

Exhibit 1
SDEIS Public Hearing Transcript

1 LEGISLATIVE PUBLIC HEARING

2 -----
3 In the Matters of the Applications of
4 THE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY AND NYSDEC
5 -and-
6 CROSSROADS VENTURES, LLC
7 -----

8
9 STENOGRAPHIC MINUTES OF PUBLIC HEARING
10 conducted in the above-entitled matter on the 29th day of
11 May, 2013, at the Belleayre Mountain Ski Center,
12 Discovery Lodge, Big Indian, New York, commencing at
13 3:00 p.m.

14
15 BEFORE: MOLLY T. McBRIDE
16 Administrative Law Judge
17 NYSDEC
18 625 Broadway
19 Albany, New York 12233
20 (518) 402-9011

21
22
23 REPORTED BY: THERESA L. KLOS
24 Shorthand Reporter and Notary
Public

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AFTERNOON SESSION

1
2 ALJ McBRIDE: Okay. We're going to begin our
3 hearing. Thank you. Before we begin, I'd like to
4 point out that since this room is getting crowded,
5 there is an overflow room in the back behind the
6 back of the room here; that if you had an
7 opportunity to make your comment or, you know,
8 you're further down in the order of speakers and
9 you'd like to make room for other people, you can
10 go into that overflow room and then come back in,
11 because it appears we're going to have a crowded
12 room here.

13 You'll see to my right and to your left that
14 we have some rows reserved. What we're doing is
15 we're going to have ten speakers called at a time
16 and when those ten speakers are called, I would
17 ask that you please come and sit in these front
18 two rows here.

19 What we're going to do is try to keep this
20 process moving along smoothly so that we can get
21 as many speakers as possible here today. My goal
22 is to give everyone who wants to speak an
23 opportunity to be heard here today and I will need
24 your cooperation for that to happen.

1 I have great confidence that we are going to
2 get through as many speakers as we need to here
3 today. I believe that we can call everyone that
4 would like to speak if we work together here.

5 It's going to be important that you please be
6 aware of the timer that we have on the screen here
7 so that you take your three minutes and not go
8 beyond that and, again, that will give everyone
9 their chance to be heard. And it's going to be
10 extremely important that everyone remain quiet
11 when a speaker is giving their remarks.

12 Even though you may support the speaker and
13 the comments they're making, if you applaud or
14 make any noise while that person is talking, the
15 court reporter who's sitting next to me will not
16 be able to get those comments down and it is
17 extremely important that we have an accurate
18 record, an accurate transcript of the comments
19 made here today so the Department has a record of
20 all the comments made here today.

21 I know that this is an emotional issue. I
22 know that people feel strongly about what's going
23 on here today, and I appreciate that. And it is
24 my goal to make sure that everyone who wants to

1 make a comment has that chance. So please be
2 respectful of all comments being made and please
3 remain quiet for all speakers. Thank you so much.

4 UNIDENTIFIED FEMALE: Excuse me. Could you
5 identify the people who are here?

6 ALJ McBRIDE: One minute, ma'am. We're going
7 to go through everyone that's here. Okay?

8 So my name is Molly McBride. I'm an
9 Administrative Law Judge with the New York State
10 Department of Environmental Conservation. I'm
11 going to be presiding over this afternoon and this
12 evening's legislative hearing.

13 As you are aware, we have a session at 3:00
14 p.m. this afternoon and a second session at 6:00
15 p.m. The purpose of today's hearing is to receive
16 unsworn statements/comments from the public
17 regarding the Draft Environmental Impact Statement
18 and the permit application submitted to the
19 Department related to the revision of the
20 Belleayre Mountain Ski Center Unit Management Plan
21 project proposed by the New York State Regional
22 Olympic Development Authority and the New York
23 State Department of Environmental Conservation,
24 which includes the following development in phases

1 at the ski center: Installation of three new ski
2 lifts; replacement of two existing ski lifts;
3 addition of sixteen new ski trails; construction
4 of up to three parking areas; expansion of the
5 existing Discovery Lodge and Sunset Lodge;
6 construction of the following new structures: The
7 Tomahawk Lodge, an Information Booth, a salt
8 storage building, a snowmaking pond, installation
9 of snowmaking piping, a lower pumphouse, and a
10 compressor facility; and modification of existing
11 pumphouses, the acquisition and classification and
12 development of the parcel of land that was the
13 site of the former Highmount Ski Center,
14 reclassification of 149 acres of the Ski Center's
15 Intensive Use Area to a Wilderness designation,
16 and classification of 263 acres of Forest Preserve
17 land as an addition to the Ski Center's Intensive
18 Use Area.

19 This hearing is also on the Crossroads
20 Ventures, LLC application for a proposed
21 development to be known as the Modified Belleayre
22 Resort at Catskill Park. This includes a
23 Wildacres Resort and Highmount Spa Resort.
24 Wildacres Resort is located on approximately 254

1 acres on the eastern side of the project site,
2 west of the Belleayre Mountain Ski Center, and
3 would include an 18-hole golf course, a 250-unit
4 hotel and 163 lodging units and multi-unit
5 buildings. The Highmount Spa Resort is located on
6 a portion of the approximately 237 acres that
7 includes the site of the former Highmount Ski
8 Area.

9 Development proposed for Highmount includes a
10 120-unit hotel with a spa facility. Located in
11 the hotel and spa are 53 fractional ownership
12 units, a multi-level lodge building containing 27
13 fractional ownership units and 16 detached lodging
14 units and eight duplex buildings are also proposed
15 adjacent to the hotel and spa.

16 Notice of this hearing was published in the
17 Department's Environmental Notice Bulletin on
18 April 17th, 2013 and also in the Daily Freeman and
19 Catskill Mountain News on April 22nd, 2013.
20 Anyone who wishes to speak here today must fill
21 out a speaker card. The cards are available on
22 the table behind me. So far, we have
23 approximately 40 cards collected.

24 When you make your statement, please speak

1 loudly, slowly and clearly. All comments today
2 are being recorded by a court reporter. If we do
3 not hear you, there is a risk that your statement
4 will not be recorded accurately. Again, I request
5 that everyone be silent when a speaker is talking
6 and that all speakers get the same courtesy and
7 respect you want for yourself when speaking.

8 If you do not wish to make a statement on
9 record here today, you may submit a written
10 statement. Equal weight is given by the
11 Department to written and oral statements. If you
12 have submitted a statement in writing, you do not
13 need to speak here again today.

14 We have forms available behind me at the
15 speaker table if you would like to make your
16 comments in writing and leave them there today.
17 All written comments must be received by the
18 Department by July 24th, 2013. The mailing
19 address is available on the different signs here
20 in the building. I'll read it out to you now.

21 All comments must be mailed to Daniel
22 Whitehead, Regional Permit Administrator, at the
23 New York State DEC Region 3 Office, 21 South Putt
24 Corners Road, New Paltz, New York, 12561-1620.

1 Speakers will be taken in the following
2 order: Elected federal officials first, state
3 elected officials, local elected officials and
4 then citizens will be called in the order that you
5 have submitted your card here to speak.

6 Due to the number of people who wish to
7 speak, we are going to limit each speaker to three
8 minutes. There will be no exception to the
9 three-minute rule. Please be respectful of that
10 time limit.

11 I will call your name when it is your turn to
12 speak. If I mispronounce your name, I apologize.
13 Please correct me in the microphone. Please come
14 forward and speak to the microphone there in the
15 front of the room and address your remarks to me
16 facing forward towards me, please, so the court
17 reporter and I can hear your comments.

18 This is not a question and answer session.
19 The purpose of this hearing is only for purposes
20 of the public commenting on the matters I
21 described earlier. If you have any questions for
22 the Applicant or DEC staff, you will have to raise
23 them outside of this hearing. DEC staff is
24 present here today. You may speak to them on the

1 break or you may contact them at their offices.

2 Before I begin calling speakers, I will call
3 on Daniel Whitehead, our Regional Permit
4 Administrator, who will make some brief comments
5 and then we will hear from Dan Ruzow, counsel for
6 Crossroads Ventures, then I'll begin calling the
7 speakers. Thank you.

8 MR. WHITEHEAD: My name is Daniel Whitehead,
9 the Region 3 Regional Permit Administrator with
10 the New York State Department of Environmental
11 Conservation, and project manager coordinating the
12 Department of Environmental Conservation's
13 environmental review and permitting associated
14 with the revision of the Belleayre Mountain Ski
15 Center Unit Management Plan, proposed by New York
16 State Regional Olympic Development Authority and
17 New York State Department of Environmental
18 Conservation, and the Modified Belleayre Resort at
19 Catskill Park projects, proposed by Crossroads
20 Ventures, LLC.

21 We are here today to receive your comments on
22 the environmental impact statements, draft permits
23 and cumulative impact analysis for the two
24 projects. For your background information, I will

1 now provide the chronology of the State
2 Environmental Quality Review Act process for these
3 projects, give an explanation of DEC's regulatory
4 jurisdiction, and then will give a representative
5 for Crossroads Ventures, the project sponsor of
6 the Modified Belleayre Resort at Catskill Park, a
7 chance to speak to you. Once the project
8 representative has completed his presentation, we
9 will begin hearing your comments.

10 Crossroads Ventures, LLC originally submitted
11 applications to the Department in 1999 for a
12 proposed resort development to be known as "The
13 Belleayre Resort at Catskill Park," which is being
14 proposed to be located on a total of 1,960 acres
15 in the Towns of Shandaken and Middletown, adjacent
16 to the Belleayre Mountain Ski Center. Those
17 applications, and an accompanying Draft
18 Environmental Impact Statement, were the subject
19 of a DEC public hearing and issues conference.

20 On September 7, 2005, the Administrative Law
21 Judge issued rulings regarding party status and
22 issues to be adjudicated. These rulings were the
23 subject of appeals to the DEC Commissioner, and an
24 interim decision was issued on December 29, 2006.

1 That interim decision identified which issues
2 were to be adjudicated and directed that the
3 Crossroads' DEIS record be supplemented with
4 additional information, including consideration of
5 an alternative development scenario.

6 On September 5th, 2007, Crossroads and
7 certain parties to the adjudicatory proceeding
8 entered into an Agreement in Principle describing
9 the proposal for the Modified Resort project.
10 This modified alternative project required the
11 preparation of a Supplemental Draft Environmental
12 Impact Statement and the filing of new or modified
13 DEC permit applications, all of which are subject
14 to public review. Crossroads moved to suspend the
15 adjudicatory hearing in order to pursue the
16 alternative project. The adjudicatory hearing was
17 held in abeyance pending supplementation of the
18 administrative record as stated by the ALJ in his
19 ruling dated October 19, 2007.

20 Additionally, the State of New York proposed
21 that DEC would make trail, lift and snowmaking
22 improvements to the Belleayre Mountain Ski Center
23 subject to completion of required SEQR reviews and
24 approval of a revision to the Unit Management

1 Plan. Due to the nature and location of the two
2 projects, DEC made a determination to review the
3 two individual projects under one SEQR process.
4 Consequently, on November the 21st, 2007, the
5 Department issued a Positive Declaration, a draft
6 scope and an associated Notice of Intent to
7 prepare draft EISs for the two projects. A public
8 informational meeting on the plans and proposals
9 for the two projects was held on December 10, 2007
10 at the Belleayre Mountain Ski Center, and a
11 scoping meeting was held on December 11th, 2007,
12 and continued on December 12th, 2007, to receive
13 comments on the draft scope for both the Belleayre
14 Mountain Ski Center UMP/DEIS and the Modified
15 Belleayre Resort at Catskill Park SDEIS. On
16 February 28, 2008, a Final Scope was issued for
17 the two projects.

18 On April 17, 2013, DEC accepted the Draft
19 Environmental Impact Statements and cumulative
20 impact analysis as adequate for public review and
21 comment. On the same date, the Department issued
22 draft permits and a Notice of Complete Application
23 for the following environment permit applications
24 associated with the respective projects.

1 For the Belleayre Mountain Ski Center, the
2 State Pollutant Discharge Elimination System
3 Permit for stormwater discharges to surface waters
4 of the State from construction activities
5 associated with the Belleayre Mountain Ski Center.

6 For the Modified Belleayre Resort at Catskill
7 Park, a State Pollutant Discharge Elimination
8 System Permit for stormwater discharges to surface
9 waters of the State from construction activities
10 associated with the Modified Belleayre Resort at
11 Catskill Park, and a Protection of Waters Permit
12 for proposed crossings of regulated streams,
13 tributaries of the Emory Brook, Class B.

14 The intent of this hearing is to provide the
15 public further opportunity to comment on these
16 draft permits and associated EISs. The public
17 comment period will end July 24, 2013.

18 Now, I'd like to introduce Daniel Ruzow of
19 Whiteman, Osterman & Hanna representing Crossroads
20 Ventures, LLC, the Applicant for the Modified
21 Belleayre Resort at Catskill Park project. Mr.
22 Ruzow will speak briefly to you to further
23 introduce the project and then we will hear your
24 comments. Thank you.

1 MR. RUZOW: Good afternoon, Your Honor. My
2 name is Daniel Ruzow of Whiteman, Osterman & Hanna
3 and we are counsel to Crossroads Ventures. On
4 behalf of Crossroads Ventures, the project
5 proponent, we thank you all for coming today and
6 for your comments on the EIS and the permit
7 application.

8 In order to understand where we are today,
9 you need to understand where we've come from.
10 This first figure is -- all these figures, by the
11 way, are in the EIS itself in the Part B section
12 of the Supplemental Draft EIS. This shows you the
13 original plan for the Belleayre Resort.

14 As you'll see, this is the Big Indian portion
15 as proposed and this was the Wildacres portion,
16 which included the Highmount subdivision as
17 originally proposed. As Dan indicated, there was
18 about 1,960 acres of land, 573 of it to be
19 developed with 85 acres of impervious surfaces,
20 8.2 miles of road and two golf courses, among
21 other things.

22 In 2003, the DEIS had the details of the
23 project. We had the Big Indian plateau which was
24 developed here with the golf course, a hotel and

1 spa and lodging units. The Wildacres area here
2 had the golf course and lodging units and hotel.
3 This was the Adelstein parcel and this was the
4 location of the Highmount subdivision.

5 The plan drew much criticism focused on the
6 Big Indian resort and golf course, which is
7 located here. Concerns were raised because it was
8 in the sensitive Ashokan basin. There were
9 concerns of water supply impacts to Birch Creek
10 and there was concern over visibility from
11 adjacent Wilderness areas in the Forest Preserve
12 in this area here.

13 As Dan indicated, lengthy and contentious
14 administrative proceedings before DEC took place
15 in January of 2004 resulting in the Interim
16 Decision in December of 2006. DEC, at the urging
17 of Congressman Hinchey and others, agreed to begin
18 discussions to attempt to resolve our differences
19 using the New York City Watershed negotiation
20 model facilitated by Governor Spitzer's Deputy
21 Secretary for the Environment, and now EPA Region
22 2 Administrator, Judith Enck.

23 A line was drawn. The line shown here is the
24 line of the Ashokan Basin to the east and the

1 Pepacton to the west. This became a very
2 important consideration as we learned from the
3 negotiating parties to try to minimize the impact
4 on the Ashokan basin and to focus the attention of
5 development in the Pepacton Basin and to the west
6 of Belleayre.

7 After five months of sometimes daily and,
8 certainly, weekly negotiations with all the
9 hearing parties and their technical consultants
10 and the Watershed Inspector General's Office as
11 well, we reached an Agreement in Principle on a
12 redesign we call the Modified Belleayre Resort
13 Plan. The Agreement in Principle, AIP, contains
14 all of that information and it's located on the
15 DEC website.

16 Key elements agreed upon reflected in the
17 SDEIS are: The elimination of the Big Indian
18 resort and spa, and the sale of this property to
19 New York State DEC for inclusion in the Forest
20 Preserve. That's occurred. The relocation of the
21 hotel and spa that was at Big Indian to the
22 Highmount parcel. Redesign of the Wildacres Golf
23 Course to reduce impacts on streams and wetlands.
24 Use stormwater for irrigation and use of organic

1 pesticide management techniques on the Wildacres
2 Golf Course. Relocation of lodging units off
3 greater than 20 percent slopes. Sale to the New
4 York City DEP of a Conservation Easement on the
5 Adelstein parcels to allow passive recreation and
6 very limited construction. Elimination of the two
7 prior wastewater treatment plants that were
8 initially proposed and treatment at the New York
9 City Pine Hill Wastewater Treatment Plant. A
10 reduction in the number of lodging units,
11 development footprint, number of buildings and
12 impervious surfaces. Use of Green building design
13 principles and clean vehicle shuttles to move the
14 guests to the Belleayre Ski Center. Cumulative
15 impact assessment of the Modified Belleayre Resort
16 and Belleayre UMP amendments to provide for
17 improvement of ski facilities and trails,
18 acquisition of Highmount Ski Center and provide
19 access from resort facilities.

20 The current DEIS is reflected here. You'll
21 notice, if we just go back to the other, see this
22 parcel here, this is where the Highmount and the
23 AIP additional units were proposed, 19 units, and
24 that's now been eliminated in the current

1 preferred alternative proposal. It was a concern
2 to our environmental colleagues. As they signed
3 the AIP, they asked us to reconsider whether those
4 units could be moved. We moved them off the ridge
5 and were able to consolidate them in the hotel
6 lodge building on Wildacres and in the Highmount
7 Hotel.

8 New wells were developed near Fleischmanns to
9 eliminate the concerns over the use of wells near
10 Birch Creek. And further reduction of impervious
11 surfaces, approximately seven acres, and new
12 roads, about a mile, were also changed and
13 improved in this current, now preferred plan.

14 The details of it: It's now 739 acres as a
15 total development plan of which 218 acres are now
16 proposed to be developed but with now only 21
17 acres of impervious surfaces and a mile and a half
18 of roads versus the eight. You'll see from the
19 comparison as well.

20 The comparison chart is next. This is on the
21 board out front and it's also in the DEIS. It
22 helps emphasize the rather dramatic changes to the
23 project as originally proposed and as now
24 proposed.

1 I just want to highlight to you the
2 significant changes in terms of the number of
3 lodging structures, as we're now down to 34 from
4 121, the miles of road I indicated, the slopes,
5 the miles of road on the slopes of over 20 percent
6 and the amount of impervious surfaces.

7 These were issues of importance to the
8 environmental community that intervened in the
9 proceeding and they helped us redesign the
10 location of things in the project during the AIP
11 negotiations. And we listened, and we both walked
12 away recognizing that we could do better, and we
13 did.

14 The visual impact issues associated with the
15 Big Indian development to the Wilderness areas
16 that are to the south were eliminated by
17 eliminating the Big Indian development and so we
18 no longer have those Forest Preserve-related
19 impacts.

20 The modified year-round Belleayre Resort and
21 its relationship to the Belleayre Ski Center can
22 be seen well on this figure. You can see the
23 proposed trails here. These are the Highmount Ski
24 Center trails as being envisioned in the DEC

1 Master Plan and their logical connection to the
2 Highmount Hotel and the turn-back with lifts. The
3 relationship of new trails and lifts to the
4 location of the Wildacres Hotel can be seen here.
5 It's a natural fit between the public and private
6 resources and, we think, have both a really
7 synergistic effect and benefit to both.

8 The Wildacres Resort can be seen here. The
9 hotel is here. The golf course lays out here.
10 These are the units, the lodging units, the front
11 nine here. These are the western location.
12 They've all been relocated and clustered to a
13 greater extent to avoid slopes of greater than 20
14 percent.

15 There is underground parking underneath the
16 hotel and a parking garage. Virtually all of the
17 parking at both hotels is underground, so we avoid
18 surface runoff issues associated with that. Over
19 here is a Wilderness Activity Center at the base
20 of the former Highmount Ski Center, which will be
21 the place from which to launch hiking
22 opportunities, fishing opportunities and
23 interaction with other businesses in the
24 communities.

1 The Wildacres Hotel is a design inspired by
2 Owanasca Hotel. Hart Howerton is responsible for
3 the design and Catskill motif, and this is a view
4 looking towards the ski center near the golf
5 course.

