

**TOWN OF LUMBERLAND**  
**ZONING REWRITE PUBLIC HEARING COMMENTS**  
**DECEMBER 12, 2011**

The Town Board of the Town of Lumberland held a Public Hearing for the purpose of hearing comments on the proposed Local Law entitled ‘ZONING’ on Monday, December 12, 2011 at 7 p.m. at the Town Hall in Glen Spey, N.Y.

Supervisor Nadia Rajszyk reported that the Zoning Rewrite Committee consisted of members Lewis Powell as Chair, Planning Board member Greg Bodnaruk, ZBA member Terri Fountain, Town Board Councilman Joe Carr, Town Board Councilman Jay Shafer, Planning Board member Karl Konrad, Town Historian Frank Schwarz. Supervisor Rajszyk Thanked Heather Jacksy from Sullivan County Division of Planning for facilitating the project and David & Helen Slottje for their legal assistance.

Supervisor Nadia Rajszyk stated that all comments will be limited to 3 minutes.

The following comments were heard from residents of the Town of Lumberland:

Frank Kean - Resident of Glen Spey, N.Y. Kean stated he is totally against the fracking number and felt that corporate America is trying to take over everything. Kean stated we should stand up against them and save our land. Kean stated he is worried about the future generations. Kean Thanked all the work that was done on the rewrite,

Chad Martell – Resident of Glen Spey, N.Y. Martell stated he has been a resident for 25 years and commend the Board for all the time that was put into this package and the efforts to protect our land and our resources. Martell stated his main focus is the 5 acre zoning versus the 2 acre zoning, noting he has worked with a lot of people in town, a lot of young people that have gotten property from their parents that wanted to stay in town but couldn't afford to because of taxes. Martell stated if we reduce the number of homes we would be decreasing the tax base and increase our costs for our taxes. Martell stated that people would not be able to stay here if the taxes increase. Martell stated if you have a 2 acre piece of property that has gone through the proper tests that piece of property should be permitted to have a home on it.

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Karen Smyth – Resident of Pond Eddy, N.Y. Smyth stated she is an active member of the community, noting her children attend the Eldred School District, she was a French teacher at the Homestead School and currently a substitute French teacher at the Eldred High School, a cub scout leader for 6 years, currently an assistant Daisy leader, my sons are active boy scouts and my daughter is an active Daisy, my husband is a local business owner selling reclaimed barn wood and restoring local historical structures, my husband is a assistant football coach for 3 years and I also teach art classes out of our barn home in the summer. Smyth stated her art classes use the natural beauty of the area, the river, the cemetery, stone walls and scenic views. Smyth noted she recently created a school garden at the Mackenzie School that involved all the students, teachers and interested parents. Smyth encouraged the Town Board to stay true to the Comprehensive Plan of 2008 by revisiting the proposed zoning code, specifically 3.1 the establishment of districts. Smyth reported on page 10 of the Comprehensive Plan it states that data from the surveys and focus groups shows residents would like to see their towns remain rural residential but would happy greet economical development that is sensitive to the environment. Smyth showed the old map of the zoning and the new proposed map, noting where she lives it was originally zoned designated HD Hamlet District but the new map shows it would change. Smyth stated that there are existing businesses in that area now and new businesses are looking at the area. Smyth strongly suggested postponing the vote on the new proposed zoning so that all comments can be fully addressed into the new zoning law.

Martha Tully - Resident of Glen Spey, N.Y. - Tully stated she would like to address the issue of care cottages, noting it was the intent to provide housing, support and care of our aging family members. Tully stated that the proposed zoning might prevent the support and care of family members due to the financial burden placed on the homeowners and the restrictions of a care cottage that would require the removal of the structure upon the death or the relocation of the family member. Tully reported she has done some research that shows that the average cost of construction is approximately \$145 per square foot in our locale and the proposed provisions require for a minimum of 500 feet which would be a total cost of \$72,000 and the maximum 800 square feet would cost \$116,000. Tully stated that if this was considered a temporary structure you would not be able to get financing for the structure and you may not have enough equity on your existing property to construct the temporary building. Tully reported other townships in the State of New York have accessory laws that provide housing for senior citizens, family members and those with infirmities. Tully stated that these are struggling

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times and people may not be able to provide the support for these particular care cottages, noting that there accessory apartments allowed in only two of the districts in town. Tully requested the Town reconsider the provisions for providing an alternative which means converting the accessory care cottage to another accessory structure which is permitted under the current zoning including a garage, storage facility, agricultural usage or the like.

