. They don't
have access to the water.

H28-1

I heard someone before mention
that there was laundry being done on
site. Counselors are not permitted to
do laundry. The camp does not have
laundry facilities. It's all taken

H28-2

1
2 out into the village of Southampton
3 and done in the laundry mat there.

H28-2
cont'd

4 In reference to the traffic,
5 talking about counselors don't have
6 cars. We're not allowed to park on
7 the property. We aren't allowed to
8 drive to the property during busy
9 hours. We park at an off-site
10 location and are brought in via bus
11 before the children arrive. And that
12 doesn't seem to affect traffic.

H28-3

13 I grew up in the area so I know
14 how important it is. I actually grew
15 up on a pond in Mattituck and I know
16 the importance of the environmental
17 impact that we all feel.

18 I don't see that bullying
19 children and a corporation that
20 supports teaching children the skills
21 of learning how to make and keep
22 friends, I don't see the good nature
23 -- basically what I'm try to say is
24 there are a lot of kids that look
25 forward to coming to our camp every

1
2 summer. If we take that away from
3 them, what do they have to look
4 forward to. Thank you.

5 MR. ZWIN: Good evening. My
6 name is Ben Zwin and I am a
7 nonresident. I live in East Hampton.
8 I'm here to speak on behalf of Ashley
9 Whetherwax who is ten years old and
10 had to leave because she has school
11 tomorrow and didn't have the
12 opportunity. She wanted to come here
13 on her own and tell you how important
14 this camp is for her.

15 She is a scholarship student
16 there. Her family is a
17 multigenerational family from
18 Southampton. Her great grandfather
19 John Ward was the mayor of Sag Harbor,
20 chief of the fire department. If you
21 go to the windmill down by the beach
22 in Sag Harbor, that's dedicated in his
23 honor. They didn't have to do that,
24 this camp. It's meant the world to
25 her and many other people. She is a

H29

H29-1

1
2 product of a single mother,
3 single-parent family who otherwise
4 could not afford this.

H29-1
cont'd

5 I've listened tonight and I'm an
6 elected official and I've sat in
7 positions where there could be a lot
8 of passion on issues. Not on a camp
9 issue, but an incinerator, landfill,
10 transfer station, homeless, sex
11 offenders.

12 The issue that I see with
13 traffic, there doesn't seem to be a
14 problem with traffic. You can get
15 from a Southampton Town police a
16 traffic report of traffic accidents at
17 this location real time, during the
18 time the camp is operating, any time
19 you want. You heard the Village
20 ambulance people say that they have
21 not responded to any accidents in this
22 location caused by the camp. That's
23 the traffic issue.

H29-2

24 Everybody here is really on the
25 same page. We want the protect our

1
2 waterways. The Suffolk County Health
3 Department determines the flow,
4 determines what kind of septic system
5 any industry and any home has and they
6 are tough. They are the toughest
7 health department when it comes to
8 that. If they say this septic system
9 can hold and is not polluting that
10 pond, you can test it again, and let
11 the chips fall where they may. I
12 understand that they have done those
13 tests. They have recommended and
14 control how many people can be on a
15 septic system. That's what we're here
16 about. Protecting that pond and
17 providing recreation for our young
18 people.

19 We can come to a conclusion to
20 see if that's the issue. There are a
21 lot of homes around that pond and they
22 have aging septic systems.

23 In East Hampton they're giving a
24 demonstration of new septic systems
25 because so many have failed, not just

H29-3

1
2 here, all over the place. It's mostly
3 because of residential development.

4 On behalf of Ashley, I hope you
5 give this a lot of thought, I know you
6 will. I hope that somehow we can
7 bridge the gap here and respond fresh
8 and make sure the problems that are
9 causing it can be addressed. Thank
10 you.

11 MS. POTAPECES: My parents live
12 on the property of Little Fresh Pond
13 Road since 1972. My father was one of
14 the original founders of the Lake
15 Association to ensure that as
16 neighbors we did the right thing to
17 ensure the longevity of the water. We
18 do not spray for pesticides, we do not
19 fertilize.

20 A few years ago before my dad
21 passed away we talked about what was
22 going on here and the connection to
23 the community and we looked at each
24 other and said, we're screwed.

25 I spend time doing outside stuff

H30

1
2 so I meet the camp counselors as they
3 walk by and some of them are very nice
4 people. I do hear them when they go
5 by at night. Sometimes I'll walk
6 behind them to go grab a drink and I
7 come home.