6 The Highmount Spa Resort can be seen in this
7 next figure. It's a luxury spa and wellness
8 center as well as a hotel. Its relationship, this
9 is the Galli Curci Road, these are distant
10 residences. That marking there, keep in mind, is
11 the existing cell tower.

12 These trails that are cut here are the
13 existing Highmount Ski Center. We're proposing to
14 build a ski lift to the top of the former
15 Highmount area and new trails coming down to the
16 hotel and linking back over to the Highmount Ski
17 Center.

18 The lodge building is located here. This is
19 the Highmount Spa and Hotel. This is the lodge
20 building as it's referred to in the documents and
21 these are the duplexes containing the 16 separate
22 lodging units. This is the Leach conference
23 center, which is the old Leach farm buildings
24 proposed to be re-developed to this conference

1 center.

2 The hotel itself was designed by Emilio
3 Ambasz, an Argentinean architect of environmental
4 note who designed some of the most interesting,
5 environmentally conscious buildings in the world.
6 He respects and embraces the topography. And
7 these are different elevation layers on the
8 property. They're steps. It's classic Catskill
9 geology and that's the principle of it.

10 Parking is located under the building and the
11 roofs are green. It reduces stormwater. It
12 provides additional invisibility or limited
13 visibility of the hotel.

14 This is a view looking from the west looking
15 east to show you the profile of how it's built
16 into the design of the mountain and that part of
17 the hill. This is a photograph of one of the
18 models taken that are available, but it fits in.
19 It reduces the visual impact and it also reduces
20 in its design the stormwater effects.

21 This is the Master Plan for the Belleayre
22 Resort just to show you another sort of overhead
23 plan view. This is the Highmount Spa Resort, the
24 ski lift up to the Highmount. This is the old

1 Highmount Ski Center parcel that would be sold to
2 New York State. This is the Wildacres Resort with
3 the golf course laid out, the hotel is here, and
4 you can see the relationship to it. One of our
5 obligations, and we pledge that we'll seek it, is
6 to get Leed silver certificate or better for the
7 design of the hotel and the layout of the resort.

8 We have energy efficient systems built in,
9 water-conserving devices, lighting strategies to
10 reduce both glare and visibility. We have organic
11 turf management of the golf course to minimize
12 impervious surfaces, the parking situation at both
13 hotels, a vegetative roof, Highmount Hotel, an
14 extensive stormwater pollution program, the
15 details of which, and the protocols for, we've
16 worked out with the environmental parties and New
17 York City DEP.

18 We've agreed to use hybrid shuttle vehicles,
19 clean air vehicles for shuttling hotel guests to
20 the ski center and to the community, the towns and
21 villages and hamlets around.

22 There are economic feasibility studies in the
23 DEIS by some of the country's and, certainly, New
24 York State, leading economic and hotel experts.

1 Allee, King, Rosen & Fleming, HVS International
2 and Ragatz Associates, these, in particular, HVS
3 International and Ragatz, are leaders respectively
4 in hotel development around the world. AKRF,
5 Allee, King, Rosen & Fleming, did the economic
6 analysis studies that looks at both the direct and
7 indirect effects.

8 The project will have profound benefits from
9 a job economic perspective. Construction period
10 benefits are expected. The investment is in the
11 range of 300 to 400 million dollars and
12 construction jobs alone are about 2,176 of person
13 years of construction employment. This does not
14 include the DEC Unit Management Plan jobs which
15 are added to that in the cumulative plan
16 assessment details. Construction jobs alone,
17 wages and salaries are over \$112 million.

18 The total economic effect, including the
19 multiplier effect when you have people working in
20 a particular region, are estimated to be over
21 \$700 million. State and local tax revenues
22 associated with just construction are expected to
23 be \$16 million, \$17 million.

24 The operating period benefits are, indeed, in

1 my perspective even more important, because these
2 are the lasting ones. We're looking at full
3 build-out of 540 full-time jobs, 230 part-time or
4 seasonal jobs, with wages and salaries annually of
5 an addition of almost \$25 million a year.

6 The total economic effect, again, using the
7 regional multipliers, of economic development are
8 about \$168 million, estimated real estate taxes in
9 Ulster County are \$513,000 and the sales and bed
10 tax revenues are \$2.3 million. These are annual.
11 And then in Delaware, the school tax in Delaware
12 and property taxes are in the range of \$1.73
13 million, the majority of that going to the
14 Margaretville Central School District.

15 Lastly, the last couple of slides, jobs, the
16 details of it, the Highmount Spa, there are 44
17 full-time salary jobs, an average of \$56,000 a
18 year, 230 full-time hourly jobs with average wages
19 of almost \$15 an hour, 88 part-time hourly jobs of
20 15 to 15 and a half dollars an hour; Wildacres, 46
21 full-time salary jobs, same levels of salary, 221
22 full-time hourly jobs and 142 part-time jobs.

23 You can't read this, but this is the
24 Wildacres Hotel positions. It lists what we

1 believe will be the number and the job titles and
2 the salaries for 199 full-time staff and 46
3 full-time salaried positions. They are
4 significant dollars, they are real, and they will
5 be a slightly less number than at Highmount. But
6 if you want to look for yourself at the kinds of
7 jobs, this will describe it.

8 So we thank you for your patience today. We
9 welcome your comments. This process has been a
10 long one, but it has been an iterative process.
11 We have learned from the public comments. We
12 appreciate the efforts of our environmental
13 colleagues and New York City DEP in helping us
14 fashion the resort. We look forward to your
15 support as we proceed. Thank you very much.

16 (Applause.)

17 ALJ McBRIDE: I'm now going to call our first
18 10 speakers. Again, I would ask that they please
19 sit in the two first front rows here except for
20 the first speaker who I'd ask go right up to the
21 microphone. Duane Postupack. Kathleen Moore.
22 Tina Mole. Martin Donnelly. Charles McIntosh.
23 Marge Miller. Todd Pascarella. Kathleen Rostad.
24 Benjamin Fenton. Brian Sweeney.

1 Everyone can have a seat in the first two
2 rows here except for Mr. Postupack who will speak
3 first. Again, while speakers are getting ready,
4 if everyone could just take a second and check
5 your cellphone to make sure you've turned off your
6 ringer on your phone.

7 Okay. Mr. Postupack, go ahead.

8 MR. POSTUPACK: Okay. Good afternoon. My
9 name is Duane Postupack and I'm here representing
10 Congressman Chris Gibson who could not be here,
11 however, he asked me to read the following:

12 "Dear Judge McBride, thank you for the
13 opportunity to speak today regarding the proposed
14 Belleayre Resort at Catskill Park. Unfortunately,
15 I am not able to be here personally, but I am very
16 interested in this project and its impact on an
17 important part of the 19th Congressional District.
18 Today's public hearings are a necessary and
19 important step to allow for input from the many
20 residents who live in this region.

21 "For the record, I would like to state my
22 strong support in favor of this project moving
23 forward. The Belleayre Resort at Catskill Park
24 involves a projected investment of \$364 million in

1 a part of my district that has suffered
2 significantly from several causes, including a
3 depressed national economy, onerous and increasing
4 land use restrictions, and the disastrous flooding
5 brought on by recent major storms.

6 "Most importantly, the project expects to
7 employ hundreds of workers during its construction
8 and create over 540 permanent full-time jobs and
9 230 part-time/seasonal jobs to operate the resort.
10 These jobs will create an annual on-site payroll
11 of almost \$25 million. The estimated total annual
12 economic effect of this project on the regional
13 economy of some \$168 million would be of great
14 benefit to my constituents in this region.

15 "This project has been thoroughly studied and
16 reviewed over many years. Given the significant
17 positive economic impacts this project would have,
18 the comprehensive review process already
19 undertaken and the support from many residents,
20 local government entities and environmental groups
21 and the local business community, I would urge the
22 Department of Environmental Conservation to
23 complete its environmental review of the project
24 so the region can begin to realize the economic

1 benefits promised by the resort.

2 "Thank you for your time and consideration on
3 this matter. Sincerely, respectfully and thank
4 you, Congressman Chris Gibson."

5 (Applause.)

6 ALJ McBRIDE: Thank you. Kathleen Moore.

7 MS. MOORE: Thank you, Your Honor. I'm here
8 representing Assemblyman Cliff Crouch and myself,
9 because I'm local. I'd like to read a letter from
10 the Assemblyman.

11 "It is vital to this area that the DEC and
12 New York State recognize the importance of the
13 Belleayre Resort. The surrounding communities
14 need the economic growth. Our area used to be
15 thriving with businesses and employment all
16 year-round in and around Middletown and the
17 neighboring towns. It was a time when streets
18 were full of people and shops flourished. This
19 has been a long time coming. We now have the
20 chance and opportunity to bring that back.

21 "Economical vitality is a necessity for our
22 area. The resort and the surrounding Belleayre
23 improvements will bring many jobs to this area.
24 Our children need a place to stay. They keep on

1 leaving and we need to have them stay in our own
2 home area. We will have restaurants,
3 entertainment, sleeping accommodations, not to
4 mention the conference center, golf course, tennis
5 and swimming facilities.

6 "We cannot let this opportunity pass or our
7 small towns will continue their decline and we may
8 never get this chance again. We need you to help
9 us. We hope that you will. I implore the DEC and
10 the State of New York to make the right decision
11 and to help our rural communities." We hope that
12 you will make the right decision, and thank you.

13 And as a personal note, because I come from
14 this area, I remember Fleischmanns being a booming
15 area, Margaretville having stores. It used to
16 take an hour to get through Fleischmanns. Now,
17 you can do it in less than two seconds. I hope
18 that people will remember those times. I'm local.
19 I worked in hotels up here. I know what it was
20 like. I hope that we can have that vitality back.
21 Thank you very much for your time.

22 (Applause.)

23 ALJ McBRIDE: Thank you. Tina Mole.

24 If you're reading from prepared remarks, it

1 would be helpful for the court reporter if you
2 could give them to us when you're done reading
3 them.

4 MS. MOLE: I'm Tina Mole. I'm here in a dual
5 role this afternoon. I'm Town Supervisor of the
6 Town of Red Hook that passed a resolution two
7 weeks ago in full support of this project. My
8 second role is I'm here as vice chairman of the
9 Delaware County Board of Supervisors and my
10 written comments that I'm reading today are on
11 behalf of the Chairman of the Board of
12 Supervisors.

13 "Good afternoon. As Chairman of the Delaware
14 County Board of Supervisors for the last 12 years,
15 we have in the past supported the Belleayre Resort
16 Project through Board resolutions and there were
17 many. It was actually six resolutions and all
18 were unanimous decision. I have a copy of my
19 comments today along with another resolution that
20 my Board passed last Wednesday. Again, it was
21 unanimous in support.

22 "Over the years, I have made public comments
23 myself in support of this project. At one time,
24 back in the Pataki Administration, it was the

1 single biggest economic development project on the
2 books in New York State. Fifteen years later,
3 with half the project originally proposed, Dean
4 Gitter and Company is still working diligently to
5 get this project up and running in Delaware and
6 Ulster Counties. It amazes me that the Belleayre
7 Resort at Catskill Park has not picked up and
8 invested their money elsewhere.

9 "Crossroads Ventures will invest over
10 \$400 million in the development of Belleayre
11 Resorts providing visitors to this region with a
12 variety of year-round outdoor recreation and
13 lodging opportunities and will complement and
14 enhance Delaware County's efforts to promote the
15 region as a tourism destination.

16 "Belleayre Resorts will create in excess of
17 500 permanent full-time jobs and 200
18 part-time/seasonal jobs which, for the Towns of
19 Middletown and Shandaken, will enhance the
20 economic vitality of our local communities as well
21 as stabilize existing local businesses and attract
22 new businesses compatible with the needs of this
23 huge resort project.

24 "It will also create 1,800 construction jobs

1 over the eight-year construction period providing
2 over \$81 million in direct salaries and wages.
3 This project is projected to spin an additional
4 \$28 million in annual tourism spending in the
5 region and on and on.

6 "Crossroads Ventures has made every effort to
7 comply with all applicable environmental and
8 related regulations. Belleayre Mountain is the
9 economic linchpin of the entire Catskill Mountain
10 Region and, hopefully, we will have a world class
11 resort for many to enjoy with every kind of
12 recreational activity, including a main hotel/spa
13 building, restaurant, cafe and conference center.
14 As I said, truly a world class destination for
15 visitors to our area.

16 "Think about the jobs created by Belleayre
17 Mountain and then multiply that many times. It
18 will become a mainstay of the economy for our
19 region. The Delaware County Board of Supervisors
20 with 19 towns and a population of 48,000 full-time
21 residents absolutely, through all its passed
22 resolutions of support, realizes that this is a
23 once-in-a-lifetime investment that will become an
24 economic catalyst for the entire region.

1 "To the members of the environmental
2 community who oppose this project after all these
3 years of study should get on board and let the
4 people discover the Catskill Mountains once again
5 and, at the same time, our communities and
6 businesses can survive and prosper. Thank you."

7 (Applause.)

8 ALJ McBRIDE: Thank you. Martin Donnelly.

9 MR. DONNELLY: Good afternoon, Judge. My
10 name is Martin Donnelly. I'm the supervisor for
11 the Town of Andes and I have a statement that I'd
12 like to read. It's addressed to Mr. Whitehead.

13 "Thirty-three years ago, my family and I
14 moved to Andes. The almost pristine beauty of
15 this region can and does have a magical effect on
16 your soul. But our economy is almost nonexistent
17 and continues to deteriorate due to the lack of
18 jobs.

19 "Sixteen years ago, I was elected Supervisor
20 of the Town of Andes. One year later, I stood
21 before you asking for your support of the
22 Belleayre Resort project. This represents a
23 \$400 million private sector investment in our
24 economy and the region.

1 "I listened to the opponents of this project
2 repeat every conceivable objection from the size,
3 traffic, sewage, the watershed, et cetera, and
4 state that this resort project is not necessary to
5 create jobs; they could do it without the project.

6 "Well, now, 15 years later, I cannot think of
7 a single business or a job that they have created.
8 They continue to criticize the size of the resort,
9 the environmental impact it will have on the
10 traffic, et cetera. They choose to completely
11 ignore the downsizing of the original project by
12 over 60 percent, no high ridge top development and
13 no on-site sewer plants. Nothing you can say or
14 do, short of rejecting this project once again,
15 will ever satisfy them. It is of no concern to
16 them that the economy continues to tank or that
17 our neighbors are looking for a job that will pay
18 them a fair wage and allow them to support their
19 families and stay in their homes."

20 Finally, with the proposed 77 million dollar
21 Belleayre Ski Center expansion and the advent of
22 ORDA, we may now see a four-season vacation
23 destination. Could anyone imagine a Lake Placid
24 in the middle of the Adirondacks? This is not the

1 only quality of life issue they oppose.

2 "Last year, in Andes, two elderly second
3 homeowners died in their driveway and next door,
4 because we had no cellphone service due largely to
5 our economy or lack of and we still don't today.
6 For the future of the Catskills and all of us that
7 live here and love it, please do not turn down
8 this project again. Martin A. Donnelly,
9 Supervisor, Town of Andes."

10 (Applause.)

11 ALJ McBRIDE: Thank you. Charles McIntosh.

12 MR. McINTOSH: Your Honor, my name is Charles
13 McIntosh. I thank you for the opportunity to
14 state my opinions. I've lived in Delaware County
15 all my life. I was born in 1944 in Margaretville.
16 I've lived in Wynan Center for my whole life. My
17 brother Roger and I own McIntosh Country Market
18 and McIntosh Auction Service in Margaretville.

19 In my lifetime, I've seen many changes in
20 Delaware County. I've seen my father trade a team
21 of horses for 120 acres of land to land sell for
22 \$10,000 an acre. I've seen Delaware County as a
23 farming community to one of recreation and
24 tourism. I've seen our schools crowded with

1 students to schools closing and consolidating for
2 a lack of students. I've seen our towns and
3 villages flourish with small businesses to towns
4 and villages with empty storefronts. Our rural
5 areas filled with operating dairy farms to a rural
6 area with a hard job to find a farm. Our fields
7 and mountains pitch black at night to fields and
8 mountains with lights at night. Our communities
9 with no local regulations to state, county, town
10 and city watershed regulations.

11 In my lifetime, I've seen many changes. Many
12 of them, I support; some of them, I don't. But I
13 support the Belleayre Resort because it's going to
14 increase our tax base, it's going to increase our
15 economic base and it's going to be something that
16 everyone is going to benefit from either through a
17 tax base or through a business opportunity.

18 In my opinion, I believe that with all the
19 time and effort that's been put forth by the
20 Belleayre Resort people and their investors, I
21 believe this will be an asset to the community and
22 to all the businesses, and I just hope I live long
23 enough to see it completed. Thank you.

24 (Applause.)

1 ALJ McBRIDE: Marge Miller.

2 MS. MILLER: Good afternoon, everyone. My
3 name is Marge Miller and I'm the Supervisor of the
4 Town of Middletown in Delaware County where a
5 piece of the proposed resort will live. I have
6 not always supported the Belleayre Resort, but I
7 am here now to give my full support to this
8 scaled-down, compromised version. It's an
9 incredibly diverse, brilliantly designed and
10 energy-friendly plan that is smart, sensible and
11 family-friendly. I believe, I know, that
12 this resort, this plan, is essential
13 infrastructure for the collective future of every
14 single person in this room and in this region as
15 well as for those who will be in another room much
16 like this one decades from now advocating and
17 arguing in civil tone the important issues of
18 their day.

19 Let's not delude ourselves. The Catskills of
20 my childhood, let alone my dad's, are no more.
21 Hunting season used to be a testosterone fest of
22 crowded bars and streets. We had three grocery
23 stores in Margaretville and I made great money
24 chambermaiding in a Fleischmanns' hotel that was

1 nearly sold out back in the day, jobs and hotels
2 that don't exist anymore because that time is
3 gone.

4 This resort is needed to help turn things
5 around. It is one piece of a larger vision, a
6 regional vision, including the build-out of
7 Belleayre Mountain Ski Resort that can make our
8 lives, our children's lives and our children's
9 children's lives more prosperous.

10 Ladies and gentlemen, I love the Catskills.
11 I'm for the Catskills. I'm sure we all love the
12 Catskills and I would never tell anyone to stop
13 fighting for what they believe in, but please
14 don't love the Catskills to death. The Catskills
15 can't survive a love that doesn't allow for
16 growth, for change, for intelligent developments
17 like this one, for jobs that families, that
18 people, young people, can live on for an anchor
19 business that will, along with the build-out of
20 Belleayre Mountain Ski Center, bring us
21 possibility, possibility of better times, which
22 possibility is all we can hope for in the midst of
23 difficult circumstances and challenging times.

24 And what do difficult circumstances really

1 mean? It means that our communities are really
2 and truly struggling. Here are the facts: Almost
3 14 percent of those under the age of 18 in
4 Shandaken live below the poverty line. In
5 Middletown, and I'm ashamed to say it, that number
6 is more than double, 28.3 percent.

7 Here are the numbers which I believe we need
8 to be aware: The majority of residents in
9 Middletown, 51.5 are over the age of 45. In
10 Shandaken, it's 50 percent. Roxbury's the big
11 winner here at 49.6. But Andes, 54 percent of the
12 population is over 45.

13 So what? Who cares? I care and so should
14 all of you. Who's going to staff our local
15 hospitals, our ambulances and fire departments or
16 make up our road crews in 10 or 20 years? What
17 happens when our schools are empty and there are
18 too few kids in their teens and twenties to staff
19 our local stores and restaurants, the few they
20 have? What happens then?

21 One of my favorite movies of all time was
22 Dodsworth made in 1936. In it, Walter Houston
23 says his great and classic line: "Love has got to
24 stop some place short of suicide."

1 Oppose the resort if you feel you must, but
2 don't love the Catskills to death. Let go. Be
3 for something. I'm here because I'm for
4 something. And we cannot live without being for
5 something. We cannot live without change, because
6 change is life. Adaptation is survival and the
7 ability to adapt, accept and compromise is
8 maturity in the midst of that inevitable change.

9 I support the resort, because I am for
10 something and as a community leader, I stand for
11 something. Thank you.

12 (Applause.)