Janice Toretta –Resident of Glen Spey, N.Y. Toretta stated she has been a resident of Glen Spey for 8 years and she works at Catskill Farms as an assistant to Charles Petersheim. Toretta noted that, as Petersheim’s assistant, she has had daily exposure to the zoning regs process. Toretta stated she is against gas drilling but is more opposed and resentful to the letter that Peter Comstock from the Homestead School sent out to parents providing them with coaching and talking plans. Toretta stated if you don’t have a vested interest in this town and don’t pay taxes or earn a living here than their comments should not weigh the same as the residents of the town. Toretta stated she resents out of towners taking up valuable time expressing their opinions at this hearing, noting that there are a lot of negative comments being passed back and forth and it is important to get to the true purpose of this rewrite. Toretta stated that the rewrite has to improve on the old zoning law and should be positive for our town. Toretta stated it should not infringe on our rights and it is important that those who pay the taxes and vote on these issues to have the final say on what is going on.

Vincent Toretta –Resident of Glen Spey, N.Y. - Thanked the Zoning Rewrite Committee for their work. Toretta stated it takes a lot of time to do a rewrite and wants to address a particular section. Toretta stated the Town of Lumberland is a beautiful town and wanted to address 52.4 of the rewrite regarding landscaping requirements, noting that it gets down to fine detail and questioned why this was needed? Toretta stated it infringes on his rights as a home owner, noting he does not want to have to have permission to cut down a tree on his property. Toretta stated it gets a little too specific. Toretta noted he is totally against gas drilling. Toretta stated he admires those that worked on the rewrite.

Wayne King – Resident of Glen Spey, N.Y. King stated that he a veteran and most of the men in his family have served their country. King stated that in Comstock’s letter two certain words relate to the zoning, Article 10.4 &10.5, noting that we are all connected to the same country and that sustainable development sounds like a nice idea but you will find it is just a plan to impose social justice on the

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world. King stated the Agenda 21 plan openly targets private property. King stated that the U.N. has made their stand on open land, noting that ownership of land is treated as an asset and private land ownership is an accumulation and concentration of wealth and contributes to social injustice that may become a major complication in development schemes. King noted that land use should only be in the interest of society as a whole. King stated he appreciated and Thanked the work the town and community has done but doesn't like his rights to be infringed upon.

Jolette LeBlanc – Resident of Glen Spey, N.Y. – LeBlanc stated that she would like to ask to put community above property, noting that it is God's wisdom to learn from other people's mistakes. LeBlanc Thanked the rewrite committee for all their work in protecting us from the high impact of industrial activities in the community. LeBlanc stated fracking fluid is not safe for people that rely on ground drinking water, and all the animals that are exposed as well. LeBlanc stated that ground water contaminated by hydrocarbons which is the most combustible fuel sources and is highly flammable. LeBlanc reported truck traffic and noise would be horrific, noting she has always considered people more important than money. LeBlanc stated they should get to the point of this fracking matter, that people can not and should not be forced to live without clean water, noting fracking pollutes the water, earth and air and the natural gas industry needs to back off and stay out of New York and our nation. LeBlanc stated spiritually this battle continues as stewards of God's creation we are able to protect and preserve life on God's earth. LeBlanc requested a vote to ratify the entire zoning ordinance because we need zoning now.