8 The next morning I wake up do a
9 little gardening and what do I see?
10 Cans of beer and other debris on the
11 property.

12 To keep with your request to
13 talk about the DEIS -- first of all,
14 you have a tough job here. This could
15 mark your longevity for letting
16 development go astray.

17 We have to look at the gaps of
18 information and the mistruths in the
19 DEIS, specifically there was a
20 reference to the waste water discharge
21 and how insufficient data existed to
22 the groundwater flow. Not so far
23 along past this, waste water discharge
24 was determined to be away from the
25 camp.

H30-1

1
2 When we did our study, it was to
3 the water and away from the water, the
4 same group. How can they change their
5 minds so much? Who are they paying?

H30-1
cont'd

6 We need to take the time to go
7 through it and all the details. Once
8 we go from commercial use there is no
9 stopping it.

10 Many times we've made calls to
11 Mr. Collins, we hear noise, we see
12 construction and nobody comes down to
13 check it out.

H30-2

14 The other item is about the
15 noise. Come and see. Come and see.
16 I will host lunch at Celeste's house
17 next summer the next time the camp is
18 open. See the noise. Feel it.

19 We had accidents on that road
20 before. With the current state of
21 speed -- just please take the time to
22 consider all aspects.

H30-3

23 Someone mentioned, why we
24 haven't gone through and done the
25 studies on the property. We're not

1
2 allowed to do any studies on that
3 property. We would love our
4 contractors to do water studies. He
5 is not allowing us to do that. Thank
6 you for your time.

7 MS. THULINA: Hi, I'm Jackie
8 Thulina and I'm eleven years old.

9 I have been attending this camp
10 for four years and I love it there so
11 much. I've been working a lot on my
12 athletic skills and it's helped me so
13 much.

14 I made friends that I will
15 definitely have for years to come and
16 the staff is so great.

17 I hope to become a counselor
18 soon when I get older too.

19 It was a great experience and I
20 hope to share it with others too.

21 Thank you.

22 MR. MALL: I live at 717 Majors
23 Path.

24 I'm going to speak to the issue
25 of noise. The DEIS does not address

GS-11

H31

H31-1

1
2 two major sources of noise. One is
3 the big soccer field that's as close
4 as twenty feet from our property line
5 that holds 100, 150 kids. It's the
6 biggest field on the property.

7 They're proposing to build a
8 deck outside the dining hall. The
9 dining hall used to be a five-bedroom
10 house and they forget about that fact.
11 They proposed to put a deck out there
12 about 850 feet. Say that holds
13 another 50. So you have 200 kids
14 doing like they're instructed to do,
15 hollering and what have you at times.
16 It's noisy. And we're twenty feet
17 from the camp to the property line,
18 not that much.

19 So there are two sources of
20 noise unaddressed and must be
21 addressed if it's to be an honest
22 noise study.

23 The second thing they did was
24 the days that they picked for the
25 noise study was the very last day of

H31-1
cont'd

H31-2

1
2 the season. I look forward to that
3 day and I know that it's pretty quiet
4 that day. So they picked that as one
5 day. Why would you do that unless
6 you're trying to fix the study.

7 So what do they do next, they
8 pick a day the next week when the camp
9 is closed. They're having kids there
10 for the extra post-season or whatever.
11 What kind of honesty is that? That is
12 just dishonest.

13 Here's the greatest bait and
14 switch of it all here, is their
15 confusion about numbers. They have
16 215 now, they want 360. It's 67
17 percent increase they claim. So the
18 noise and the traffic will be a 67
19 percent increase. That assumes that
20 the 215 and the 360 are the same
21 numbers. 215, and correct me if I'm
22 wrong, was their enrollment for this
23 year total. Some of those kids stay
24 one week. Some stay two weeks. Some
25 stay four weeks.

H31-2
cont'd

H31-3

1
2 What they're seeking is
3 permission 360 kids every day for all
4 ten weeks. Instead of a 67 percent
5 increase, it's a 4- or 5- or 600
6 percent increase. That's not honest.
7 That's not genuine.

H31-3
cont'd

8 And then last, people complain
9 why didn't we complain. I'll tell you
10 what happened when we complained.
11 They had big balloons for rides,
12 forty-foot blow up rides. I went to
13 take pictures and complained about it
14 and got nowhere. The next year they
15 did -- all of a sudden sitting in our
16 driveway was this big heavy oil
17 drilling equipment on our driveway.
18 What? Where is that coming from? I
19 go over to try to talk politely with
20 Tom Coffey and he says no, it's on our
21 property. I said, no, look there are
22 the little stakes are out. Then he
23 finally had to concede it's on their
24 property. He tells the truck driver
25 to move it and that guy who's

1
2 complaining and he likes to take
3 pictures of kids. He has a little
4 voyeur interest in kids. This is what
5 he said about me.