13 ALJ MCBRIDE: Todd Pascarella.

14 MR. PASCARELLA: Good afternoon, Your Honor.
15 My name is Todd Pascarella. I'm the current mayor
16 of the Village of Fleischmanns. I'm glad to
17 report that at our May meeting, the Fleischmanns
18 Village Board passed unanimously a resolution in
19 favor of the full build-out of the Belleayre
20 Mountain and the resort project.

21 I would also like to personally offer a
22 perspective of one who lives, works, raises a
23 family and serves the public just a few miles from
24 Belleayre Mountain. My first point is that the

1 type of energy efficiency and green building
2 aspects included in the current design of both the
3 resort and the Belleayre build-out are essential
4 in today's world.

5 In short, the building materials and
6 technology which are used today have caught up to
7 a higher standard which was envisioned decades ago
8 and new buildings typically are much better for
9 the environment than older ones.

10 Buildings constructed to modern standards
11 consume less resources and are, therefore, more
12 affordable to operate which make them more
13 financially sustainable long term. The importance
14 of this moving forward cannot be overstated;
15 however, these great advances in construction are
16 meaningless unless they are put to use instead of
17 just being theoretical.

18 These two projects are forward-looking
19 because of the focus on the redesign and when this
20 pair of projects is built, it will be a model for
21 future development worldwide.

22 My second point pertains to the issue of the
23 scale of the project. I learned an alarming
24 statistic recently. There are only 800 rooms

1 available for visitors to rent in the entire
2 County of Delaware. Anyone who studies a little
3 bit of Fleischmanns' history knows of the
4 spectacular tradition of successful hotels in and
5 around the Village. The first hotel was built in
6 1875 and by 1904, there were a total of 59 major
7 lodging establishments open for business. But
8 statistics are boring, so let me put it in better
9 terms.

10 Where I live in Fleischmanns, in our front
11 yard once stood a large four-story hotel named the
12 Hillcrest; looking directly east, another large
13 hotel named the Lindon Hill; looking to the west,
14 the mammoth and magnificent Takanassee Hotel and,
15 later, the addition of Takanassee Hotel annex
16 which doubled its size.

17 At one point in time, there were probably 800
18 hotel rooms from my front lawn with an eight on
19 it. Across the street where the lumberyard is
20 located right now was an open golf course which
21 was part of the Takanassee Hotel Country Club.

22 My third point is that 15 years since the
23 initial resort proposal has been a long time gone
24 by. The proposal has been studied over and over

1 again. I know that good results take time and
2 that haste makes waste; however, a sensible
3 solution seems to have been arrived at through
4 difficult, truthful negotiation and compromise.

5 This is how the process should work.
6 However, 15 years still is a long time and almost
7 another entire generation has grown up moved
8 elsewhere in search of opportunity.

9 As a fellow public servant, I thank all of
10 the people involved in this review process for
11 your hard work. The pressure on you all is
12 tremendous right now. I ask that all those
13 involved in the review over the next few months be
14 discerning and expeditious. The support from
15 local businesses, municipal leaders and residents
16 for these projects has never been stronger.

17 It still may be the objective of some outside
18 environmentalists to delay these projects forever
19 in order to adhere to their rigid ideas. For the
20 sake of our future and the legitimacy of this
21 process, these delays are unacceptable.

22 Regulation is a good thing if it knows when it is
23 time to step aside and that time is growing very
24 near.

1 At stake is something even bigger. The
2 question is: Has our regulatory system, as
3 well-intentioned as it may be, become too complex
4 and burdensome to allow us to save ourselves? And
5 is the environmental regulation still a
6 responsible way to guide development or is it just
7 used as a tactic against it?

8 At stake is the amount of investment
9 necessary to get our economy back up and running
10 and get people back to work. Will future
11 investors subject themselves to a 15-year review
12 process only to be denied the ability to invest?

13 Will public and private investment continue
14 to happen elsewhere instead of here where it's
15 badly needed effectively abandoning our region for
16 future prosperity?

17 These questions will be answered over the
18 next several months. Thank you.

19 (Applause.)

20 ALJ McBRIDE: Thank you. Kathleen Rostad.

21 MS. ROSTAD: Hi. My name is Kathleen Rostad
22 and I live in the Village of Fleischmanns. I also
23 have a business in the Village and I serve as a
24 trustee on the Village Board.

1 I moved here from Florida a little over three
2 years ago. The original plan had been for me to
3 live and work in New York City, but I came up with
4 friends to this area to leaf peep and instantly
5 fell in love with the area and said this was where
6 I wanted to be. Living here has been challenging,
7 but especially after being in the City, but the
8 beauty of the area and the warmth of the people
9 who live here have outweighed any of the small
10 inconveniences that I have found.

11 I'm a hairdresser by trade and because I
12 wasn't able to find a job right away, I decided to
13 open my own salon. With the help of the Mark
14 Project, I was able to attain that goal. If you
15 look around the area, you will see that most
16 people end up doing this. The towns and villages
17 in the Delaware County area are full of mom and
18 pop stores and self-owned companies and these
19 businesses generally hire locally. They employ
20 anywhere from one to twenty-five people. I myself
21 employ two people and my partner, who is a local
22 employer, has one employee. But it's these types
23 of businesses that keep the economy running.

24 But in order for our businesses to flourish,

1 we need customers. We need the business of our
2 local people that live here and we need the
3 business of the tourists that come up here to
4 enjoy our area.

5 Unfortunately, we are not getting the tourist
6 activity that this area enjoyed 20 years ago and
7 so businesses are closing and jobs are drying up.
8 This means we are losing people as they move away
9 in search of jobs. We desperately need an
10 economic shot in the arm up here. And I believe
11 that the Belleayre Resort is that shot in the arm,
12 as does most of the community that lives and works
13 here.

14 Hair salons and barbershops tend to be the
15 place where you go to hear the latest news and
16 this project has been a very hot topic of
17 conversation. I can tell you that 99 percent of
18 my clientele is in favor of this resort. They are
19 looking at it as a lifeline to keep the area that
20 most of them grew up in financially viable.

21 The two people, and there was only two, that
22 told me they were against the project told me the
23 resort wouldn't bring any monies to the Village.
24 Those told me "Those rich people aren't going to

1 come down here and get their hair cut from you."

2 You know what? They're right. They have a
3 point. There's a percentage of the people staying
4 at the resort that will not venture off the
5 property. But that is not who I'm looking at for
6 potential clients. I'm looking at the people who
7 already live here that now have job opportunities
8 so they have money in their pocket and they are
9 going to come to my local business. I'm looking
10 at all the people that are going to be coming to
11 this area for work with the jobs that we provide,
12 these people that are going to come here and see
13 how great our schools are, how low our tax base
14 is, how we have affordable houses that are there
15 for the taking and that we have the most wonderful
16 style of living that could possibly be found in
17 the area. That is the people that I want to come
18 here.

19 I'm looking for the people that will come to
20 vacation here and use the facilities at the resort
21 which are open to the public which anyone can use,
22 but they may decide to stay in the local B&B for
23 its charm rather than staying at the resort.
24 These are the people that are going to come into

1 my village. They're going to use my restaurant.
2 They're going to use my grocery store and they may
3 get a haircut.

4 From what I've seen and heard, most of the
5 people who are against this project don't even
6 live here full time and they certainly don't count
7 on supporting themselves from working in the area.
8 I see don't see them eating in the local
9 restaurants. I don't see them buying from local
10 shops and I certainly don't see them coming into
11 my store. So it's easy for them to say that we
12 don't need this project, because the truth of the
13 matter is they don't need it. And basically,
14 their theory is to hell with the rest of us that
15 actually live here and work here.

16 The other argument that I hear is that
17 taxpayer money is paying for all this private
18 entertainment that wants to be built up here. My
19 thought on that is that this area has one of the
20 highest unemployment rates and a lot of people
21 survive by receiving government tax-generated
22 welfare checks.

23 Would it not make more sense to invest
24 taxpayer money into something that will generate

1 jobs and opportunity rather than continue to pour
2 tax money into an area to support people who have
3 no opportunity to support themselves? Thank you
4 for your time.

5 (Applause.)

6 ALJ McBRIDE: Our next speaker is Benjamin
7 Fenton.

8 If you have spoken, I ask you please to move
9 to the back of the room. Mr. Fenton, give me one
10 minute. I'm going to call the next group of
11 speakers so they can move forward. The next five
12 are: Matt Frisch, Carol O'Briene, Muriel Stone,
13 Eric Wedemeyer, Michelle Sidrane.

14 Go ahead, Mr. Fenton. Thank you.

15 MR. FENTON: Good afternoon, Your Honor. My
16 name is Benjamin Fenton. I'm the deputy mayor of
17 the Village of Fleischmanns. I have owned and
18 operated the River Run Bed & Breakfast on Main
19 Street in the Village of Fleischmanns for 12
20 years. I'm a real estate agent with Coldwell
21 Banker Timberland Properties.

22 Prior to moving to Fleischmanns, I worked for
23 Wyndham Hotels for 10 years helping open new
24 hotels and as a director of sales and was the

1 recipient of the Wyndham Hotels Salesperson of the
2 Year Award.

3 As a business owner in one of the poorest
4 counties in the state, I have been called one of
5 the hearty ones. The restaurant next door to me
6 has been closed and vacant for over three years.
7 The inn across the street from me also closed and
8 has been vacant for over two years. Although a
9 few businesses have recently popped up in the
10 village, we are littered with unused vacant
11 buildings in deplorable condition. Guests of my
12 inn often ask, "What happened? Why is this town
13 so depressed?" I've even had guests leave because
14 of the condition of the Village.

15 Hurricane Irene devastated the Village of
16 Fleischmanns. I watched as the waters of the
17 Bushkill Creek rose and rose and rose, and came
18 within a few feet of my back door. I watched the
19 motel next door to me be lifted off its foundation
20 and land in my backyard where I witnessed the
21 death of a guest who was stuck in that motel and
22 could not be rescued. It was a harrowing time for
23 the Village and we are still on the long road to
24 recovery.

1 However, I've had the privilege of attending
2 hundreds of hours of meetings with Delaware County
3 Soil and Water as they study the streams,
4 waterways and runoff into the Village. I, by no
5 means, am a stream and water expert, but I
6 witnessed the water come raging down the Vly Creek
7 from Halcott and flood the Village, not down from
8 Belleayre. I do not believe the resort will
9 worsen flooding in the Village, as has been
10 suggested.

11 One village resident recently said to me,
12 "I'm waiting to sell my property until the resort
13 comes in because the streets will be paved with
14 gold." This, of course, is not true. Many have
15 said the resort will do nothing for the Village as
16 no one wants to come down from this castle in the
17 sky. The Grove Park Inn in Asheville, North
18 Carolina is a large resort hotel with golf,
19 tennis, a spa, numerous shops and restaurants. I
20 looked at purchasing a bed and breakfast in the
21 Asheville area. The most successful inns and
22 businesses were the ones closest to the resort.
23 The resort not only advertises itself but promotes
24 the region and the entire region's benefits. I

1 have traveled extensively and stayed at many
2 resorts and I always leave the resort to explore
3 the area.

4 In conclusion, the Village of Fleischmanns
5 Board passed a resolution in favor of the resort.
6 We desperately need jobs and new visitors to this
7 region and to the Village. I support the full
8 build-out of the resort development and Belleayre
9 Mountain Ski Center. Thank you.

10 (Applause.)

11 ALJ McBRIDE: Brian Sweeney.

12 MR. SWEENEY: Good afternoon. I'm a
13 long-time business owner and I am a member of the
14 Middletown Town Board. I think that all of the
15 environmental concerns have been met over the
16 course of 15 years and I've never seen any amount
17 of people get behind something like they have for
18 this plan. I think that we're all recognizing the
19 need for both the Belleayre expansion and the
20 resort and I think we need both projects for the
21 greater good. Thank you.

22 (Applause.)

23 ALJ McBRIDE: Thank you. Matt Frisch.

24 MR. FRISCH: Hi. My name is Matt Frisch.

1 I'm a lifelong part-time resident of the area.
2 Thank you for this opportunity to comment. The
3 proposed full build-out option anticipates 9,000
4 skiers per day even though the average over the
5 last decade is below 1,000 with highs of 4,500.
6 The proposed dual resorts would have a combined
7 629-unit capacity. The ski center's terrain will
8 increase from 17.8 to 23.1 miles, an increase of
9 just under 30 percent.

10 My questions are: Where are the skiers
11 coming from? Where are the hotel guests coming
12 from? And where is the snow coming from?

13 Skier visits have been flat across the region
14 over the last decade. This lack of growth is due
15 to a number of factors, but for the build-out to
16 be successful, skier visits would have to double.
17 The single best predictor of skier visits is the
18 price of lift tickets. Short of giving away lift
19 tickets for nothing, it is hard to imagine how
20 Belleayre could attract double its current
21 visitors.

22 The resort's 629 units would create a
23 population center larger than the closest two
24 adjoining hamlets combined. Existing area lodging

1 capacity within 10 miles of the proposed resort,
2 including motels, lodges and B&Bs, is under 200
3 units. Even this modest lodging stock is rarely,
4 if ever, fully occupied. If the resort were built
5 as proposed, its huge lodging capacity would far
6 exceed demand and would then rob existing
7 establishments. Lacking the comforts of a
8 tropical beach, it is hard to imagine the resort
9 ever attracting the number of guests it would need
10 to be successful.

11 On the topic of increasing terrain by 30
12 percent, the UMP section on climate change cites
13 the Northeast Climate Impact Assessment, which
14 predicts a winter temperature increase of between
15 2.5 and over 4 degrees Fahrenheit each decade.

16 If fossil fuels continue to be burned at
17 current rates, the temperature increase could be
18 significantly higher. The UMP cites this
19 research, but the full build-out option ignores
20 the conclusion.

21 Within our lifetimes, Catskill skiing will
22 likely be a marginal enterprise. Natural snow and
23 snowmaking will be increasingly problematic within
24 20 to 30 years. We are already seeing the effects

1 of climate change on average winter temperatures
2 and the frequency of winter precipitation coming
3 in the form of rain rather than snow.

4 Under these conditions, where is the snow to
5 cover 30 percent more trails going to come from?
6 Rather, the full build, including a huge base
7 lodge, two resorts and expansion of ski trails,
8 Belleayre will be better positioned for continued
9 success by choosing one of the lower build options
10 resulting in real improvements to existing
11 facilities and capacity and lodging that better
12 reflects demand.

13 What is the rationale for creating two resort
14 centers when a single development near the base of
15 the mountain would provide more than enough
16 capacity and be better placed to provide the four
17 season activities that will be essential for the
18 resort's success?

19 Rental facilities and equipment could be
20 improved without tearing down this building and
21 putting up a supersized base lodge. The beginner
22 chair should be replaced with one high speed chair
23 since detachable chairs are easier to get on and
24 off and the current chairs are painfully slow.

1 Parking capacity needs to be increased so
2 skiers don't have to walk half a mile to the
3 Overlook Lodge. All of this can be accomplished
4 for under \$10 million rather than the \$74 million
5 price tag for the full build-out.

6 The secret to Belleayre's success all these
7 years is its low-key, family-friendly affordable
8 character. An outside lodge, unneeded new terrain
9 and excessive lodging capacity will only get in
10 the way of that time-tested formula for success.
11 Thank you.

12 (Applause.)

13 ALJ MCBRIDE: Carol O'Briene.

14 MS. O'BRIENE: Thank you for this
15 opportunity. My name is Carol O'Briene and I am
16 the Executive Director of the Central Catskills
17 Chamber of Commerce. We support the full
18 build-out of the Belleayre Mountain because of the
19 sizable increase in new jobs.

20 The cost savings through the upgrades of the
21 facility will save energy and improve productivity
22 and efficiency. It is obvious that the plan to
23 modernize the infrastructure, including this
24 building we're in now, and upgrading of the trails

1 and equipment to give the customer a world class
2 experience is needed. It is time to complete the
3 original goals approved by the voters in New York
4 State when Belleayre Mountain Ski Center was first
5 established.

6 We believe that the revised Belleayre Resort
7 at Catskill Park will act as a catalyst to improve
8 the economic opportunities in our region and
9 encourage new investments in our businesses. Our
10 main streets are too quiet and our tax base is
11 dwindling. Our school population is dropping year
12 after year, because our working families cannot
13 find jobs and move away. We have been severely
14 affected by the long downturn in the economy.
15 Count the number of closed restaurants and empty
16 storefronts. And how many families now use the
17 community food pantry?

18 What we need now is this opportunity to see a
19 major investment made in our communities that will
20 provide not just one kind of job but a varied
21 selection of jobs and opportunities that will
22 employ local residents and bring new residents so
23 that our businesses will prosper and new tax
24 revenues will be generated to support our

1 municipalities and our schools.

2 We believe that the two proposed projects
3 built side by side and using the most up-to-date
4 science and research for environmental safety and
5 energy efficiency will benefit from this
6 public-private effort that should be seen as a
7 model.

8 A recently released economic valuation study
9 for public lands in the Central Catskills,
10 economic impact and opportunity for outdoor
11 recreational activities commissioned by the
12 Catskill Center, the Catskill Mountain Keeper and
13 the Catskill Heritage Alliance for the purpose of
14 quantifying the economic value for surrounding
15 communities generated by recreational activities
16 in the Central Catskills verified what we already
17 believe to be true; that outdoor recreation using
18 the Catskill Park and New York City Catskill
19 watershed assets has the potential to add millions
20 to our local economy.

21 This being the case, then we do need the
22 infrastructure of an expanded Belleayre Mountain
23 Ski Center and we do need choices for the
24 consumer, including a destination resort with the

1 full amenities that the discerning tourist wants
2 and expects.

3 We do need educated and well trained staff
4 and we do need our economy inventory of lodging
5 and restaurants to believe that they should
6 reinvest in their properties. We need a diverse
7 population of all ages to fill the jobs and
8 rebuild our communities, taking them back to the
9 grandeur of generations of more than years ago
10 when the grand hotels dotted the landscape and
11 welcomed thousands of visitors from the New York
12 Metropolitan area.

13 The time is now. We cannot wait any longer.
14 We are asking you to approve these two projects
15 for our future and for the children that hope to
16 continue to call these rural towns and villages
17 their home. Thank you.

18 (Applause.)

19 ALJ McBRIDE: Muriel Stone.

20 MS. STONE: Many of my remarks will seem
21 redundant, but I promise they will be brief so
22 please bear with me. I'm no longer concerned with
23 the environmental size of this project. I'm
24 satisfied that all the agencies involved have done

1 their due diligence time after time after time.
2 My concerns are the economic experiences in the
3 community will only worsen if they are not
4 addressed. You may not be affected by the eating
5 establishments and shops that have been closed,
6 because maybe you don't go there in the first
7 place. You may not be bothered by the many, many
8 for sale signs on so many homes in your area, but
9 they may not be surrounding your home. But for
10 the most part, these people have left and no one
11 has come back to take their place.

12 Generally speaking, we are an older
13 population here and many of you may not have
14 children school age so maybe you don't care that
15 the school population has dropped. The
16 consequences of that could be larger classrooms,
17 no after-school activities, loss of teachers. It
18 also indicates that another population is leaving,
19 because there are no jobs and another population
20 is not moving in for the same reason.

21 There is one common concern that we all have
22 and that's our hospitals and health care. My late
23 husband was in private family practice. He was in
24 private family practice for 55 years so,

1 certainly, he knew his way around hospitals and
2 the way they operate.

3 In the last several years when we were
4 full-time residents here, there were far too many
5 visits to the emergency room at the hospital.
6 After each visit, the very sweet man that he was
7 thanked staff that had cared for him, complimented
8 them on their professional care and said how
9 fortunate we were to have such a facility in our
10 midst.

11 Well, people, a hospital is a business and as
12 a business, it has a bottom line and that is
13 measured by what is called patient census. When
14 that number starts to fall, then services get cut.
15 It could be staff. It could be emergency room.
16 It could be physical therapy. It could be
17 radiation. The only way to keep our current
18 population from leaving and attracting new members
19 to this area is to provide jobs.