Ron Thiele – Resident of Glen Spey, N.Y. - Thiele stated he would like to Thank the Zoning Board for all their work they put into the rewrite, noting that he grew up in the area and doesn't want to see the natural beauty of the area destroyed in any shape or form. Thiele stated he agreed with a few others that by changing the requirement of the acreage on which to build on we are increasing the tax burden on the people that want to work in the area and the people that already live in the area. Thiele stated that a ten acre lot would bring in more tax revenue with 5 houses instead of 2 houses on it. Thiele stated people could only afford to purchase and pay taxes on a house on 2 acres as opposed to 5 acres. Thiele stated that new construction could only clear 30% of the property and felt you should have more freedom on your property. Thiele stated that someone could choose to have a larger lawn or put a pool in but would be limited with the proposed new zoning. Thiele stated he felt by having too strict requirements to build in the town will

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bring less work for the people that work in town and discourage people to build here. Thiele stated people should be able to choose what they can do on their property as long as it doesn't infringe on their neighbors.

Rick Birkenstock – Resident of Glen Spey, N.Y. – Birkenstock stated he has lived in town for 12 years and stated this is a quality of life issue. Birkenstock questioned if people ruin the water what would we do?

Dave Kirk –Resident of Glen Spey, N.Y. Kirk stated he moved here in 1994 and after listening to the other people felt it is important to get this zoning passed, noting we can't make everyone happy but felt some issues could be revisited. Kirk stated that the 5 acre restriction should be looked at and anti fracking restrictions are needed because he felt gas drilling is coming. Kirk stated that if there were no legitimate gripes the zoning rewrite should be passed.

Susan Morley – Resident of Glen Spey, N.Y. Morley stated she lives in Mohican Lake for many years and she has looked through the proposed zoning rewrite and attended some of their meetings. Morley stated she appreciates everything that the committee shared at the meetings. Morley stated that the rewrite doesn't list the fees for the planning and other things that are included, noting it is important to be added.

Robert Rice – Resident of Black Forest Colony in Glen Spey, N.Y. – Rice stated he has some comments on fracking. Rice stated he supports the work of the rewrite committee and the Town Board to make a informed decision that benefits the entire community. Rice stated he has followed the fracking process for some time and questions why, if the drilling for Marcellus gas is so safe then why is there a need for an exemption and if it is so dangerous that an exemption is needed then it should be banned before we start to write regulations to control it. Rice stated if there are no long term studies of the cumulous effects of tens of thousands of wells on our health, water, and environment we are not ready to write regulations or permit drilling. Rice stated he thinks the answers for this must come from locals because Congress has not solved this problem. Rice noted the Governor of New York and his Commissioner are rushing through regulations even though they have no long term health studies or no cumulative data when you drill so many wells. Rice stated Dimick, Pa. has no safe water and are getting no more water deliveries. Rice stated the new breed of politicians are not protecting us, noting Congressman Hinchey has a bill out there that would protect us but it can't get passed.

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Caroline Akt – Resident of Glen Spey, N.Y. Akt stated she has lived in Glen Spey for 15 years, noting there has been a lot of talk about the new zoning being too stringent and being anti business but that is the furthest from the truth. Akt stated the Supervisor has been encouraging business and you might hear from a developer that the new regulations are too stringent. Akt stated that basically the code is protecting us and ultimately it protects the town. Akt stated the members of the rewrite committee should be proud of creating such an excellent plan.

Peter Comstock – Resident of Glen Spey, N.Y. Comstock submitted a letter to the Town Board from an attorney from Manhattan with 35 years of litigation that is offering to defend our town pro bono should the Town be sued because of putting regulations in regarding gas drilling. Comstock read his comment letter that was submitted to the Town which addressed the concerns of the process of fracking for gas drilling. Comstock stated we are here to discuss zoning, long the whipping boy of those who don't want to be told what they can or cannot do on their property. Comstock stated that, hopefully, we've advanced as a culture and realize that property rights are not an absolute but entail responsibility. Comstock stated that most would acknowledge the need to abstain from practices that could impact our neighbor's well being, like the clear cutting or maintaining a junkyard. Comstock stated no one has a problem with banning such practice. Comstock stated we should consider others, like your neighbor who creates a pond to hold back millions of gallons of poisonous waste, or injecting carcinogens underground within yards of your house, or allowing high-volume truck traffic past your home day and night for access, which would be insanity. Comstock stated yet some who protest these impacts in isolation suddenly experience rapture when they are told that this is all part of a benign process called gas drilling that could make you rich and bring jobs. Comstock stated everyone wants jobs, noting our Town Comp plan does. Comstock stated the plan encourages all sorts of employment opportunities, but not through jobs associated with high impact industry. Comstock stated our rewrite committee stayed true to that vision by including Article 10 to protect us from an industry whose only allegiance is to stockholder profits. Comstock stated that, on the contrary, our Board and the Committee have declared their allegiance to the people of this town by saying "We will chart our own future, thank you! Comstock stated that as to the complaint the new zoning will shut down business opportunities on the Delaware, the Town has rightly considered the River Hamlet District in need of special protection. Comstock stated the District coincides with the special protection waters of the DRBC, the Scenic Byway, and the Recreational River, and is subject to the provisions of the River Management Plan. Comstock stated that the RMP allows for economic development within the Valley but so