6 And we wrote a letter to Wayne
7 Bruyn and Wayne Bruyn never wrote
8 back. Thank you Wayne.

9 Last but not least, when we went
10 to town hall to complain about these
11 incidents we ran into the building
12 inspector. The building inspector was
13 in town and this was the time when
14 they were bringing in huge trucks to
15 dig what came to be the septic systems
16 and removing a half acre of trees.

17 We called town hall and were
18 referred to building inspector and
19 told the building inspector was not
20 here and no one can talk to us. No
21 one can do an inspection because the
22 building inspector issued strict
23 orders that no one is to touch that
24 property except him.

25 A few weeks later the building

1
2 inspector, who we will not be
3 mentioned here, when neighbors
4 complained about work that a
5 neighboring property has undertakes I
6 call those neighbors to a higher
7 standard the next time they came
8 before him for an application.

9 He said that the pond was a mud
10 hole. That it was so dirty that he
11 could not see through it. And that
12 there was pristine body of water
13 saving as we claim. That's why we
14 don't go to city hall. We have
15 letters to document all that.

16 MS. DUNN: My name is Lucy Dunn
17 and I'm the co-chairperson of the
18 North Sea CAC. I've lived in north
19 Sea for well over thirty years. I
20 live right off of Majors Path at the
21 other end. So we get the day camp.
22 We get all the traffic.

23 The CAC made a unanimous
24 decision that I should speak because
25 they are not in favor of this

H32

1
2 application of this DEIS. The reason
3 is because it's an expansion of a
4 preexisting nonconforming use and the
5 impact on the surrounding residential
6 area including noise, sanitation,
7 water quality of Little Fresh Pond,
8 traffic, parking, quality of life
9 issues for the surrounding residents
10 is one of the major components of a
11 change of a nonconforming use.

H32-1

12 And the law states that the
13 change of use of the property of the
14 day camp from a tennis club camp to a
15 day camp must be beneficial to the
16 general neighborhood as well as to the
17 owner.

18 The primary thing is the general
19 residential neighborhood. I think one
20 of the things just to bring up what
21 you have now is maybe 50 parking
22 spaces. I looked at the stuff in the
23 appendix, there's at least 120 that
24 are spread throughout the property.

H32-2

25 The setbacks are not there. All

1
2 around where the houses are now,
3 they're putting in graveled parking
4 areas all around the front which was
5 basically wooded with just the cabins
6 showing up.

H32-2
cont'd

7 Some of the cabins are being
8 demolished, but others have been made
9 into dormitories. I don't know how
10 that affects septic systems. The
11 septic systems were changed I think
12 with health department approval based
13 on them being just cabins with one or
14 two bedrooms. They weren't
15 reclassified as dormitories.

H32-3

16 There are a lot of issues with
17 this that are environmental that have
18 to go into play for this whole
19 specific type of application.

20 There's a lot of concern in the
21 community as to what it will be down
22 the road. Numbers, if it's going to
23 stay this size, you would have less
24 problems. But with any increase, you
25 know, it's going to affect more

1
2 people.

3 That's all I have to say. Thank
4 you.

5 CHAIRMAN FINNERTY: Thank you.
6 As I said before, we are going to be
7 back on January 26th at 6 p.m.

8 I thank everyone. I know some
9 of you folks have been standing for a
10 better part of four hours. I commend
11 you for entering your comments, being
12 concise. I know it's an emotional
13 issue and you certainly conducted
14 yourselves, both parties, with
15 incredible demeanor. We appreciate
16 that.

17 We'll see you January 26th.
18 Happy holidays.

19 (Meeting adjourned 10:05 p.m.)
20
21
22
23
24
25

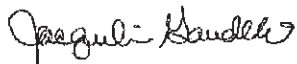
CERTIFICATION

I, JACQUELINE GANDOLFO, a Notary
Public for and within the State of New
York, do hereby certify:

That the witness whose testimony as
herein set forth, was duly sworn by me;
and that the within transcript is a true
record of the testimony given by said
witness.

I further certify that I am not
related to any of the parties to this
action by blood or marriage, and that I am
in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 21st day of December,
2016.



JACQUELINE GANDOLFO

* * *



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