20 So far, I haven't heard that Tioga is
21 planning to put in a water park factory in the
22 area. This project that we are reviewing today
23 will certainly supply those jobs, both long term
24 and short. Without that possibility, we will

1 continue to see the depletion of our members here.
2 In one way or another, we'll all be affected.
3 Think about it.

4 ALJ McBRIDE: Thank you.

5 (Applause.)

6 ALJ McBRIDE: Eric Wedemeyer.

7 MR. WEDEMEYER: Your Honor, welcome to our
8 beautiful Catskill Mountains. It's a pleasure to
9 have you here. My name is Eric Wedemeyer. I am
10 the owner of Coldwell Banker Timberland
11 Properties. We have the largest real estate
12 company in the Catskill region. I say that
13 because I have been doing this for 22 years. I
14 chose to live here. Everyone in this room has a
15 passion for the Catskills.

16 I didn't prepare a plan of what to say today,
17 because my passion, I think, will show through.
18 I've gone hiking. I'm an environmentalist. I
19 believe in many of the things that some of the
20 opponents have said here. It has been an
21 exhilarating experience to do business here and a
22 very frustrating experience.

23 We are the Catskill region and I have seen us
24 shoot ourselves in the foot so often. I have seen

1 Route 28 and Route 23 go at it, because Route 23
2 may not want so much for Route 28, as foolish as
3 that may sound. I've seen ski areas such as
4 Windham and Hunter say, "Gee, we don't want a
5 Belleayre Ski Center, because it might take
6 business away from us." You may even hear them
7 today.

8 We're shooting ourselves in the foot for not
9 acting as a region. I've seen counties go their
10 own way versus coming together as a region. We
11 have survived here for decades being a lodging
12 facility. That is our heritage, lodging, sharing
13 this area. We are all members and citizens of the
14 Catskills.

15 I'm in real estate. I take issue with the
16 thought that we should not have a full build-out
17 compromise. We are a monopoly here now, this
18 Belleayre Resort. We are two to three hours from
19 the wealthiest city in the United States. To go
20 anywhere similar, not as nice in my opinion, you
21 would have to go another two or three hours to go
22 to the Adirondacks, as beautiful as they are, and
23 Vermont. We are convenient. We are close. I
24 can't tell you how many people we have lost

1 because we don't have adequate world class
2 facilities. They walk out. They go into
3 Fleischmanns. They go into Pine Hill and they go,
4 "Here? Do we really want to be here?"

5 We open up the reservoirs for boating. Where
6 are they going to stay? We have Belleayre Ski
7 Center that's been fragile. They take bus loads
8 back to the City. They don't stay here.

9 The lodging units they say are too large. I
10 think there's like, I don't know, 350, plus or
11 minus. If every single person in every single
12 room were filled with two people, that would be
13 what? 700 or 800 people? Big deal. We've lost
14 thousands.

15 We also have other units that they've
16 complained about, such as time share, that the
17 people may have a little more money. People with
18 money spend money. They will come into the
19 communities, go to resorts. We need to have this
20 kind of resort. We're desperate for it. We need
21 people to stay here.

22 Look around the opposition. Hear the
23 desperate pleas. We need to come together and
24 unite, not keep shooting ourselves in the foot.

1 People in time shares stay here. They go in
2 weekly blocks, one week or two weeks. They will
3 stay here during the week which is when we need
4 them most.

5 This project is a dream come true that's been
6 compromised. It is far from being too large. We
7 need to support the full build-out of it and we
8 must stop being held hostage to a small group of
9 people, as well meaning as they think they are.
10 Let's survive here in the Catskills as one citizen
11 rate. Thank you.

12 (Applause.)

13 ALJ McBRIDE: I'm going to call some more
14 speakers. Come and sit in the front row here,
15 please. Carole Chancer, Kathy Nolan, John Hoeko,
16 Michael Boyle.

17 Our next speaker is Michelle Sidrane.

18 MS. SIDRANE: Thank you, Your Honor. As you
19 said, my name is Michelle Sidrane. I'm a
20 long-time property owner in Fleischmanns and I am
21 the President of Fleischmanns First, a community
22 organization founded six years ago with the sole
23 purpose of bringing about the enhancement of
24 Fleischmanns, New York 12430.

1 Fleischmanns First's mission is to provide a
2 community forum to build community consensus and
3 to work to fulfill the following visions:
4 Preservation and restoration of historical
5 community assets, economic redevelopment,
6 promotion of arts and cultural activities,
7 assistance in comprehensive and community
8 planning, advocating for preservation and
9 protection of the environment, providing an
10 effective means for people who want to volunteer
11 their time to help the community prosper and
12 addressing current issues affecting the
13 Fleischmanns area.

14 The organization holds meetings monthly and
15 they are open to all. At the May 4th, 2013
16 meeting, the following resolution was presented
17 and passed: "Resolved, Fleischmanns First
18 supports continued investment in growth and
19 development of the recreational opportunities of
20 the Belleayre Ski Center under the direction of
21 ORDA as reflected in the Belleayre Unit Management
22 Plan."

23 This resolution was also published in the May
24 16th issue of our monthly newsletter, Fleischmanns

1 Flyer, which is distributed to all residents,
2 business owners and homeowners in the 12430 zip
3 code area.

4 Included in the Belleayre Management Unit
5 Plan is an extensive description and history of
6 the Village of Fleischmanns, the closest village
7 in Delaware County to Belleayre Ski Center. As
8 the proposal states, Fleischmanns, which happens
9 to be celebrating its 100th anniversary of
10 incorporation, was home to over 100 hotels at the
11 turn of the last century. Today, it continues to
12 be economically dependent on tourism.

13 The Village suffered severe loss of houses
14 and life due to Hurricane Irene, but it is
15 recovering and several new businesses have opened
16 and grown in the last several years.

17 Fleischmanns is eager to continue its
18 heritage as a destination for tourists, skiers,
19 boarders, hikers and Catskill enthusiasts. We
20 believe that the expansion of Belleayre will
21 invite, motivate and influence the future of our
22 Village and the surrounding communities. Yes, we
23 need more tourists but we also need more jobs.
24 The expansion of Belleayre Ski Center as outlined

1 in the Unit Management Plan will mean more local
2 jobs, keep young people in the area and is
3 critical to our communities' sustainability.

4 I registered twice so I'd like to now speak
5 to you as a business owner. I'm about to finish
6 my three minutes and start over.

7 ALJ McBRIDE: I'll give you that, but as a
8 general rule, we don't allow people additional
9 time. I'm going to allow you to do that, because
10 I understand you're speaking, but again, I'm not
11 going to do that for a lot of people here because
12 I want to give everyone an opportunity.

13 MS. SIDRANE: Thank you very much. I now
14 want to address you as a business owner. My
15 husband, Alan Sidrane, and I have been property
16 owners in Fleischmanns for over thirty years.
17 Seven years ago, we completed the renovation and
18 restoration of a 1908 built house on Breezy Hill
19 Road, which is sited in the Unit Management Plan
20 as a cultural asset. We were pleased to see it
21 there.

22 The Breezy Hill Inn has been operational for
23 seven years. We have guests coming from
24 Manhattan, hipster Brooklyn, the entire tri-state

1 area, Boston, Philadelphia, Washington, D.C. and
2 as far away as California, Italy and England.
3 They come throughout the year with heavy demand in
4 the winter and summer months.

5 Our guests admire the beauty of our mountains
6 and are eager to take advantage of the natural
7 attractions, but they are often disappointed with
8 the paucity of restaurants and entertainment
9 venues. They note the obvious neglected state of
10 many of our towns and often inquire into why there
11 are not more tourist opportunities in the region.

12 My husband and I are enthusiastic supporters
13 of the Belleayre Resort and understand that the
14 resort will not only bring new jobs both during
15 construction and then operationally, but its
16 existence will have a positive multiplier effect
17 for economic development throughout the region.

18 Over the last 30 years, we have seen the
19 human resource drain caused by the lack of work
20 opportunities for young people. In order for this
21 region to be sustainable, we need an increasing
22 tax base which will only happen if more young
23 families are able to settle here and support their
24 families. We need a boost to the proverbial shot

1 in the economic arm.

2 We have lost years of what could have been
3 economic incline rather than decline due to the
4 NIMBY, and for those that don't know that acronym,
5 Not In My Backyard, contingent.

6 The plan has been scaled back. The
7 environmental objections have been positively
8 addressed. Most importantly, the public sentiment
9 to the new plan is overwhelmingly supportive.
10 Let's not lose another generation by delaying this
11 much needed growth opportunity for our region.
12 Time is of the essence. You have extended the
13 public response period by a month. Please do not
14 delay the decision to move forward and approve
15 both plans. We can't afford it. Economic
16 progress is needed to sustain the economic
17 viability of this region. Thank you very much. I
18 appreciate it.

19 (Applause.)

20 ALJ McBRIDE: Thank you. Carole Chancer.

21 MS. CHANCER: I'm passing.

22 ALJ McBRIDE: Okay. Thank you. Kathy Nolan.

23 MS. NOLAN: Hello. Thank you. I'm Kathy
24 Nolan. I'm the Chair of the Catskill Heritage

1 Alliance speaking on behalf of the Alliance.

2 The Alliance wants success for the Belleayre
3 Mountain Ski Center and for Crossroads Ventures.
4 Since it is built, any environmental damage that
5 is caused has to be justified by its genesis. We
6 know the area needs recreation for its residents
7 and visitors. We know that the area needs jobs.
8 Those jobs are built on success. They have to
9 have success in order to be materialized and in
10 order to be sustained.

11 Success depends upon preparation. It means a
12 good understanding of needs and a good
13 understanding of how the projects that are
14 proposed will fulfill those needs. Primarily, in
15 this context, this means that the projects must be
16 of an appropriate size.

17 Proposals for the full build-out at Belleayre
18 Mountain Ski Center and the supersized resort are
19 not based on good data. The data is outdated.
20 The calculations for jobs and for economic benefit
21 at the resort in particular are based on data from
22 2007 to 2008. No good businessperson would rely
23 on data before the financial crisis and before the
24 storms of Irene and Sandy. This leads to poor

1 decisions.

2 Much of the data is also missing; for
3 example, the height of the Wildacres hotel. The
4 Highmount Lodge is given at 52 feet when you do
5 the calculation and the Highmount Hotel at 78 feet
6 deep, or high now, but the Wildacres Hotel, you
7 can't find. Similarly, you can't find test pit
8 data for the soils of the foundations in the
9 buildings, although soil samples are given for
10 almost all the rest of the area.

11 For the Unit Management Plan, there's no real
12 cost analysis. There's also no skier surveys or
13 other measures of what changes at the ski center
14 will actually draw more skiers and more visitors
15 in general.

16 Much of the data that is provided is not
17 really relevant to success. The resort is simply
18 designed too big. It would require more visitors
19 than at any other ski resort in the entire
20 northeast in order to succeed.

21 It will, at the size that it is designed,
22 drain business from the existing businesses. And
23 if it cannot pay off its construction costs, it
24 will fail and all the hoped for benefits, all the

1 hoped for jobs will vanish.

2 The Applicant has obligations to DEC as the
3 author of the UMP and the DEIS has an obligation
4 and we, as the public, have obligations to move
5 toward success that will be success for all of us.
6 Thank you.

7 (Applause.)

8 ALJ McBRIDE: John Hoeko.

9 MR. HOEKO: Hi. For those who don't me, I am
10 John Hoeko, fly fisherman, skier and golfer, but
11 most of all, I'm an ardent conservationist. Let's
12 take a walk through time. As a young man in
13 Fleischmanns, I recall the days of booming tourism
14 in the '50s and '60s. Fleischmanns had four
15 supermarkets, two department stores, many coffee
16 shops and restaurants, two barbershops, a
17 pharmacy, three doctors and a dentist, three soda
18 fountains, a theater, two hardware stores, several
19 hotels, motels, efficiencies and much more.

20 During the day, the sidewalks were filled
21 with vacationers buying fresh produce and fruits
22 from vendors and sidewalk displays or having
23 coffee and lunch alfresco. Evenings found
24 tourists lining the village streets for the latest

1 film, a cup of espresso or a nightcap.

2 The local village employed local and city
3 high school students in a multitude of
4 service-related jobs. That's all history.

5 Today, Fleischmanns, except for a half dozen
6 businesses, is a ghost town, I'm ashamed to say.
7 The future, however, can be very bright. More
8 than just a shot in the arm, the Belleayre Resort
9 at Catskill Park will revitalize the immediate
10 adjacent communities, Fleischmanns and Pine Hill,
11 and also the peripheral communities of
12 Margaretville, Andes and Roxbury, and let's not
13 forget the hamlets.

14 The Catskill Heritage Alliance should be
15 commended for its efforts in ensuring an
16 environmentally, socially and economically
17 responsible project that is the subject of today's
18 public hearing. Also, thanks to the Catskill
19 Conservation, Catskill Development, Charter
20 Unlimited and other groups for their work in
21 hammering out the 2007 compromised signatory
22 agreement.

23 I am a stakeholder. Almost a year ago, I
24 purchased a commercial building in Fleischmanns

1 and have intentions of completely renovating it
2 into a fly fishing shop, coffee shop and two
3 apartments. Unfortunately, banks are hesitant to
4 lend out business loans in a sagging, weakened
5 economy, much less in a virtually nonexistent
6 Fleischmanns' economy. Whatever it takes, I will
7 see my relatively small project through to
8 reality. That is my commitment to family, village
9 and region.

10 There are few, if any, present here today who
11 have a stronger environmental track record than I.
12 If construction or subsequent operation of the
13 Belleayre Resort threatens the ecology of the
14 Bushkill, New York City Watershed, I'll be the
15 first whistleblower.

16 (Applause.)

17 MR. HOEKO: I'm not finished. We need the
18 full build-out of the Belleayre Mountain Ski
19 Center and full build-out of the Belleayre Resort
20 at Catskill Park. Fifteen years is too long for
21 planning and review. It is time to build for our
22 future and future generations. The future is now.
23 Thank you so much.

24 (Applause.)

1 ALJ McBRIDE: Mr. Hoeko, can we have a copy
2 of your comments, please, for the court reporter?

3 I'm going to call the next group of speakers
4 to come and sit in the front row. Stewart Dean,
5 Marybeth Silano, James Thompson, John Zamurs,
6 Karen Munro, Doug Hinkley.

7 Our next speaker right now is Michael Boyle.

8 MR. BOYLE: My name is Michael Boyle. In
9 this debate, one fact should not be ignored. The
10 number of skiers that ski in the Catskills has not
11 increased.

12 ALJ McBRIDE: Mr. Boyle, I'm sorry. Can I
13 interrupt you? Can I have you face this way,
14 please? Thank you.

15 MR. BOYLE: Plus, the average ski season is
16 shorter, there's less snow and fewer skiers due to
17 New York State's low population, high unemployment
18 and New York has the highest taxes in the United
19 States.

20 I believe it is an insult for the DEC to
21 spend \$74 million on Belleayre and then see every
22 local school district cutting staff and programs.
23 Skiing is a luxury. A good education is a
24 necessity. Name another state that subsidizes a

1 public ski area and spends millions of dollars to
2 expand a public ski area so they can reduce the
3 ability of private taxpayer ski areas to survive.

4 The State of Vermont has more ski areas by
5 far and they don't own a single one. A bigger
6 Belleayre means more liability claims and
7 compensation claims that all New York taxpayers
8 will have to pay whether you ski or not. The
9 Blustein (phonetic) versus the State of New York
10 cost New York taxpayers \$3,482,000 plus legal
11 costs. That's just one claim. Ask Belleayre what
12 the tubing park accident cost the taxpayers.

13 Every private ski area, prices include
14 substantial amount for liability insurance,
15 workman's compensation, school, town and county
16 taxes, plus state sales tax on every piece of
17 equipment and supply they buy.

18 Now, Belleayre and its skiers use Ulster
19 County roads, local fire, rescue services, local
20 and state police and they don't contribute a dime
21 towards paying for those services.

22 For the State of New York to spend
23 \$74 million of taxpayers' money on the Belleayre
24 Mountain Ski Center will definitely, definitely

1 reduce skiing at Plattekill, Hunter and Windham
2 and all have to pay numerous state and local taxes
3 and employ large numbers of local residents, many
4 year-round. In each state expansion of Belleayre,
5 the private earners will find it harder to survive
6 because there's a limited amount of skiers. No
7 business can compete against state subsidized
8 business.

9 Every time a private business fails, an
10 employee loses their job and state revenues fall.

11 According to the Comptroller, right now,
12 2009-'10, 3.6 billion in debt, the State of New
13 York; 2010-'11, 6.1, not getting any better;
14 2011-'12, 7.2.

15 The right solution is for the State of New
16 York to sell Belleayre to a private investor.
17 This would level the playing field. Capitalism
18 built America and made it the enemy of the world.
19 State ownership is the business of socialism.

20 I find it offensive that the State of New
21 York is forcing me to pay taxes into a socialistic
22 enterprise.

23 Now, let me explain something about liability
24 insurance --

1 ALJ McBRIDE: Excuse me one second. I need
2 everyone who's here in this room to please be
3 quiet, because I'm having a difficult time hearing
4 the speaker and so is the court reporter.

5 MR. BOYLE: Let me explain the liability. In
6 a car, if we have an accident, the insurance
7 company pays for the damage. In liability cases,
8 if the suit is for one million, the ski area pays
9 the first hundred thousand. If it goes over, the
10 second hundred thousand, the ski area pays another
11 hundred thousand, and so on. That's so the ski
12 area stays in the ball game and that's why, at
13 Windham, we spend a lot of money on risk
14 management, to avoid accidents.

15 And that's why it's such a sore issue for us,
16 because I know up there having been involved in
17 the ski patrol for 23 years and on the rescue
18 squad for many years, why we instituted a code
19 red, code blue, we did away with NSDS first aid
20 procedure and adopted EMT protocol. And we back
21 up the local police, the local fire company and
22 the local ambulance squad. Thank you.

23 (Applause.)

24 ALJ McBRIDE: Thank you. Stuart Dean. Is

1 Stuart Dean here?

2 (No response.)

3 ALJ McBRIDE: Marybeth Silan (sic).

4 MS. SILANO: Silano.

5 ALJ McBRIDE: Silano. Excuse me.

6 MS. SILANO: That's okay. Marybeth Silano,
7 Executive Director of the Delaware County Chamber
8 of Commerce.

9 "Resolution in support of the Belleayre
10 Resort at Catskill Park Project. Whereas, the
11 Delaware County Chamber of Commerce is the
12 designated Tourism Promotion Agency for Delaware
13 County annually by the Delaware County
14 Legislature; and whereas, the proposed Belleayre
15 Resort at Catskill Park will result in the
16 investment of \$365 million in the Towns of
17 Middletown and Shandaken for the development of a
18 year-round tourism destination, providing visitors
19 with a variety of outdoor recreation and lodging
20 opportunities not currently available in the
21 region and will complement and enhance efforts to
22 promote the region as a tourism destination; and
23 whereas, the Belleayre Resort at Catskill Park
24 project will be a tourism destination and an

1 anchor to encourage the development of new
2 businesses while supporting existing businesses
3 throughout the region; and whereas, the
4 development of the Belleayre Resort will benefit
5 residents and taxpayers living and working in
6 Delaware County through the provision of new job
7 opportunities, a projected \$1.7 million annually
8 in local property taxes and potentially millions
9 of dollars annually in new sales tax revenues; and
10 whereas, the Belleayre Resort at Catskill Park is
11 projected to result in the creation of 541
12 full-time and 230 part-time jobs with a payroll of
13 approximately \$25 million annually and contribute
14 millions more to the local economy on an annual
15 basis; and whereas, on September 5th, 2007, the
16 project sponsor, Crossroads Ventures, LLC, reached
17 an agreement with the State of New York, the City
18 of New York and seven national and regional
19 environmental groups regarding a scaled-back
20 version of the Belleayre Resort at Catskill Park
21 project which was lauded by all parties to the
22 agreement as an illustration that environmental
23 protection and sustainable economic development
24 can go hand in hand; and whereas, this agreement

1 has dramatically reduced the scale and scope of
2 the project and addressed all prudent and
3 reasonable concerns regarding the project; and
4 whereas, every aspect of this project has been
5 exhaustively scrutinized, analyzed and revised for
6 over a decade by all applicable regulatory
7 agencies.