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does our new zoning. Comstock stated that the RMP urges caution with projects next to the River but avoids blanket prohibitions but so does our new zoning, which fairly asks for special use permits on development that could have adverse impact in a sensitive zone and therefore in need of further review. Comstock stated that even though his own school business is located in a less sensitive district he is subjected to special use permitting due to cumulative growth at our campus. Comstock stated that the town had the obligation to make sure the well-being of his neighbors was protected against any negative impacts from his project. Comstock stated the zoning you are proposing strikes the right balance and provides for growth that is sensible and mindful of our rural integrity and congratulated the committee for a job well done.

James Mann – Resident of Pond Eddy, N.Y. Mann stated he lives on Route 97 and stated he is against gas drilling. Mann noted he fishes in the Delaware River. Mann stated that as far as the zoning is concerned he questioned why would a business come to the area to offer local jobs but would have to have a minimum 5 acre lot, with a 4,000 square foot building and have to pay \$6,000 for a proposed survey on trees on the property. Mann stated he felt all the proposed changes would put the local contractors out of business and out of the picture. Mann stated that the upper class are coming in and pushing the locals out.

Pat Carullo – Resident of Glen Spey, N.Y. Carullo stated he was moved to tears by what the community is doing and the Board and town is engaged in. Carullo stated we are fighting for your life and it is wonderful to hear how knowledgeable everyone is. Carullo stated the industry is headquartered in Dubai and elsewhere around the world and could care less about us. Carullo stated that we should think globally and if we care at all about our children we begin to act locally. Carullo stated we are all part of the region, noting Section 10 is perfect. Carullo stated millions are being spent to prevent any reasonable study on the fracking process. Carullo stated that the local community is our only hope.

Rik Dilles – Resident of Glen Spey, N.Y. Dilles stated we need to keep the 2 acre building lots, noting that he has sons that he would like to build them homes next door to him some day. Dilles also stated he does not want to be told what trees to cut or what trees to plant. Dilles stated he does not want to have the landowners rights regulated.

Ann Steimle –Resident of Glen Spey, N.Y. Steimle stated the new zoning laws are going to be a burden for some people but that this is going to be a part of our life.

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Steimle stated we have to close some of the loop holes and it is here to safeguard our homes and our property. Steimle stated she is not interested in the hearsay and was insulted by some of the letters that were sent around. Steimle stated she wants everyone to work together, that she believes in this town, believes in the zoning and the Town Board.

Zangmo- Glen Spey, N.Y. Kadampa Meditation Center resident – Zangmo stated she thanked the zoning rewrite committee for their work. Zangmo stated they welcome everyone to visit their center and that they moved here because of the beautiful peaceful natural environment that they would like to protect. Zangmo stated they support the zoning that will protect that for us and everyone that visits them. Zangmo stated that there are points that need to be addressed, noting the parking regulations would need flexibility.