8 "Now, therefore, be it resolved, that the
9 Delaware County Chamber of Commerce fully supports
10 the development and construction of the Belleayre
11 Resort at Catskill Park."

12 On a personal note, I moved up to Delhi in
13 1993 with my three children. I see the kids in
14 this area leaving constantly. I have seven
15 grandchildren now. I want them to stay here, so
16 please support the project. Thank you.

17 (Applause.)

18 ALJ McBRIDE: If you're reading from remarks,
19 could you please put a copy up here on the table
20 so it will help the court reporter? Even if
21 you've handed a copy in there, it will be helpful
22 if you can give me a copy here at the front table.

23 Our next speaker is James Thompson.

24 MR. THOMPSON: Thank you, Your Honor. My

1 name is Jim Thompson from Delhi. As Chairman of
2 the Delaware County Industrial Development Agency
3 and Tourism Director for Delaware County Chamber
4 of Commerce, I am here today to totally support
5 both the Belleayre Resort and the full expansion
6 of the Belleayre Ski Center.

7 The additional jobs and tax revenue simply
8 cannot be overlooked in an area that has an
9 extremely fragile economy at best. Our children
10 have been leaving for a long time simply because
11 there are limited job opportunities, which leave
12 us with an aging and declining population.

13 Our economy has been under pressure by
14 several factors. The regulatory climate of the
15 New York City Watershed has forced us to rely on
16 tourism as the main industry within the watershed
17 area. The businesses and residents of our area
18 have done a great job in recovering from the
19 repeated flooding that has struck far too many
20 times in recent years, but the businesses need the
21 boost that these two projects will provide.

22 These projects will restore the vitality in
23 eastern Delaware and western Ulster Counties. I
24 would urge anyone who questions the need for this

1 development to travel Route 28 from Margaretville
2 to Kingston and count the number of closed
3 businesses that once lined this highly traveled
4 roadway. The number of shuttered businesses is
5 absolutely astounding. This project will greatly
6 revitalize the entire area.

7 As Tourism Director for Delaware County, I'm
8 extremely aware of the inadequate supply of
9 lodging units available within the county. Every
10 discussion that we have about the future of
11 tourism eventually comes around to this. The
12 marketplace that we have within three hours of our
13 area is a sophisticated one that expects quality.
14 Belleayre Ski Center and other attractions have
15 always provided a quality experience for our
16 visitors, but the visitors tend to leave and seek
17 lodging somewhere else.

18 Our communities cannot survive unless people
19 stay here and visit our businesses and main
20 streets. An economy built on day trip visits is
21 unsustainable. The quality of lodging units that
22 this project brings to this our region will result
23 in a dramatic improvement in our economy and turn
24 it into an economy that will not only support

1 itself but one that will grow and be healthy once
2 again.

3 I urge you to proceed with the review of
4 these two projects without further delay. I'm
5 convinced, as are most others in this region, that
6 the development is now the proper size for our
7 area and should go forward. Please consider the
8 positive impact these two projects will have on
9 the struggling economy in this region. We need to
10 move forward now.

11 (Applause.)

12 ALJ McBRIDE: Thank you. John Zamurs.

13 MR. ZAMURS: Good afternoon. My name is John
14 Zamurs. I'm president of Zamurs & Associates, a
15 small environmental consulting firm specializing
16 in transportation, air quality, climate change and
17 energy sustainability.

18 I've been asked by the Catskill Heritage
19 Alliance to assist them in the review of the SDEIS
20 and associated environmental documents to this
21 project.

22 I should also point out that these comments
23 and others will be submitted and developed fully
24 for consideration prior to the close of the public

1 comment period.

2 The Catskill Heritage Alliance is concerned
3 that some of the environmental studies that
4 comprise the SDEIS treat this project as a ski
5 area expansion and not the year-round tourist
6 destination that the developers hope and expect
7 this area to become. This deficiency in terms of
8 scope and extent are particularly clear in the
9 transportation, air quality and climate change
10 analyses that are part of the SDEIS.

11 The project hopes to become a year-round
12 destination with the inclusion of a spa, hotel,
13 time shares and golf course, in addition to the
14 expansion of the ski center. The other facilities
15 would be used at those times of the year when the
16 ski center is not in operation.

17 Therefore, the traffic study is inadequate
18 for a project of this scope and potential impact.
19 The traffic study only considered effects on
20 localized roads and intersections in the immediate
21 area of the project during the so called worst
22 case day in winter. It is based on historic data
23 when only the ski center was in operation. With
24 the resort in place, this area will experience

1 year-round increases in traffic. For this
2 project, relying on the past is not appropriate.
3 The traffic study should evaluate impact of this
4 resort on year-round travel and disaggregate the
5 attracted trips by season of the year.

6 The SDEIS identifies the New York
7 Metropolitan area as the primary source of
8 customers to the resort. The traffic study should
9 identify the routes used by the customers to reach
10 the resort and show how that additional traffic
11 will impact volumes, speeds and congestion on
12 those routes, as well as on local roads.

13 The lack of a comprehensive transportation
14 study is not in keeping with the intent of Item
15 40, Traffic Impacts and Controls, of the Agreement
16 in Principle. Although Item 40 specifically
17 discusses County Route 49A, its intent is to make
18 sure that traffic impacts are considered
19 cumulatively and thoroughly.

20 Because the traffic study is inadequate, the
21 air quality and gas greenhouse analyses that are
22 based on it are inadequate as well. The
23 additional travel in the summer and the associated
24 volatile organic compounds and nitrogen oxide

1 emissions may be sufficient to cause this area to
2 fall into non-attainment of the ozone ambient air
3 quality standard, especially if the USEPA further
4 tightens the ozone air quality standard, as it is
5 expected to do soon.

6 The SDEIS should assess the potential of the
7 Resort's additional regional travel and the
8 resultant emissions to cause Ulster County and/or
9 nearby counties to come non-attainment for ozone.

10 The air quality study, as presented in the
11 SDEIS, is inadequate for a number of other
12 reasons. It should include a mesoscale or
13 regional air quality analysis to look at the
14 effects on air pollution levels from the increased
15 year-round traffic. It should use the most recent
16 emissions and dispersion models as promulgated by
17 the USEPA to estimate air quality levels, not the
18 outdated models that were used. It should
19 estimate air quality levels where the public will
20 be exposed, near the parking lots and the roadways
21 leading to and from the parking lots, not just
22 along Route 28 where there will be little
23 pedestrian activity. It should use inputs into
24 the modeling process that are specific to the

1 Belleayre region. While the analysis did use
2 so-called worst case inputs, in reality, they are
3 appropriate for urban areas.

4 The analysis should include all sorts of
5 emissions associated with the staged development
6 of the project. Construction and operational
7 emissions associated with the staged development
8 of the project were not considered.

9 And finally, all relevant air pollutants
10 should be addressed. For example, nitrogen
11 dioxide was not considered, although the USEPA
12 views this pollutant to be traffic-related. Also,
13 mobile source air toxins should be considered as
14 well.

15 Since the traffic study did not consider
16 regional and visitor travel to the project area,
17 the greenhouse gas analysis is deficient as well.
18 By not including this source of greenhouse gas
19 emissions, the greenhouse gas assessment
20 significantly understates the likely impact of
21 this project on these emissions.

22 While the greenhouse gas assessment does
23 discuss mitigation of transportation greenhouse
24 gas emissions, there's no commitment to any

1 mitigation measures. There's no indication that
2 the described transit improvements will be funded
3 or implemented. Item 41 of the Agreement in
4 Principle, Public Transportation Improvements,
5 discusses a number of improvements that the State
6 will work to implement. Yet, the SDEIS is silent
7 on this issue. What has the State or developer
8 done to actually realize these measures?

9 Finally, the project should recognize the
10 impact of climate change on local climatic
11 conditions. It should reference the most recent
12 studies in this area, including the technical
13 report in November, 2011 by New York State Energy
14 Research Development Authority called "Responding
15 to Climate Change in New York State."

16 One particular climatic impact that should be
17 of concern to this project is the increased
18 likelihood of extreme weather events and
19 associated increased rainfall intensity.
20 Increased rainfall is of concern due to the
21 topography of the area and the potential to wash
22 away roads and other facilities. Any roadway work
23 and improvements should address this concern by
24 including appropriate features, such as

1 right-sized culverts. Thank you.

2 (Applause.)

3 ALJ McBRIDE: Karen Munro.

4 MS. MUNRO: Good afternoon, Your Honor.
5 Thank you for my time. I'm Karen Munro from
6 Roxbury in Delaware County. The Catskill
7 Mountains area is known for its four beautiful
8 seasons with its great valleys and rolling hills
9 that we call mountains, truly a four season
10 recreation area that I've been fortunate to live
11 and raise a family in.

12 I would like to share with you my thoughts
13 about the word "resort". This is my view and what
14 I feel the letters can represent: Revenue,
15 Economic effect, Support, Opportunities,
16 Recreation, Tourism.

17 You all know that revenue will make a large
18 economic effect on the whole local area. The
19 opportunities that this will see for jobs, the
20 recreation and the tourism, it seems endless, but
21 these are only a few that will make a large
22 difference to our local towns and the ones who
23 live here.

24 Being a businessperson, it is so important to

1 market this resort so that people come to this
2 area and spend time and support our local economy.
3 What a benefit it would be to have this resort in
4 our backyard, a great opportunity for the whole
5 area to thrive and, yes, survive.

6 With the jobs that are created, I hope it can
7 give families the same opportunity that I've had
8 over the last 35 years. I was able to stay as a
9 native, to raise a family, enjoy the great
10 outdoors of this area and only commute by 12 miles
11 per day.

12 I do support the resort and I hope you
13 support the resort for the future of the whole
14 area. Thank you.

15 (Applause.)

16 ALJ McBRIDE: We have Doug Hinkley as our
17 next speaker. I would call the following people
18 up: Charles Kowalski, Denny Herzberg, George
19 Collins.

20 MR. HINKLEY: Your Honor, I'm Doug Hinkley.
21 I'm from Margaretville, New York, born and raised.
22 I retired after forty years with the Margaretville
23 Telephone Company. I'm coming to you today to
24 talk to you as a grandfather. I have five

1 grandchildren, two sixteen, one fifteen and an
2 eight-year-old and four-year-old. This project is
3 about them. We need jobs here. I think we've
4 already missed the window for the fifteen- and
5 sixteen-year-olds to apply to make those decisions
6 and probably move on. Hopefully, the
7 four-year-old and eight-year-old can make a
8 decision to stay. There's no place for them to
9 stay if they want to stay now. I support the
10 project and, hopefully, you can get it done this
11 time. Thank you.

12 (Applause.)

13 ALJ McBRIDE: Charles Kowalski.

14 MR. KOWALSKI: Thank you, Your Honor. I'm
15 Charles Kowalski. I live in Denver, New York. I
16 am not going to talk about the economic health of
17 this area but about the impact on our younger
18 generations.

19 We have the haves and the have-nots. The
20 haves are mostly united against the expansion of
21 this development and have spent over \$400,000 to
22 impede us.

23 The have-nots are the residents that have
24 children in several school districts, and children

1 in the schools are deprived of a good education
2 and there is no future once they graduate from the
3 schools, so they leave.

4 Our local districts spend about \$30,000 a
5 year per student, just like Scarsdale, but we will
6 not get the education and the training that the
7 downstate communities get. The selfish haves do
8 not want to see our children succeed.

9 What happens is without gainful employment,
10 they have been moving into droves and we have seen
11 a very large increase in drug addiction here.
12 Coupled with this, the crime rate, yes, the crime
13 rate, in this area is soaring. Ask your sheriffs.

14 With this development, there is a hope that
15 we can improve on our educational standards and
16 provide local jobs. The haves say only part-time
17 jobs. Not true. There will be health facilities,
18 management positions, et cetera. So we need this
19 development to ensure the future of this area.

20 Remember, New York City is still purchasing
21 large acreages in the Catskills and further
22 reducing our living quality, so we need Crossroads
23 and Belleayre. Thank you.

24 (Applause.)

1 ALJ McBRIDE: Denny Herzberg.

2 MR. HERZBERG: Thank you, Your Honor. I
3 speak on behalf of myself and my wife. We moved
4 here this month 30 years ago. Part time, we moved
5 here because these are the Catskill Mountains.
6 This is where our friends are. Here is where our
7 children, in great part, grew up and it is a shame
8 to be held hostage by a total minority whose only
9 interest is their own selfish interest of the
10 excuse of the environment or the access to their
11 properties or whatever their reasons are.

12 Nobody can deny how this place, the entire
13 area, has gone downhill over the last 30 years.
14 And I have read, which was mentioned earlier, what
15 was here in the '60s, the hotels, the
16 delicatessens, butcher shops, et cetera. Where's
17 all that?

18 Nobody can deny that we are one of the
19 largest areas of demise of barns. Just drive on
20 Route 23, drive on Route 30. We call that
21 development? We call that progress? I don't
22 think so.

23 And for roads, let's look at Lake Placid.
24 There's a two-lane road going in and there's a

1 two-lane road going out. I believe that's the
2 same situation on 28. And in all my time even on
3 weekends, when we have four or five thousand
4 visitors, I don't ever remember being held on
5 Route 28 because of traffic congestion. This has
6 not happened.

7 For those who say "Where will the tourists
8 come from?", I only have two comments to that make
9 on that. When I went to college in Florida,
10 Disney in Orlando did not exist.

11 Number two: Twenty-five years ago, the
12 destination for many of us here, Punta Cana,
13 Dominican Republic did not exist. This was bare
14 land.

15 Where did tourism come from? By development,
16 by growth, by initiative. That is what this
17 community needs.

18 I fully support the project. I think we must
19 look forward, because we can't fall any lower than
20 we are right now. Thank you.

21 (Applause.)

22 ALJ McBRIDE: George Collins.

23 MR. COLLINS: Good afternoon. My name is
24 George Collins. I'm the section chief of the New

1 York City Department of Environmental Protection,
2 Bureau of Water Supply. As you may know, DEP
3 plays a vital role in protecting the watershed and
4 reservoirs in the Catskill region and will
5 continue to be actively involved in the modified
6 Crossroads Ventures Belleayre Resort and Belleayre
7 Ski Center Unit Management Plan as they move
8 forward through the environmental review and
9 permitting process.

10 Accordingly, several elements of the
11 Crossroads Ventures Belleayre Resort project will
12 require DEP review and approval under the City's
13 watershed regulations, which are designed to
14 prevent contamination or degradation of New York
15 City's water supply and any adverse impacts to
16 water quality.

17 Similarly, under the Governor's Executive
18 Order 51, the New York State DEC is required to
19 comply with the substantive provisions in the
20 watershed rules and regulations and DEP has been
21 reviewing the revisions to the Belleayre Unit
22 Management Plan for compliance with the
23 substantive provisions of those regulations.

24 In addition to exercising our regulatory

1 authority, DEP will continue to fully participate
2 in the SEQRA process and will be taking a hard
3 look at the entire project to ensure that there
4 will be no resultant adverse impacts to New York
5 City's water supply.

6 DEP will be reviewing compliance with the
7 SEQRA process with the two combined projects. DEP
8 is a party to the Agreement in Principle and
9 firmly believes that the modified project outlined
10 in the Agreement reflects a balance that can both
11 protect water quality and allow for responsible
12 development in the Catskill region.

13 DEP will carefully review the final project
14 design and the entire DEIS to improve protection
15 in the water supply to the nine million New
16 Yorkers.

17 DEP will submit detailed written comments on
18 the Draft Supplemental Environmental Impact
19 Statement by the end of the comment period. Thank
20 you for the opportunity to comment.

21 (Applause.)

22 ALJ McBRIDE: JR Lawrence.

23 MR. LAWRENCE: Thank you. My name is JR
24 Lawrence. I've been a resident and businessman in

1 Margaretville for the past 40 years and over those
2 40 years, I have seen the economy in this region
3 just generally decline getting worse and worse.

4 I have a friend who's a contractor, been in
5 business over twenty years. He's now working in
6 Long Island. He can't find any work up here. I
7 know our local school system in Margaretville has
8 seen its enrollment drop by twenty percent in the
9 last seven years, because we have young families
10 moving away. They have no work here.

11 I have two granddaughters that are preschool
12 now and at this point, if things don't change, if
13 we don't get some improvement, when they graduate
14 from high school, they're going to have to leave
15 the area because there will be nothing here for
16 them to do.

17 So I fully support both the expansion of the
18 Belleayre Ski Center and the Resort. Thank you.

19 (Applause.)

20 ALJ McBRIDE: Thank you. I'm going to call
21 the next 10 people, please. Innes Kasanof, Glen
22 Faulkner, Don Bramley, Nick Alba, Dave Channon,
23 Bob Kurtzer, Allen Shiner, Gary Gailles.

24 And our next speaker is Innes Kasanof.

1 MS. KASANOF: Good afternoon. I am the
2 Supervisor of the Town of Halcott in Greene
3 County, also known as Holcott. We are within view
4 of Belleayre Mountain.

5 I come to you today not as a skier or a
6 scientist or a golfer. I'm a town administrator.
7 I'm the Chief Fiscal Officer and so I can assure
8 you that people who have jobs are good for a town.
9 We need this resort development very badly.

10 Many of the people in our town already work
11 for Belleayre Ski Slope. Whole families work for
12 Belleayre Ski Slope. It's a company and I foresee
13 it being a community in a larger sense when
14 there's more of an opportunity for people. It's a
15 very good time, I think, for this resort to
16 happen.

17 We are getting high speed Internet from a big
18 grant. We are experiencing growth in the arts.
19 We have the Phoenicia Festival of the Voice that's
20 just begun. I think that the community growth is
21 beginning again. It certainly can't go any lower,
22 we hope.

23 So I'm very optimistic about this. Our
24 townspeople need it. And I thank you for the

1 opportunity to speak today.

2 (Applause.)

3 ALJ McBRIDE: Glen Faulkner.

4 MR. FAULKNER: Good afternoon. Thank you,
5 Your Honor, for this opportunity. My name is Glen
6 Faulkner. I'm the general manager of the
7 Margaretville Telephone Company, also commissioner
8 of the town council, fire district, board member
9 for the MARK Economic Development Project as well
10 as a local Margaretville fireman and, most
11 importantly, father of two college-age students.

12 I support the proposals set forth for the
13 development as well as the expansion of the
14 Belleayre Ski Center. It's absolutely essential
15 for our community.

16 I was born and raised locally. I consider
17 myself very fortunate to be employed and would
18 like the same opportunities for my kids and
19 grandkids.

20 Frankly, our communities are dying. When I
21 was growing up, there were movie theaters, there
22 were softball leagues, there was a vibrancy in the
23 community. That is missing. You can play
24 baseball on Main Street in Margaretville on pretty

1 much any given day. There is no traffic. So we
2 need a shot in the arm. And going forward, I
3 think this project presents a great opportunity.
4 It's not going to solve all of our problems, but
5 it has already created some vibrancy. There is a
6 spirit. We're all here for this great social
7 event and I look forward to supporting the
8 project.

9 So basically, let's let the spirit of
10 unselfish compromise prevail and support the
11 project. Thank you.

12 (Applause.)

13 ALJ McBRIDE: Don Bramley.

14 MR. BRAMLEY: Thank you Your Honor. My name
15 is Don Bramley. I'm the controller at
16 Margaretville Telephone Company, born in
17 Margaretville Hospital, raised in Andes and
18 fortunate enough to live here in Margaretville and
19 work in Margaretville.

20 I'm one of the lucky ones to go off to
21 college and come back here, get a great job. My
22 kids have not been so lucky. They actually went
23 off to college, all four of them, in their
24 twenties, and they've been unable to come back and

1 get jobs. This is what we're talking about. It's
2 for the young people, for the 20- and 30-year-olds
3 where we don't have the jobs. This is what we
4 need.

5 My message is basically plain and simple: No
6 more delays. We need to move this project
7 forward. We need this. Our area needs it.
8 Please support the project and get it passed.
9 Thank you.