Chad Mayr – Resident of Glen Spey, N.Y. and representative of Young Life/ Lake Champion. Mayr stated he thanked the rewrite committee for all their work, noting that his family moved here from Texas and is impressed by the community. Mayr stated that there are a couple of things he would like to address, noting that the land around the lake and its' structures are regulated, specifically the dense requirement. Mayr stated that the regulations regarding docks and floats limitations, noting they are the only lake owner that surrounds a lake and use the lake for many activities and the large scale water uses. Mayr suggested doing an exemption for children camps for the months from May through September when they use water for irrigation or perhaps a water limit usage since during those months, that most children's camps would be using more than residential properties. Mayr stated they did a great job putting the zoning together.

Jack Comstock – Resident of Glen Spey, N.Y. Comstock read from his comment letter that was submitted to the Town Board. Comstock stated his family is concerned about the negative impacts that industrial natural gas drilling could have upon our town and upon our region. Comstock stated he commended the Zoning Rewrite Committee and the Town Board for their efforts to protect his heritage by taking into account our town's most invaluable resources to assure responsible development. Comstock stated that by adopting the full zoning rewrite our town will protect the continued tourism which so many businesses rely on and will preserve the character and tranquility of this place we call home. Comstock noted the results of gas drilling that happened in a town in Bradford County where there are numerous wells and property and roads are being destroyed by the heavy equipment used in the gas drilling process. Comstock commended the tireless

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efforts of the Zoning Rewrite Committee, the Lumberland Concerned Citizens, the Community Environmental Defense and neighboring towns for their perseverance, their clarity of vision, their bravery, and their patriotism in acting to secure at the local level of government through political and environmental action what our state and federal government have failed to protect.

Richard Plunz – Resident of Pond Eddy, N.Y. - Plunz stated he is a member of the Lumberland Planning Board but is speaking as an individual., noting there are three points to be discussed. Plunz stated the Lumberland rewrite proposal should not be seen as an impediment to economic development. Plunz stated that the whole concept for zoning is to protect economic development, protecting investors for unforeseen circumstances which could put their own projects in jeopardy. Plunz stated the rewriting of the zoning confirms we are trying is to preserve what is positive here and embrace the innovation of what we need in terms of economic development. Plunz stated the second issue is location, noting that we are 90 minutes from 22 million people in the metropolitan area and we are poised for what is to come. Plunz stated Lumberland needs to determine its' own destiny. Plunz stated it is not only the Marcellus shale and gas extraction but many smaller things, small mistakes to look at. Plunz stated that the 3<sup>rd</sup> issue is heavy industrial activity. Plunz stated that we don't have to do any fracking in Lumberland, noting the impacts already seen in Pennsylvania. Plunz stated that we should not take "no" action.

Charles Petersheim – Landowner in Lumberland – Petersheim stated he is the owner of Catskill Farms and there are 19 small businesses from as far away as Liberty and Newburg present tonight that work with his company. Petersheim stated there is no gas in Lumberland. Petersheim stated that the idea that the Board will take these comments and vote on them December 19<sup>th</sup>, stating this is all a dog and pony show and it should be given time to process the comments. Petersheim stated he has built 14 homes here since 2008, invested \$4.2 million over the past 3 years, paid \$13,000 in building permits, \$3,500 in subdivision fees, \$1,500 in Circle Park recreational fees, donated time and money to the NACL theater, the Library in Eldred, to the community public radio station, to the Lions Club Scholarship fund, to the local firehouses. Petersheim stated he is absolutely invested in this community, employs local labor, uses local vendors who spend their money locally. Petersheim stated Catskill Farms invests \$400,000 every month for the last 3 years in Tusten, Highland and Lumberland. Petersheim stated their homes generate \$100,000 in school & property taxes every year and our homeowners and businesses shop at local businesses. Petersheim stated he filled 17

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building permits successfully and successfully applied for 17 Certificate of Occupancies, had hundreds of interactions with Code Enforcement and dozens of interactions with the Assessor's Office and the Supervisor's Office and the Highway Department. Petersheim stated he spends more time at the Town Hall than those that work here. Petersheim stated that his company uses small and large vehicles and nobody complains about them, they don't litter, don't steal, are respectfully of our neighbors and the town and we are positive contributors to the town in every way. Petersheim stated that he has heard that he is insulting the hard work of this community which he says is absolutely malarkey. Petersheim stated that he felt we have forgotten about the hardworking business people and if the zoning rewrite committee wanted to encourage responsible business to work in this community they would want to get it right. Petersheim stated that the zoning initiatives need improvement from preventing us from doing what we have been doing successfully in Lumberland for 3 years, building homes, building tax base, building businesses, supporting employees who support their families. Petersheim stated we need less impediments to business. Petersheim stated that he would like to see the rewrite committee invite businesses in to discuss the zoning with them.

Calin Riffle- Resident of Highland, N.Y. – Riffle stated she is an organic farmer and has a 7 year old son in the Homestead School. Riffle stated she moved to this town because she wanted to be part of a community where she would know everyone by name. Riffle stated she moved here to live a quiet life in the country but unfortunately her journey the last few years has changed, noting she has spent hours learning about gas drilling. Riffle noted that she will stand up to the industry, that this is coming and if we don't protect ourselves from a home rule stand point we will be finished as a community. Riffle stated she admires the town for the efforts they have put into the zoning, that nobody has the intention of squashing business and everyone has their issues. Riffle stated she thought to have these discussions.

Karen London – resident of the Town of Bethel, N.Y. – London Thanked this Town Board and the Zoning Rewrite Committee for doing an awesome job and is impressed with the way we have gone about our business. London stated she applauds this town and all the surrounding towns that don't want to put out a welcome mat for the industrial business that will not be good for the towns.

Carmen Mazzatta - resident from New Jersey - Mazzatta reported his son goes to Homestead School, works for global health care company, he was in the Air Force,

and a landowner. Mazzatta stated that what is advertised regarding the gas drilling is not happening in real life.

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Carol Roig – resident from Highland – Roig Thanked the Board for the privilege of speaking at their meeting. Roig stated she would not be here to comment on any of our zoning except for Article 10 dealing with the gas drilling issues. Roig stated we are affected by your decisions. Roig stated the Town of Lumberland has been very diligent, noting they are doing everything in your power to protect the health and welfare of it's citizens, secured expert legal advice and not been intimidated by threat of lawsuits. Roig stated our homes are our nest eggs and our most important assets. Roig stated she is extremely grateful to the Town Board of Lumberland and the zoning committee for acting to protect all property owners rights to conserve the value of our land and water because your actions make us safer in the neighboring towns.

Earl Culley – resident of the Town of Acton – Culley stated that they have done an excellent job of scaring the crap out of all of us, noting there is no gas drilling coming to this area. Culley stated he works with the Central New York Landowners Coalition and the Joint Land Owners Coalition and he is not going to argue the points of gas drilling, whether it is safe or not. Culley stated we are being used as pawns, noting that David Slottje has stated there are numerous towns that have banned gas drilling when it is only 12. Culley stated he felt we were being used as a pawn to ban gas drilling in the State. Culley questioned if the attorney that states he will represent the Town if they are sued will incur all the costs that come with a lawsuit? Culley stated we need economic development in the town and in this state. Culley stated there are 932 Counties in the State. Culley stated we do not have anything to support industry.

Carla Giuffrida – resident of Yulan – Giuffrida stated she was asked to read a statement from Supervisor Elect Carol Wingert from the Town of Tusten. Wingert stated in her letter she strongly encourage your Board to pass Zoning legislation that prohibits highly impact industrial use. Wingert stated our towns may not be contiguous but they are if you consider our water sources, noting that our streams and rivers run from one town to the next. Wingert stated that it is of the utmost importance that we protect our entire community region, not just our individual towns. Wingert wrote that we must work together to preserve our infrastructure as well as our water, health, safety and welfare of the citizens of our region. Wingert stated the Town of Tusten recently passed similar legislation, and we must stand together to preserve our way of life in Sullivan County.