10 (Applause.)

11 ALJ McBRIDE: Nick Alba.

12 MR. ALBA: Good afternoon. My name is Nick
13 Alba and I've been a homeowner in Woodland Valley
14 and Shandaken since 1981. I've enjoyed skiing and
15 my children learned to ski here and have spent
16 countless days here. We participated in the
17 Shandaken Residence Program which made skiing
18 affordable to many families who might not have
19 been able to take advantage of this wonderful
20 state facility.

21 I've also attended many October fests which
22 brought so many people to the mountain at the
23 height of our spectacular fall foliage.

24 Over the years, we've seen the mountain

1 upgraded in terms of adding ski lifts and more
2 snow-making, which has made the ski center more
3 attractive to skiers by cutting down on the wait
4 for lift lines and offering more trails with
5 better snow. I've been to the lodge on peak days
6 of the season and I am aware of the inadequacy of
7 the Belleayre facility as it now exists.

8 I've also spoken to skiers who have traveled
9 here from the Metropolitan area and had to stay in
10 accommodations which are not in our immediate
11 area. Clearly, we need some improvements.

12 Last week, we had a presentation in this room
13 by the Department of Environmental Conservation
14 with its proposed Unit Management Plan for the
15 Belleayre Mountain Ski Center.

16 The presentation mentioned five alternatives,
17 but essentially, the session was a sales pitch
18 with a full build alternative with a lot of charts
19 and statistics that will cost 74 million taxpayer
20 dollars.

21 Not surprisingly, the full build alternative
22 is the choice that would best accommodate the
23 proposed resort adjacent to this New York State
24 facility. In this topsy-turvy world we live in,

1 banks are foreclosing, Americans are being thrown
2 out of their homes, school budgets are being
3 slashed, hospitals are closing and our
4 infrastructure is crumbling. Yet, the State is
5 proposing to spend \$74 million of our tax money to
6 build ski lifts and trails from the State-owned
7 Belleayre Ski Center to accommodate a luxury
8 resort and incur the cost of maintaining these
9 trails and lifts forever.

10 In addition, the State will be paying overly
11 inflated land prices to Crossroads Enterprises to
12 purchase additional land for development. The
13 Catskill Park and the Belleayre Mountain Ski
14 Center are created to serve the people, not a
15 corporate destination resort with no connection or
16 responsibility to our community.

17 The developers of this proposed resort are
18 seeking to apply for approval to build luxury
19 hotels on the mountain and intend to flip the
20 project to a corporation in the hospitality
21 industry maximizing profits for investors.

22 The DEC's plan describes a better
23 alternative. Its alternative would expand
24 Belleayre's trails as much as the full build-out

1 proposal and the expert ski terrain using land
2 that the State already owns combined with elements
3 of the so-called core alternative, which would
4 upgrade and expand existing ski facilities at the
5 base. This approach would still provide new high
6 speed lifts, energy-efficient snow-making
7 facilities and satellite lodges up the mountain,
8 but it wouldn't subsidize development with
9 millions in state funds and it would cost about
10 half of the 74 million dollar price tag of the
11 full build-out.

12 Please say no to this corporate giveaway, but
13 do say yes to upgrade the Belleayre Mountain Ski
14 Center and provide additional lodging which will
15 accommodate tourists and skiers at all economic
16 levels. Thank you very much.

17 (Applause.)

18 ALJ McBRIDE: Dave Channon.

19 MR. CHANNON: Hello. Thank you. I have
20 lived in Shandaken for 14 years and I work here.
21 I could use a better job. We all need to work.
22 But actually, I see help wanted signs all over the
23 place. There just aren't enough workers around
24 here to fill the low end and part-time jobs.

1 Hundreds of people will have to travel to this
2 area to fill those jobs and we don't have
3 affordable housing for them. That's just one
4 issue.

5 Maybe I can get a good job at IBM in China,
6 because IBM, at great expense to the Town of
7 Kingston, City of Kingston, put in infrastructure
8 for the giant corporation and then they pulled out
9 leaving a gaping hole in the economy that took
10 decades to recover from.

11 I support New York State investing in the
12 Belleayre Ski Center but not in a way that is
13 unfair competition to the other ski areas. I want
14 to see the ski center modernized with an expansion
15 of slopes on the east side on the land the State
16 already owns. Add more four season activities in
17 this globally warming world like a zip line at
18 Cathedral Glen and take advantage of the new rail
19 trail which will bring millions of hikers and
20 bikers to the area, just like the hugely
21 successful walkway over the Hudson. It will cost
22 a lot less than \$74 million that one estimate
23 predicts will take 74 years to recover.

24 You don't just get tax money in. You pay

1 money out for the roads, for the police, for the
2 ambulance service, for all of the other costs that
3 a giant development like this would incur. So
4 when you add and subtract those two things, it
5 would take 74 years to make back that investment.
6 A privately-owned hundred-room hotel at the
7 Wildacres site would be a great thing with a
8 restaurant, a bar, a gift shop, a health spa. It
9 would be a welcome addition to this small rural,
10 small town community.

11 The State must not pay Mr. Ginner's
12 (phonetic) asking price of \$5 million, \$5 million,
13 for the Highmount property that he bought for
14 \$250,000 just a few years ago. That's ridiculous.

15 There may be some union people here in the
16 audience. I know at one of the last hearings I
17 went to, there were quite a few union people and
18 I'm very pro-union and if they do come and speak,
19 I will thank them for coming from such a long way
20 away. Because union jobs will be 80 percent of
21 the construction work and they'll be coming from
22 big cities in the area and they'll be looking for
23 a place to stay, but there's no affordable housing
24 around here. Where are all these thousands of

1 workers going to live?

2 In the building stage, the corporation that
3 builds the resort, not Mr. Ginner or local
4 philanthropists, there will not be any tax at all.
5 That could be up to 10 years before the thing is
6 fully built. And then once it's built, they're
7 not going to pay any tax for five years. And then
8 the next five years, the tax will gradually phase
9 in. So that's about, perhaps, 20 years before we
10 start realizing the tax advantages of this
11 proposal. A lot of us are not going to be here
12 then.

13 Those of you who are invested in the
14 Crossroads Corporation or own shares or bought
15 properties and you're thinking you'll make a
16 profit on it, keep in mind and be decent enough to
17 tell us that when you make your comments, because
18 with all corporations, profit is number one and
19 what's good for the community is number two.

20 The share price is the thing that the
21 corporations live for. Bigger and fancier doesn't
22 always mean better.

23 The Point, one of Adirondacks' most luxurious
24 resorts, just defaulted on a multimillion dollar

1 loan that they used to buy the property. We
2 should be very careful how we spend our taxpayer
3 money.

4 I'm also very concerned about my friends and
5 neighbors that work for the volunteer fire
6 department who are going to be possibly having to
7 battle fire in this huge complex building with
8 underground garages, multi stories, maybe 10
9 stories. You need a big city fire department to
10 fight fires and this type of thing. It's not
11 farfetched.

12 Mr. Ginner has had five suspicious fires at
13 properties he has been associated with. Two of
14 them burned to the ground. Now, he's not going to
15 be building this project, it's going to be,
16 perhaps, Starwood, a casino resort development
17 corporation.

18 AUDIENCE MEMBER: Time's up.

19 MR. CHANNON: Thank you very much. I have
20 one more sentence. I've heard rumors about this,
21 but if they really are committed, let them put it
22 in writing. I haven't seen any commitment from
23 any giant corporations to spend a half billion
24 dollars that this resort would cost to build,

1 otherwise, it's just more hot air and we have
2 enough problems with global warming for the skiing
3 already as it is. Thank you.

4 ALJ McBRIDE: Bob Kurtzer.

5 MR. KURTZER: Your Honor, thank you for the
6 opportunity. My name is Bob Kurtzer. My wife and
7 I built a house up here in 1974, a weekend house.
8 We liked it so much that we eventually retired
9 here and we are now here full time for the last
10 five or six years.

11 In my former life, I was the president of a
12 New York Stock Exchange company which, under my
13 guidance, increased in profits, profits aren't a
14 bad thing, two times, and revenue two and a half
15 times. I can read a balance sheet. I can read a
16 proposal and I agree with it a hundred percent.

17 I counted the number of people who came up
18 here. I must have miscounted a little bit, but I
19 think there were twenty-six people in favor of it.
20 Make that twenty-seven. And I think six people
21 against it.

22 Before I ascended to the presidency of the
23 company, I failed to mention the name myself, I
24 had a boss who I disagreed with many times and he

1 had a favorite saying when I disagreed with him.
2 He said, "Bob, you have every right to be wrong."

3 To the six naysayers who preceded me, I'll
4 say the same thing: They have every right to be
5 wrong. But if you're with it, it can have a
6 remarkable effect on this area.

7 I don't have to repeat all the things that
8 were said about the economy. It's well-known to
9 everyone. Let's do something to make it better.
10 Build it and they shall come. You know that
11 expression. Build it and they'll come. Thank
12 you.

13 (Applause.)

14 ALJ McBRIDE: Allen Shiner.

15 MR. SHINER: Thank you. My name is Allen
16 Shiner. I am a full-time resident of Big Indian.
17 Let me tell you what I'm not. I don't have any
18 investments in the area. I don't own a business.
19 I don't work in the area. I don't work for
20 Windham. I'm not a paid lobbyist. These opinions
21 are my opinions.

22 We've been skiing at Belleayre and we owned a
23 house up here for 32 years. My entire family,
24 including my children and grandchildren, ski at

1 Belleayre. My daughter actually got married at
2 Belleayre Lodge. I read an interesting interview
3 with Odell Reynolds, an 86-year-old from Kingston
4 who worked on the original ski center. And in
5 that interview, he said, "We need the best
6 Belleayre we can get. We need improvements in the
7 ski center and lodging near the base. They go
8 together."

9 Belleayre is no longer competitive with other
10 ski centers. When my children come to visit with
11 the grandkids, they stay in my house, but if my
12 daughter and her friends, maybe four or five
13 families, want to come, there's no place to stay,
14 so even my only daughter goes elsewhere.

15 I would suggest that everybody in the room
16 look at two websites, the Holiday Value Ski Resort
17 in New York and the Seven Springs Ski Resort in
18 Seven Springs, Pennsylvania. Check them out.
19 Both of them are 750 foot elevations. Ours is
20 1,400 feet. So they're half the size of
21 Belleayre.

22 Go see what they've done, condos, time
23 shares, hotels, places for people to stay,
24 sporting places, festivals, spas, mountain biking.

1 It's unbelievable. I'm jealous. Where are we
2 today?

3 The DEC has spent eight years and countless
4 man hours with experts in every field coming up
5 with a Unit Management Plan. Crossroads has spent
6 14 years and countless dollars on their plans.
7 During this same time, the Catskill Heritage
8 Alliance has spent \$400,000 trying to kill the
9 plan. They claim they're trying to make it
10 better. I don't believe that. I believe what
11 they're trying to do is kill the plan.

12 Every time something happens, they come up
13 with these doomsday scenarios and we've all heard
14 what they've published, volcanoes, earthquakes,
15 runoff water that's going to flood the towns, too
16 much traffic, too little traffic, move it to the
17 east, move it to the west, and today, I heard
18 ozone problems and climate change.

19 I am not an expert. I do not profess to know
20 how many rooms to build. I do not profess to know
21 where to put the new slopes. I do not profess to
22 know what chairs need rebuilding. But certainly,
23 the representatives of the Catskill Heritage
24 Alliance, they profess to know everything.

1 They stand up here and tell us how many rooms
2 there should be. How do they know? Are they
3 hotel experts? No. They're pediatricians. It's
4 amazing to see all the objections that the
5 Catskill Heritage Alliance has come up with on
6 plans that DEC and Crossroads have worked for so
7 many years. They come up with another alternative
8 plan that's going to delay this project and kill
9 it.

10 I encourage the DEC to proceed with all their
11 plans for Belleayre and ignore the paid political
12 lobbyists of the Catskill Heritage Alliance. We
13 need the best Belleayre we can get.

14 (Applause.)

15 ALJ McBRIDE: I'm going to read the last five
16 speakers we're going to have for this session.
17 Then, we're going to take a short break. Gary
18 Gailes, Lisa Schnack, Rosina Montana, Martie
19 Gailes, and Robert, I apologies, Romano maybe.
20 Sorry about that.

21 Go ahead, Mr. Gailes.

22 MR. GAILES: Thank you, Your Honor. My name
23 is Gary Gailes and I am a project consultant for
24 the Crossroads project. I'm standing here today

1 at the request of former Congressman Hinchey who
2 asked that a letter which he wrote to Governor
3 Cuomo late last year before leaving office and
4 retiring from office be read into the record.

5 And the letter reads as follows: "Dear
6 Governor Cuomo, I have watched with appreciation
7 the steps you have undertaken to bring vitality
8 back to our state's economy. That is why I'm
9 writing to you about a regionally significant
10 project which has been slowly advancing for many
11 years. This project is the Belleayre Resort,
12 which will be located in the economically
13 struggling Towns of Shandaken and Middletown,
14 municipalities that you know well from your flood
15 relief efforts last summer.

16 "I was skeptical of this project when it was
17 initially proposed 13 years ago with respect to
18 its initial location and its scale. The Big
19 Indian portion of the original project was within
20 the Ashokan watershed which historically has had
21 turbidity problems.

22 "However, by 2007, the developer, Crossroads
23 Ventures, began to work with the key environmental
24 groups and with my urging and support from the

1 prior administration, refashioned the project,
2 reduced its scale and embraced many of the
3 important environmentally sensitive features. Key
4 among the project changes was the relocation of
5 the proposed upscale hotel to Highmount in the
6 Pepacton watershed on the west side of the
7 Belleayre Ski Center and the sale of approximately
8 1,200 acres of the spectacular Big Indian Plateau
9 to New York State. I was pleased to see that the
10 New York State Department of Environmental
11 Conservation took title to the Big Indian property
12 back in December of 2011.

13 "As you may surmise, the Belleayre Resort's
14 completion and its future success are tied to the
15 expansion and continued rehabilitation of the
16 Belleayre Ski Center. That is why another key
17 project element agreed upon in 2007 was a
18 conceptual plan to modernize the Belleayre Ski
19 Center and for New York State to acquire the old
20 Highmount Ski Center with its expert ski terrain,
21 located adjacent to the Belleayre Ski Center. It
22 is my understanding that the Olympic Regional
23 Development Authority is taking over the
24 management of Belleayre from the DEC.

1 "I am hopeful that this change will bring
2 both a measure of stability to the Belleayre Ski
3 Center, allowing the DEC more flexibility to focus
4 on its core environmental protection and
5 conservation objectives, as well as provide the
6 Catskill region with an opportunity to be fairly
7 represented on the ORDA Board.

8 "Belleayre Ski Center was created in 1950 to
9 provide an economic engine for the region which
10 very much remains dependent on its continued
11 success today. The proposed interrelationship
12 between the Belleayre Resort and Ski Center should
13 significantly aid New York's efforts in this
14 regard. Moreover, Crossroads Ventures has signed
15 a project labor agreement with the Hudson Valley
16 Building Construction & Trades Council which will
17 assure that the resort's 2,100 construction jobs
18 benefit local workers.

19 "Your support for these efforts is most
20 deserved and in keeping with your administration's
21 efforts to revitalize the economy of our state.
22 The developer and the DEC will soon begin a joint
23 SEQRA process to formally consider the plans for
24 the resort and expansion of the Belleayre Ski

1 Center. It is important that this long awaited
2 review receive priority attention from the DEC and
3 promptly reach final closure so the region can
4 begin to receive the enormous economic benefits of
5 these proposals. Once again, with your
6 assistance, this region, which has suffered so
7 greatly from natural disasters, can look to
8 celebrate new and lasting economic opportunities.
9 Thank you for your consideration of my views.
10 Best regards, sincerely, Maurice Hinchey."

11 (Applause.)

12 ALJ McBRIDE: Lisa Schnack.

13 MS. SCHNACK: Hi. My husband and I recently
14 moved back into the area. We have left three
15 times returning every time. Recently, we decided
16 to purchase a market. Let me make it clear that
17 we are not part of the resort. We have no stock,
18 we have nothing in that. We're not planning on
19 getting rich. That was not part of the reason for
20 us buying the market. We purchased the market
21 just for the fact that this was where we wanted to
22 be.

23 We pulled all of our monies out of our 401-K,
24 spent everything that we had in hopes to make a

1 reasonable living, I guess. I don't want to
2 repeat all the numbers and the things that
3 everybody has been going over, because I really do
4 believe that the resort has done their homework.
5 I have sat in on many of their presentations.
6 They have answers and responses. They come back
7 and regroup every issue that has been presented to
8 them.

9 We all know this area is in a severe state of
10 depression. I believe that we are past the point
11 of asking DEC to approve the resort. We are at
12 the point of begging. Failure is not an option.
13 We need this resort.

14 (Applause.)

15 ALJ McBRIDE: Rosina Montana.

16 MS. MONTANA: Thank you for allowing me to
17 speak. My name is Rosina Montana. I'm a
18 volunteer administrator of the Belleayre Ski
19 Patrol and co-vice chair of the Coalition to Save
20 Belleayre. I have been involved in this fight for
21 Belleayre and the community since 1984.

22 Some basic facts: You all know them. We are
23 in the New York City Watershed area, which means
24 as little development as possible is allowed. The

1 DEC has granted a second waiver to New York City
2 so that they don't have to build a filtration
3 system. The DEP of New York City has about 300 or
4 more million dollars to purchase land in the
5 watershed area, which is then rendered unusable,
6 which is then reassessed at a lower tax rate.

7 We were devastated with Hurricane Irene.
8 Many properties were destroyed, many jobs were
9 lost, not to be regained. Property taxes are
10 still going up. Our population is declining.
11 Schools are losing students, which means less
12 positions for teachers. Churches are closing and
13 everywhere I look, I see for sale signs.

14 There are no job opportunities or career
15 paths for our graduating students and there are no
16 jobs in our communities. By the way, if you
17 watched last evening's New York City news, you
18 will have heard that Mayor Bloomberg will have
19 property taxes reduced in the communities impacted
20 by Super Storm Sandy.

21 So where does that leave our community? Dead
22 in the water so to speak. It leaves us with our
23 only commodity: Tourism.

24 And in today's day and age, with a global

1 community, how do we bring tourists to the
2 Belleayre community?

3 Number one: We do a full expansion of the
4 Belleayre Ski Area as planned by the DEC. We add
5 the former ski area of Highmount where trails are
6 already cut, which would increase the expert
7 skiing terrain that would then be accessible,
8 bringing in more skiers and riders. That is the
9 most logical and environmentally safe build-out
10 that has been presented by the DEC in the just
11 presented UMP.

12 And secondly, we provide skiers and riders
13 with a destination resort that is a 21st century
14 complex, a resort that was proposed 15 years ago
15 and after the first hearings in 2007, has been
16 modified in size to one-third of the original
17 project and every "I" has been dotted and every
18 "T" has been crossed. It meets all the
19 environmental questions that were raised at the
20 original hearings. It is part of the answer to a
21 community's prayer.

22 There is no question that Belleayre Mountain
23 is the economic center of this community. It has
24 provided employment to many of this area. We are

1 now under the management of the Olympic Regional
2 Development Authority and we hope for a brighter
3 future. During Hurricane Irene, Belleayre
4 Mountain was integral in providing food and
5 shelter for many of those impacted by the
6 hurricane. With a full blown out expansion of
7 Belleayre Mountain, the DEC estimates that
8 approximately 282 new jobs will be created, of
9 which 200 would be seasonal.

10 With the building of the Belleayre Resort, we
11 have not only resort job opportunities but the
12 construction opportunities. All of this
13 translates to an annual economic effect on the
14 regional economy of about \$167 million and they
15 will pay taxes.

16 If we build it, they will come. They will
17 come to Belleayre Mountain. They will stay at the
18 Belleayre Resort. They will stay at the various
19 inns and motels in the community. They will shop
20 in Margaretville, Fleischmanns, Pine Hill and
21 Phoenicia. They will eat in the various
22 restaurants in the community. They may like the
23 area so much that they may buy a house. They may
24 move here permanently, et cetera. They will

1 spread the word about the great area to visit in
2 the Catskills. We will see a resurgence in what
3 has always been our prime resource in the area:
4 Tourism.

5 Mr. Whitehead, we need this now, not next
6 year or when the DEC gets around to it. We have
7 waited too long and this is our last opportunity
8 to make a turnaround, to provide a sustainable
9 economy. The nails are in the economic coffin of
10 this community. Please don't hammer in the last
11 one. If we build it, they will come.

12 (Applause.)

13 ALJ MCBRIDE: Martie Gailes.

14 MS. GAILES: My name is Margaret Gailes. I'm
15 a full-time resident of the community. I
16 understand the purpose of this hearing is to
17 identify substantive issues which may require
18 further study. Before I get to my opinion about
19 the hearing's purpose, however, I would like to
20 talk or address a couple of the misinformation
21 pieces that have been repeated over and over
22 again.

23 There's a claim that the Belleayre Resort is
24 ridiculously oversized. The fact is the resort

1 has been reduced by 62 percent. We don't need
2 another reference. We need the resort as
3 proposed. The second claim is that the resort
4 will produce enormous amounts of traffic as you
5 just heard from the traffic expert. Year-round,
6 well, the resort doesn't change in size. The
7 resort has only so many beds and they figured on
8 the busiest day if everybody checked out at the
9 same moment, they would be adding perhaps 900
10 cars. That's a slow day for ski season. It's a
11 trickle. It's not an enormous traffic burden.

12 They talk about unsightly ridge development
13 that will cause flooding during the storm. I
14 don't know why they can't seem to understand that
15 all the buildings have been moved off the ridge
16 top. They're moved. They're off. There is no
17 ridge top development.

18 Stormwater mitigation required by the DEC and
19 DEP will improve the ability of the mountain to
20 handle the water. It will be better than it is
21 now.

22 I just don't understand some of the numbers.
23 They complain that \$74 million is being spent on a
24 public ski center and that's not fair, that's not

1 fair to Hunter or Windham. I'm not great at
2 numbers, but I know between Hunter and Windham,
3 one of them gets 350,000 skier visits a year and
4 the other one gets 480,000 skier visits a year.
5 We don't need to level the playing field to make
6 it better for them. We need to try to catch up
7 with them.

8 (Applause.)

9 MS. GAILES: Union workers, where will they
10 stay? I tell you where they'll stay. They'll
11 come here early Monday morning because they don't
12 move their families for a job; their families stay
13 put. They will leave very early from Binghamton,
14 from Kingston, from Albany. They come down, they
15 work, they stay here Monday, Tuesday, Wednesday,
16 Thursday night. These are the nights that we
17 don't have anybody here. Then, they go home.

18 So our local bed and breakfasts, our small
19 hotels like the Starlight, will have people
20 staying there when they're empty and these people
21 will go away on the weekends when they normally
22 get guests. It's time to stop the outdated
23 inaccurate claims.

24 Back to the purpose of the hearing. I

1 believe the only substantive issue that has
2 developed since the 2007 Agreement in Principle is
3 devastating economic decline of the region.
4 Though, the decline is substantive, it is also
5 well documented. We don't need another study.
6 The latest regional impact tourism study costing a
7 hundred thousand dollars in state CWC or DEP
8 monies was released within the last few months.
9 We have all the studies we need.

10 The fact is 27 businesses in the area I call
11 home have closed their doors. The state of the
12 economy is why 26 businesses in Shandaken and
13 Middletown have taken out ads in the only local
14 paper pledging their support for the resort. I
15 believe time is of the essence. We cannot afford
16 further decline. We don't need any more studies.
17 We need, without substantive delay, to move the
18 modified Belleayre Resort Project and do the full
19 build-out of the Belleayre Ski Center. Thank you.

20 (Applause.)

21 ALJ McBRIDE: Eric Robare.

22 MR. ROBARE: Your Honor, my name is Eric
23 Robare. I serve as an academic Dean at SUNY Delhi
24 College of Technology. I'm here to share a letter

1 from our president, Dr. Candace Vanco.

2 "Dear Mr. Whitehead, as the Department of
3 Environmental Conservation conducts its public
4 hearing regarding the Supplemental Draft
5 Environmental Impact Statement for the Belleayre
6 Resort at Catskill Park proposed by Crossroads
7 Ventures, I want to formally state SUNY Delhi's
8 support for the project because of the positive
9 educational and employment opportunities that it
10 will provide for the residents --"

11 (Applause.)

12 ALJ McBRIDE: Excuse me. Please let him
13 finish his remarks.

14 MR. ROBARE: "-- the benefits it will provide
15 for the residents of Delaware and Ulster Counties.
16 It will offer high school graduates who are
17 currently leaving the area for college and careers
18 an incentive to stay in the area, complete their
19 college education at SUNY Delhi and pursue career
20 opportunities at the Belleayre Resort at Catskill
21 Park that will offer highly competitive salaries
22 and important fringe benefits.

23 "SUNY Delhi offers nationally recognized
24 programs in hospitality management and golf course

1 management that include majors in hotel and resort
2 management, restaurant management and culinary
3 arts, travel and tourism, golf course
4 superintendency and professional golf management.
5 Each of these programs produces graduates who
6 possess the skills required for employment at the
7 Belleayre Resort at Catskill Park.

8 "We also offer construction and electrical
9 programs that emphasize the latest in green
10 building techniques, including photovoltaics and
11 integrated energy systems, programs in automotive
12 technology, construction management, HVAC and
13 plumbing, heating and pipe fitting that are
14 naturally aligned to the needs of the Belleayre
15 development. The college currently enrolls more
16 than 60 Delaware and Ulster County residents in
17 these programs.

18 "At present, employment opportunities in the
19 area are extremely limited for the majority of
20 these students. Most move outside of the area and
21 many leave New York State contributing to the
22 drain that plagues the upstate economy and has
23 become a focus of the Governor's administration.
24 SUNY Delhi has previously reached out to the

1 developer to discuss ways to provide students with
2 internships and permanent employment at the
3 Belleayre Resort at Catskill Park. SUNY Delhi has
4 a longstanding tradition of working with employers
5 to form partnerships that will provide local
6 residents with an affordable education and
7 competitive long-term employment.

8 "The partnership for nursing opportunities is
9 the best example. The program was developed with
10 Bassett Hospital and guarantees top nursing
11 graduates employment after one year of study and
12 also offers the opportunity to pursue advanced
13 degrees at no cost while they are working. This
14 model is one of several options that the college
15 can offer the developers.

16 "In addition, SUNY Delhi's office of career
17 and business development has a proven track record
18 of creating customized programs to meet the needs
19 of business, industry and the community at the
20 regional and state levels. Our local economy
21 needs the Belleayre Resort at Catskill Park
22 project. SUNY Delhi supports the project and
23 stands ready to prepare local residents for the
24 tremendous employment opportunities that will be

1 available. Thank you for your consideration.
2 Sincerely, Candace S. Vanco, President, SUNY
3 Delhi."

4 (Applause.)

5 ALJ McBRIDE: Thank you. March Gallagher.

6 MS. GALLAGHER: Good afternoon and thank you
7 for the opportunity to speak today. My name is
8 March Gallagher and I am the Director of Business
9 Services for Ulster County. I serve as County
10 Executive Michael Hines's representative on the
11 Mid-Hudson Regional Economic Development Council
12 and I administer the Industrial Development Agency
13 for Ulster County.

14 Tourism is a huge part of the Ulster County
15 economy, \$453 million to be exact at last
16 counting. And last year, the tourism industry
17 added a 15 percent job increase in Ulster County.
18 Stringent watershed regulation, including punitive
19 sunset provisions on septic systems, has resulted
20 in large number of vacant former commercial
21 structures that will likely never provide jobs
22 again.

23 Furthermore, further development in hamlets
24 such as Phoenicia, Fleischmanns and Margaretville

1 will be challenged by new flood maps and new flood
2 insurance regulations. If we are going to see any
3 development in the region, it will not be in those
4 hamlets.

5 The length of time that this project has seen
6 in the planning phases has had a chilling effect
7 on almost all development in the region. One
8 bright spot in the local economy has been the
9 management of the Belleayre Mountain facility.
10 Yes, transitions take work and new systems take
11 time to iron out, but having an entity in the ski
12 business run Belleayre like a business will only
13 provide a stronger economic base for the region.

14 The project as proposed now is better than it
15 was when originally proposed. High elevation
16 units have been eliminated, density has been
17 increased and sensitive lands protected.

18 Public and private partnership development is
19 how economic development is done and New York
20 State's commitment to improvements at Belleayre
21 Mountain is critical to the private sector
22 projects. Neither the public nor the private
23 projects will go forward without each other. They
24 are interdependent.

1 A recent Department of State funded study
2 called the Belleayre Revitalization Strategy,
3 which is forthcoming in the next few weeks,
4 identified the lack of a single, quote, anchor
5 destination to serve as a magnet for the region
6 and, quote, as an obstacle to revitalization of
7 this region. Collective state and private
8 investments in Belleayre Mountain and Belleayre
9 Resort will create that Catskills destination.

10 The project, as noted by earlier speakers,
11 will provide hundreds of construction and
12 long-term jobs in a region unlikely to see any
13 other substantial development with Article 14
14 regulation restrictions, watershed regulations,
15 state land issues and now flood protection.

16 The mid-Hudson Regional Economic Development
17 Council's strategic plan specifically identifies
18 destination tourism as a primary economic
19 development driver for the region. And Ulster
20 County's strategic development plan called Ulster
21 Tomorrow also identified tourism as one of four
22 critical industries in Ulster County.

23 This project falls squarely within, I
24 believe, both the Mid-Hudson Regional Economic

1 Development Council and Ulster County's Ulster
2 Tomorrow Economic Development Strategy. Thank
3 you.

4 (Applause.)

5 ALJ McBRIDE: Thank you. We're now going to
6 take an approximately 30-minute break.

7 (Whereupon, at 5:50 p.m., a break was taken.)

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1 EVENING SESSION

2 (Whereupon, at 6:25 p.m., the following
3 proceedings were resumed:)

4 ALJ McBRIDE: Good evening. My name is Molly
5 McBride. I'm an Administrative Law Judge with the
6 New York State Department of Environmental
7 Conservation. We're resuming our hearing here
8 this evening. This is the second part of our
9 hearing on the matter of the public comments
10 hearing on the Draft Environmental Impact
11 Statement and the permit application submitted to
12 the Department related to the revision of the
13 Belleayre Mountain Ski Center Unit Management Plan
14 project proposed by the New York State Regional
15 Olympic Development Authority and the New York
16 State DEC.

17 We've had a session that began at 3:00
18 o'clock this afternoon. We had quite a few people
19 who have stayed from that session to have other
20 speaker cards called, so we're going to give some
21 very brief opening remarks and then continue with
22 the speakers.

23 The purpose of this hearing is to allow the
24 public to comment on both the revision to the UMP

1 as well as the project proposed by Crossroads
2 Ventures, LLC, which is the application for the
3 proposed development known as the modified
4 Belleayre Resort at Catskill Park.

5 I will not go into the details of what the
6 projects are. I believe that everyone here this
7 evening now is familiar with the project and Dan
8 Whitehead, the Regional Permit Administrator, will
9 give some brief remarks.

10 Notice for this hearing was published in the
11 Department's ENB on April 17, 2013 and the notice
12 for this hearing was also published in the Daily
13 Freeman and the Catskill Mountain News.

14 If you wish to speak here this evening, you
15 must fill out a speaker card. Speaker cards are
16 at the table behind me. I have approximately 87
17 cards right now and I believe there are another 20
18 or so behind me.

19 In the first three hours of the hearing, we
20 got through approximately forty-seven cards and
21 that was limiting each speaker to three minutes,
22 so that will give you an idea of how long this
23 hearing is anticipated to run tonight and where
24 you may end up in that order.

1 Equal weight is given to written and oral
2 comments. If you do not wish to stay at this
3 hearing, if it gets late and your card has not
4 been called, you may submit your comments in
5 writing. The mailing address for submitting
6 written comments is available at the table where
7 you filled out your speaker card and it's also
8 available on the website.

9 Your comments must be received, I repeat,
10 your comments must be received by the Department
11 by July 24th, 2013 to be considered. Please make
12 sure that your comments are timely received to be
13 considered and, again, equal weight is given to
14 all written comments.

15 I'm going to call speakers in groups of 10.
16 Come and sit in the front row to my right and then
17 we will have each speaker come forward and speak
18 into the microphone. Please direct your comments
19 to me here in the front of the room. Please make
20 your comments within the three-minute time limit
21 that we are allowing for each speaker. When it is
22 your turn to speak, please speak loudly, slowly
23 and clearly so the court reporter who's here with
24 me can make an accurate record of your comments.

1 That will be the Department's legal record for
2 this public hearing.

3 It is very important that everyone please
4 stay quiet when a speaker is speaking. I would
5 ask that you please show the same respect to any
6 speaker speaking that you would like shown. You
7 may not agree with what the speaker's saying or
8 you may be in complete agreement. Either way, I
9 need complete silence for all speakers. If
10 someone is interrupted while speaking, that will
11 delay the hearing even further.

12 First, we will hear from Daniel Whitehead,
13 Regional Permit Administrator. Then, we will
14 begin with comments.

15 Mr. Whitehead.

16 MR. WHITEHEAD: My name is Daniel Whitehead,
17 the Region 3 Permit Administrator for the New York
18 State Department of Environmental Conservation and
19 the project manager coordinating the Department of
20 Environmental Conservation's environmental review
21 and permitting associated with the revision of the
22 Belleayre Mountain Ski Center Unit Management
23 Plan, proposed by New York State Regional Olympic
24 Development Authority and New York State

1 Department of Environmental Conservation and the
2 Modified Belleayre Resort at Catskill Park
3 projects proposed by Crossroads Ventures, LLC.

4 We're here today to receive your comments on
5 the environmental impact statements, draft permits
6 and cumulative impact analysis for the two
7 projects. For your background information, I will
8 now provide the chronology of the State
9 Environmental Quality Review Act process for these
10 projects, give an explanation of DEC's regulatory
11 jurisdiction, and then will give a representative
12 for Crossroads Ventures -- oh, no presentation
13 this evening. That will give you more time to
14 make your comments.

15 Crossroads Ventures, LLC originally submitted
16 applications to the Department in 1999 for a
17 proposed resort development to be known as "The
18 Belleayre Resort at Catskill Park," which is being
19 proposed to be located on 1,960 acres in the Towns
20 of Shandaken and Middletown adjacent to the
21 Belleayre Mountain Ski Center.

22 Those applications and an accompanying Draft
23 Environmental Impact Statement were the subject of
24 a DEC public hearing and issues conference. On

1 September 7th, 2005, the Administrative Law Judge
2 issued rulings regarding party status and issues
3 to be adjudicated. These rulings were the subject
4 of appeals to the DEC Commissioner, and an interim
5 decision was issued on December 29, 2006.

6 That interim decision identified which issues
7 were to be adjudicated and directed that the
8 Crossroads' DEIS record be supplemented with
9 additional information, including consideration of
10 an alternative development scenario.

11 On September 5th, 2007, Crossroads and
12 certain parties to the adjudicatory proceeding
13 entered into an Agreement in Principle describing
14 the proposal for the modified resort project.
15 This modified alternative project required the
16 preparation of a Supplemental Draft Environmental
17 Impact Statement and the filing of new or modified
18 DEC permit applications, all of which are subject
19 to full public review.

20 Crossroads moved to suspend the adjudicatory
21 hearing in order to pursue the alternative
22 project. The adjudicatory hearing was held in
23 abeyance pending supplementation of the
24 administrative record as stated by the ALJ in his

1 ruling dated October 19, 2007.

2 Additionally, the State of New York proposed
3 that DEC would make trail, lift and snow making
4 improvements to Belleayre Mountain Ski Center
5 subject to completion of required SEQRA reviews
6 and approval of a revision to the Unit Management
7 Plan.

8 Due the nature and location of the two
9 projects, DEC made a determination to review the
10 two individual projects under one SEQRA process.
11 Consequently, on November 21st, 2007, the
12 Department issued a Positive Declaration, a draft
13 scope and an associated notice of intent to
14 prepare draft EISs for the two projects. A public
15 informational meeting on the plans and proposals
16 for the two projects was held on December 10th,
17 2007 at the Belleayre Mountain Ski Center, and a
18 scoping meeting was held on December 11th, 2007,
19 and continued on December 12th, 2007, to receive
20 comments on the draft scope for both the Belleayre
21 Mountain Ski Center, UMP/DEIS and the Modified
22 Belleayre Resort at Catskill Park SDEIS. On
23 February 28th, 2008, a final scope was issued for
24 the two projects.

1 On April 17th, 2013, DEC accepted the Draft
2 Environmental Impact Statements and cumulative
3 impact analysis as adequate for public review and
4 comment. On the same date, the Department issued
5 draft permits and notice of complete application
6 for the following environment permit applications
7 associated with the respective projects:

8 For the Belleayre Mountain Ski Center, State
9 Pollutant Discharge Elimination System Permit for
10 stormwater discharges to surface waters of the
11 State from construction activities associated with
12 the Belleayre Mountain Ski Center.

13 For the Modified Belleayre Resort at Catskill
14 Park project, State Pollutant Discharge
15 Elimination System for stormwater discharges to
16 surface waters of the State from construction
17 activities associated with the Modified Belleayre
18 Resort at Catskill Park; and a Protection of
19 Waters Permit for the proposed crossings of
20 regulated streams, tributaries of the Emory Brook,
21 class B.

22 The intent of this hearing is to provide the
23 public further opportunity to comment on these
24 draft permits and associated EISs. The public

1 comment period will end July 24th, 2013. Thank
2 you.

3 ALJ McBRIDE: Thank you. I'm now going to
4 call the first group of 10 speakers. Please sit
5 in the front row and go right to the microphone.
6 Dean Frazier, Glenn Nealis, Tom White, Peg
7 Ellsworth, Chandra Lencina, Peter DiModica, Roger
8 Wall, Richard Schaedle, Karen Charman.

9 Go ahead, Mr. Frazier.

10 MR. FRAZIER: Thank you. My name is Dean
11 Frazier. I'm President of the Delaware County
12 Council of Watershed Affairs. Thank you for the
13 opportunity to speak. I'm here to speak in favor,
14 in support of both the ski center and the resort
15 and, in particular, the full build-out of the ski
16 center.

17 Over more than 15 years, this entire project
18 has undergone continued discussion by professions
19 on both sides of the issue. Each after all the
20 analysis, the gauntlet of reviews, legal
21 gymnastics, development of the Agreement in
22 Principle, it still requires a proctologist's
23 review. The DEIS shows a dramatic reduction in
24 total acres of impervious surfaces, developable

1 acres, building footprints and now just one golf
2 course. Stormwater, wastewater, drinking water,
3 traffic, balancing the water between the Ashokan
4 and Pepacton basins, among many other things, have
5 been analyzed ad nauseam.

6 The course now has an oversight committee.
7 Now, that was agreed to by all parties, but it
8 consists of an NPO, state and city agencies, a
9 course manager. It was seen as compliance by the
10 course manager whose protocol was outlined in the
11 DEIS. It should be more than enough but not here.

12 The use of an oversight committee, in my
13 opinion, is a gross interference, simply
14 bureaucratic, political overkill, and raises very
15 serious questions about any future golf courses or
16 any existing ones in the watershed to have a
17 project require SEQRA.

18 With the degree of minutia involved in the
19 management of this golf course, any belief that it
20 won't be in compliance with the rules and
21 regulations is clearly unrealistic.

22 Stormwater. Despite the scare tactics of the
23 advertisements in local papers relating to
24 flooding and stormwater runoff, which are pure

1 drivel and blatantly untrue, this DEIS
2 demonstrates commitment to the watershed rules and
3 regulations.

4 One example is the facility at Highmount is
5 a stormwater management tool in and of itself;
6 yet, it's considered as part of the 21 acres of
7 impervious surfaces. Parking for the facility is
8 underground.