Debra Conway – resident of Barryville – Conway stated she is a landowner in Barryville and wanted to talk about property rights. Conway stated that property

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rights are the foundation of all our rights. Conway stated she was very upset with the comments regarding the consulting attorney to the zoning rewrite, David Slottje, noting they reached out to him for advice. Conway stated that she objects to the idea that the cutting of trees are an offense to people's property rights, that we are anti business in any way. Conway noted that concerns regarding Section 5.2.4 and 5.2.6 have been discussed, conveniently leaving out what is between which addresses the right to apply for a waiver. Conway stated nobody is taking your rights away.

Virginia Hack – resident of Hawley, Pa. – Hack stated she lives in Pennsylvania but we share the same river and the same water shed and she is scared to death about the idea of industry coming to this area to drill for gas. Hack stated she is terrified for her financial worth, that if heavy industry comes to this area that people will not choose to live in or chose to visit an industrial area. Hack predicted that light industry would be seriously compromised if not fold altogether, such as tourism, fishing, summer camps, organic farms, small bed & breakfast and shops that sell artisan goods. Hack questioned how will my neighbor drilling for gas rescue my financial worth? Hack stated she would support any provision that would protect Lumberland from heavy industry and the way of life its' citizens have chosen.

Ed Gavalla – resident of Glen Spey, N.Y. – Gavalla stated he has been a businessman for 35 years, 20 years in Lumberland. Gavalla stated that there is a misconception, that everyone is against gas drilling, noting that the issue is zoning and that there are several articles regarding zoning, not just fracking. Gavalla stated that there is a historical section regulating the type of materials your would need to use to build on a historical prospective. Gavalla noted several people have touched on the landscaping issue, noting that trees a certain size would need to be documented and surveyed which would add another cost of \$6,000 to the property owner. Gavalla stated that the green buffer and trees being planted every 35 feet down property lines would incur another \$6,000 to \$10,000. Gavalla stated another issue zoning issue with the changing the acreage requirement from 2 acres to 5 acres, agreeing with Ron Thiele that it is not needed. Gavalla stated that the landscaping regulations may work in more populated areas, noting it is over and above for our rural area. Gavalla noted there is a section on home businesses, and felt homeowners should not have to apply to the Planning Board for a permit to

have a business. Gavalla stated the zoning rewrite needs to be tweaked more and that there needs to be more discussion.

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Dave Wallace – resident of Lumberland and an attorney. Wallace stated that fracking should be a rural issue. Wallace stated that the issue of home rule will come up continuously and we are literally fighting for our lives. Wallace stated scientists are not on our side, noting people should go to the areas that have already been affected by gas drilling. Wallace stated that if you are big enough industry you get exemptions, if you are small you get rules that are made in Albany or Washington. Wallace stated we need to be ready. Wallace stated that the right to farm is an important issue and it needs to be preserved.

Lia Madenbalm – resident of Bethel, N.Y. –Madenbalm stated she is a mother and has written the governor several letters about the concerns about fracking. Madenbalm stated she is here to support the work of the rewrite committee, including the provision to prohibit heavy industry in the Town of Lumberland. Madenbalm stated her son attends the Homestead School in Glen Spey and she does not want to see this beautiful town that is dependent on clean air, quiet surroundings and water everywhere turned into an industrial zone. Madenbalm stated that gas industry is claiming it brings jobs to our state but they are temporary and will take away from the jobs that are compatible with agricultural, tourism, higher education health and population and the region’s wonderful drinking water. Madenbalm stated we now know the dangers of hydraulic fracking and have seen the hazards of consequences of this destructive practice in Pennsylvania and other areas where this has been going on. Madenbalm stated that the DEC is still not classifying some of the waste from gas drilling as hazardous. Madenbalm stated that no amount of regulations, no guidelines or laws or ordinances to protect our water and our communities from a reckless industry. Madenbalm stated we work hard to raise and feed our children and depend on our elected officials to protect us and our future generations from harm. Madenbalm stated that she is here happy to support this committee in considering zoning provisions that will prohibit highly industrial activity in this beautiful rural area.

Amadour LaPut – resident of Glen Spey, N.Y. – Laput stated that he agrees that are some issues in the zoning that need to be looked at and would like to see more businesses in the area. Laput reported he is in the river hamlet and there is an article regarding percentage of clearing for different sizes of acreage.