9 The total project area has reduced impervious
10 surfaces from 85 to 21 acres, which is near the
11 rate of impervious surfaces in Delaware County.
12 To my knowledge, that rate does not pose concern
13 for criteria related thresholds of impervious
14 surfaces.

15 Putting things in perspective, upon
16 information and belief, pollutant loading from
17 storms such as Irene will not influence whether
18 this facility were in business or not at the time
19 of those storms or any future storms.

20 Everybody here supports tourism and everybody
21 agrees a destination point is needed. And if you
22 think not, I've been involved in watershed issues
23 now since August of 1990, almost 23 years, and for
24 every conference I've gone on with regard to this

1 watershed, this world-renowned watershed, not one
2 of those have been held in the watershed.

3 We need a facility like this with the
4 amenities that they are proposing to do that. It
5 is a problem for education, it is a problem for
6 our economy and also benefits the water supplies.
7 The more you educate people, the better off you're
8 going to be, so I fully support that.

9 Out of time?

10 ALJ McBRIDE: Yes, you are.

11 MR. FRAZIER: I'll just close by saying if
12 the SEQRA process used for this project is an
13 example of New York is open for business, we're
14 doomed.

15 ALJ McBRIDE: Can you please give us a copy
16 of your comments? Anyone that is reading remarks,
17 if you could just give me a copy for the court
18 reporter to use to make her transcript, that's all
19 we're going to be using them for. If anyone still
20 has their cellphone turned on, please make sure
21 the ringer is turned off.

22 Glenn Nealis is the next speaker.

23 MR. NEALIS: Good evening. My name is Glenn
24 Nealis. I'm Director of Economic Development for

1 Delaware County. I'm going to keep my remarks
2 short tonight. I will be submitting formal
3 comments along with a resolution passed by the
4 Delaware County Board of Supervisors in support of
5 this project. A similar resolution has been
6 passed four times over the last twelve years.

7 I would just like to make two points. I was
8 here for the earlier session also and since that
9 time, during the first session, there was not one
10 legitimate and valid environmental concern raised
11 in regards to this project.

12 A second point I'd like to make is that
13 throughout all those speakers, it was nearly
14 unanimous that these local communities absolutely
15 need this project. For the last 12 years, when
16 this project was first put on hold, it was said
17 that there were other ways of economic development
18 that we can bring jobs to this area and those have
19 been tried over the last 12 years. A lot of the
20 communities have spent time working on their
21 planning, fixing up their main streets, doing
22 planners, things of that nature and, yet, we're
23 still losing jobs, we're still losing businesses,
24 and we're still losing people.

1 About a month ago, I was on the radio
2 station, the Roxbury radio station, a great
3 station, and during that, we discussed the
4 Belleayre project and I spoke in favor of it.
5 About two hours later, once I was back to my
6 office, I received a call from a woman who I
7 believe identified herself as a 96-year-old woman
8 who lived in the Town of Middletown. She had a
9 220-acre family farm that she wanted to leave to
10 her grandson, her son having already left the
11 area. Her grandson declined because he hasn't
12 been able to find steady work and he was afraid he
13 wouldn't be able to pay the taxes.

14 Those are the real stories and the real
15 conditions of this area on an economic basis. We
16 need these jobs. Our businesses aren't failing
17 because of mismanagement. They're not closed
18 during the week because they're lazy and want to
19 be home. They're closed and they're closing
20 because they don't have enough customers. Whether
21 those customers be the people who are visiting
22 this area from the Belleayre expansion, the
23 Belleayre Resort, or the people who now have jobs
24 because of those projects, they don't care. They

1 need the customers.

2 And also, I'd just like to close with this:
3 Dan Ruzow, in the first part, said they spent 15
4 years addressing the issues and concerns of
5 environmental interests. I say it's now time that
6 we focus on the interests of the community and get
7 this project approved. Thank you.

8 (Applause.)

9 ALJ McBRIDE: Tom White.

10 MR. WHITE: I'm Tom White and I am Chair of
11 the Coalition to Save Belleayre. I've also been a
12 resident in this area of both Delaware County and
13 Ulster County for 35 years.

14 The Coalition to Save Belleayre most strongly
15 endorses both the full build-out of the Belleayre
16 Mountain Ski Center and the positive review of the
17 Modified Belleayre Resort at Catskill Park.

18 The Coalition to Save Belleayre is a
19 grassroots group of skiers, business owners,
20 elected officials and taxpayers who have worked
21 together for more than 30 years to highlight the
22 fact that Belleayre is our economic driver. That
23 has been the mission of the Coalition since the
24 Ski Center was slated by the State for closure in

1 1984. Since that time, the Coalition has been a
2 constant advocate fighting an uphill battle to get
3 needed resources and attention. We point out now
4 that the purpose for creating the Ski Center more
5 than 60 years ago was for it to serve as an
6 economic catalyst in the region and to provide a
7 top quality recreation experience in the Catskill
8 Forest Preserve.

9 By all measures, in the beginning, it was a
10 smashing success. However, lack of investment,
11 aging facilities and a limiting trail design and
12 layout have taken a toll. Despite the skillful
13 and tireless efforts of its employees and
14 supporters, the Ski Center has struggled to get
15 its share of visitors and our tourism industry has
16 been on a long slide down.

17 Helping Belleayre reach its full potential is
18 critical not only to the future of the Ski Center
19 but to the future of everyone who lives in, works
20 in or visits this region.

21 At Belleayre Mountain Ski Center, the capital
22 improvements proposed would provide new,
23 challenging trails, a new main lodge, expanded
24 auxiliary lodges, new lifts and new parking areas.

1 Much of this work would occur at the former
2 Highmount Ski Area, which is a legendary ski area
3 immediately adjacent to the west of Belleayre.
4 These upgrades would allow state-of-the-art design
5 and engineering techniques to maximize energy
6 efficiency and reduce fossil fuel use.

7 The new operators of the Belleayre Mountain
8 Ski Center, the Olympic Regional Development
9 Authority, are in business and have demonstrated
10 success over decades. There should be no doubt
11 that they know how to market and draw the number
12 of tourists needed.

13 A drive to Lake Placid and its environment
14 show the extent of the economic impact that is
15 possible with the right facilities, infrastructure
16 and a skilled operator. This plan by itself of an
17 expanded ski area and a full resort is not by
18 itself a savior, but it's a start.

19 ALJ McBRIDE: I'm sorry, sir. Your time is
20 up. Thank you very much.

21 (Applause.)

22 ALJ McBRIDE: Peg Ellsworth.

23 MS. ELLSWORTH: Hi. My name is Peg
24 Ellsworth. I'm the Executive Director of the MARK

1 Project and the Saratoga Regional Economic
2 Development Council for the Southern Tier.

3 The MARK Project is a 501(c)(3)
4 not-for-profit economic and community development
5 organization that has been serving this region for
6 35 years. We focus much of our resources on our
7 efforts to revitalize our downtowns, build a
8 sustainable economic base, to ensure that our
9 communities can grow and move forward.

10 With socioeconomic issues like availability
11 and maintenance of affordable housing and
12 preserving the existing housing stock for future
13 generations, I often feel like I'm backpedaling.

14 In reference to the Belleayre Mountain Ski
15 Center, MARK fully supports the State investment
16 for the expansion for capital improvements to the
17 Ski Center and we view this project as a
18 springboard for increased visitation to the
19 region.

20 Since Belleayre Mountain is flanked by two
21 regional economic development councils, the
22 southern tier and the entire Catskill ski region
23 crosses yet into another regional council
24 territory, it will be critical that an effective

1 marketing strategy be developed so we can all
2 benefit from this investment.

3 As far as the Resort: As a regional economic
4 development agency with great respect and
5 consideration for the environment, we fully
6 support moving this Modified Belleayre Resort
7 Project forward. The modified project shows many
8 considerations such as the elimination of the
9 ridge line and the substantially decreased
10 impervious surfaces, construction, as well as an
11 environmentally sensitive construction and
12 maintenance plan for the golf course, which in
13 itself can serve as a model for the entire golf
14 industry of New York State.

15 We look to the Catskills as a ski
16 destination, but we need to recognize the region
17 is also becoming one of the northeast's primary
18 wedding destinations.

19 A few facts here: In the 2011 and '12
20 season, the wedding industry has increased and
21 doubled. We are now looking at thirty-two
22 weekends times seven weddings per weekend.

23 That's 225 weddings at an average of 100
24 people at each, that's 2,500 people. We have less

1 than 500 beds from Olive to Andes to Roxbury.
2 Let's think about it.

3 In closing, I just ask that the folks at
4 Belleayre Mountain Ski Center and Resort assess
5 the importance of integration with our downtown
6 communities. This will be critical to the
7 long-term growth and sustainability of our small
8 business main streets and commercial corridors.
9 However, it is our job collectively to work
10 alongside our neighbors. The MARK project is
11 ready to help take a leadership role in that.

12 This is a pivotal moment. We all need jobs.
13 We need careers. We need entrepreneurs and
14 investment. This project can be a catalyst for
15 all of these and is critical to our long-term
16 growth and sustainability. Thank you.

17 (Applause.)

18 ALJ McBRIDE: Chandra Lencina.

19 MS. LENCINA: The Unit Management Plan does
20 not include an extremely important addition to the
21 Belleayre Mountain Ski Center: Renewable energy
22 sources with a projected budget of \$74 million.
23 Certainly, spending on alternative energy should
24 be included as a wise investment in the future of

1 the mountain.

2 As climate change becomes more evident, ski
3 resorts in this country and around the world are
4 turning to alternative ways of supplying their
5 enormous demand for electricity. Resorts like
6 Bolton Valley, Jiminy Peak and Grouse Mountain
7 have installed wind turbines. Berkshire East
8 generates all of its electricity on-site.
9 Smuggler's Notch has a solar array of 35 solar
10 trackers. Park City Mountain Resort in Utah has
11 recently installed a 12 kilowatt vertical axis
12 wind turbine paired with a solar panel. They
13 generate 30,000 kilowatt hours of electricity
14 annually. There are other resources I won't go
15 into.

16 In this new UMP, you propose to change the
17 current diesel snowmaking compressors with
18 electric ones. This is being done to lower your
19 carbon footprint, but it is simply changing the
20 location of the greenhouse gas emissions to a
21 coal-burning power plant somewhere. The laudable
22 move to electric compressors only enhances the
23 need for on-site solar.

24 For Belleayre, solar panels on the roofs of

1 the buildings combined with LED lighting could
2 light the clubhouses and provide power for the
3 computers. Solar panels and wind turbines could
4 power snowmaking equipment, all of this reducing
5 the Ski Center's electric bill and greenhouse gas
6 emissions. The power generation in the summer
7 would be even more dramatic; lighting and powering
8 the concerts and possibly operating a ski lift
9 during summer events.

10 Green skiing sells. The Belleayre Mountain
11 Ski Center can become a year-round tourist
12 attraction for that as well as others and the
13 Department of Environmental Conservation lives up
14 to its name. Thank you.

15 (Applause.)

16 ALJ McBRIDE: Peter DiModica, Roger Wall,
17 Richard Schaedle, Karen Charman, Kevin O'Dell, Ann
18 Carroll Micheletti, Ben Korman, Idith Korman.

19 Go ahead, sir.

20 MR. DiMODICA: Hi. My name is Pete DiModica.
21 I live and have a business in Pine Hill for over
22 30 years. I've lived here almost 40 years. At
23 the informational meeting run by the DEC last
24 week, it seemed that there was an implication that

1 DEC's job was to balance the best for the
2 community with the best for the environment. The
3 full build of the Belleayre Mountain Ski Center
4 and Belleayre Resort is at odds with that goal.

5 I'll let other people speak to the
6 environmental concerns, but as a business owner in
7 Pine Hill, I have doubts about the good it will do
8 for the community. Jobs, jobs, jobs. How many
9 people are actively looking for work in a 50-mile
10 radius of the resort and how many folks would
11 commute even 30 miles each way for a low-paying
12 job?

13 When this was researched 15 years ago, I
14 believe the number was around 50 according to the
15 tri-county area economic data. I doubt that
16 number has changed very much.

17 Any restaurant, small lodging place or retail
18 shop in the area will have to compete for a small
19 local labor pool, but that's okay because
20 Crossroads DEIS says that they will be competing
21 with local businesses.

22 Indeed, they will keep their carbon footprint
23 lower because, quote, "While at the resort,
24 visitor vehicles would generally remain parked.

1 Shuttle buses would be used to transport visitors
2 to the Wilderness Activities Center, to Belleayre
3 Mountain Ski Center and to other facilities," end
4 quote.

5 With many shops, restaurants and other
6 facilities, why leave the resort? I'm having
7 trouble visualizing the economic spinoff
8 Crossroads is touting. This tells me that there
9 may be some business for gas stations along the
10 way but not for shops or restaurants in the area
11 between Phoenicia and Margaretville. So rather
12 than help, we will see a continuing decline in the
13 nearby Main Street business districts.

14 So the New York State taxpayers subsidize the
15 development and hand another windfall to
16 Crossroads for Highmount Ski Center. The local
17 residents and businesses have to put up with the
18 negatives like more traffic, more flooding, noise,
19 lights, blasting, construction vehicles, road
20 degradation and more competition, but Crossroads
21 reaps the reward.

22 If you want to really help the area, limit
23 the size to a moderately large hotel with a
24 restaurant, bar and gift shop and shuttle folks

1 west to Margaretville and east to Phoenicia and
2 watch how your friends and neighbors in the
3 community benefit instead of suffer.

4 Taxes? Where are the details of the tax
5 incentive breaks Crossroads will have? Will we
6 get those millions of tax dollars in five years,
7 ten years, twenty years, never?

8 This is kind of like mining or fracking.
9 Extract taxpayer money from the state and local
10 taxpayers to build it, suck the life out of the
11 Main Street hamlets and villages and take the
12 money and run. Sounds like a lousy idea all
13 around.

14 I want to say one other thing not in my notes
15 here. The people talking about how they've been
16 waiting so long for this to come, well, it's taken
17 this developer to come up with a project that
18 might pass muster and people don't know this, but
19 at the negotiations for the AIP, there was an
20 offer on the table that everyone would have signed
21 putting a hotel on Wildacres of 429 rooms. That
22 was the original plan --

23 ALJ McBRIDE: I'm sorry, sir. Your time is
24 up.

1 MR. DiMODICA: -- and they didn't take that.

2 ALJ McBRIDE: Thank you.

3 (Applause.)

4 ALJ McBRIDE: Excuse me. Excuse me. I
5 appreciate that this is an emotional topic, but I
6 want to get through as many people as we can get
7 through. That will require all of you to please
8 keep your applause down.

9 Is Glena Hearse (phonetic) here?

10 (No response.)

11 ALJ McBRIDE: Roger Wall.

12 MR. WALL: Good evening. My name is Leonard
13 Utter and I'm the former Supervisor of the Town of
14 Middletown and a former member of the Delaware
15 County Board of Supervisors. I have been
16 privileged to be born, raised and lived my whole
17 life in these beautiful Catskill Mountains. My
18 family was one of the first three families to
19 settle in what is now known as the Town of
20 Middletown in 1763.

21 As a former dairy farmer and trucking
22 business owner, I well remember when Delaware
23 County was the third largest dairy-producing
24 county in the United States. As a young man,

1 Fleischmanns was one of the top summer vacation
2 centers in the Catskills with hotels like
3 Takanassee, Saint Regis and the Grand Hotel, to
4 name a few. They catered to the thousands of
5 vacationers. It is said that on Labor Day
6 Weekend, the population of Fleischmanns would
7 swell to ten thousand. These two industries
8 brought millions of outside dollars to this area
9 and supported thousands of families.

10 And if any of you remember when Route 28 went
11 through Fleischmanns, if you tried to get through
12 there with a load of produce headed for New York
13 City, five thousand of those visitors were
14 standing in Main Street. Those days are gone.
15 And as far as the dairy industry, it will never
16 return to its former size thanks to the New York
17 City DEP building their two large reservoirs and
18 removing seven villages and thousands of our most
19 fertile acres.

20 Well, we now have a chance to bring back some
21 of the former economy that we have lost. The
22 proposed Belleayre Resort project would bring in
23 many construction jobs but more important would be
24 the year-round full-time staff and maintenance

1 people who would be cashing their paychecks every
2 two weeks and spending their money somewhere
3 between Kingston and Oneonta. The multiplier
4 effect of this money is from three to five times.

5 Remember, we have children to educate,
6 highways to build and maintain, emergency services
7 such as fire, police and medical to provide and
8 it's jobs such as these that will pay the bills.

9 And as far as the tree huggers are concerned,
10 I can remember when the Wildacres Resort was all
11 farmland and, you know, the mountain didn't slide
12 into the village either and I doubt it ever will.

13 (Applause.)

14 MR. UTTER: Thank you for this opportunity
15 and I hope this project goes through. I don't
16 want to seem disrespectful, but I've got to leave.
17 I'm three minutes late for another meeting. Good
18 luck to everybody.

19 (Applause.)

20 ALJ McBRIDE: Roger Wall.

21 MR. WALL: Good evening. I'm Roger Wall from
22 Pine Hill. I have a comment about the Unit
23 Management Plan. We have a -- since this is sort
24 of a stationary schematic, we have a map just to

1 help Your Honor see this. Scott, if you can face
2 it --

3 ALJ McBRIDE: I can see it there.

4 MR. WALL: Okay. So at last week's meeting,
5 the east side alternative was briefly mentioned as
6 a conceptual Unit Management Plan. We, the
7 Catskill Heritage Alliance, would feel that this
8 is a potentially viable option. So we would like
9 you to consider this in full description and
10 evaluation.

11 We've asked the Alpen Tech Ski Area's design
12 consulting firm to give a breakdown on sort of the
13 east side versus the west side, and I'd just like
14 to very briefly go over some of the features.

15 With the east side, no purchase is necessary.
16 DEC owns it. Highmount would need purchase and
17 classification to go into the Forest Preserve.
18 The east side has a potentially safer, wider trail
19 layout, fewer trail junctions, a better skier flow
20 to both the summit and mid-mountain base lodges.

21 On the west side, there are some safety
22 issues identified as potential skier collisions
23 from the numerous trail junctions, the poor
24 run-outs at the bottom because of ski terrain and

1 a long traverse to the base lodge. There's also
2 more complicated access to the summit and
3 mid-mountain lodges.

4 On the east side, stormwater runoff would be
5 absorbed in the forest. On the west side, it
6 would go directly into the highway system of
7 culverts and drains that already access the
8 existing runoff.

9 On the east side, it would control adjacent
10 retail. On the Highmount side, it would be mostly
11 the adjacent utility from the Highmount Spa.

12 On the east side, you've got four trails,
13 thirty-two acres and one lift, plus improved
14 access to the Cathedral Brook trail, a total of
15 about three miles, Highmount, and the west side
16 trails are about five miles with two lifts.

17 On the east side, you have the steepest trail
18 with the greatest vertical drop of 780 0 feet and
19 1,300 feet long. That's 1,300 feet longer than
20 the Highmount trail, which the steepest one has a
21 drop of 500 feet and is about 1,400 feet long.

22 The east side would require clearing 32 acres
23 on Highmount and on the west side, you're looking
24 at about a total of 59 acres and about 20 of that

1 would be recutting existing ski area land.

2 On the east side, you have the recreational
3 feature of a zip line that goes through the
4 Cathedral Brook Ravine with pedestrian access to
5 Pine Hill and also to the lodges at the
6 mid-mountain. Highmount, there is currently no
7 publicly developed summer recreation plan.

8 This is just highlights. We'll be submitting
9 the map as well as the full report from Alpen Tech
10 with our written comments. Thank you very much.

11 (Applause.)

12 ALJ McBRIDE: Richard Schaedle.

13 MR. SCHAEDELE: Just to continue with what
14 Roger was saying, the UMP actually offers five
15 alternatives for the development at Belleayre.
16 The first one is the development of the west side
17 and Highmount and would use up 23.1 miles of the
18 constitutional amendment of -- well, the
19 constitutional resort that the Belleayre can only
20 have 25 miles.

21 However, the 23 miles of ski trails does not
22 include the trails to the Highmount Resort. I'm
23 assuming the plan does include a main that goes on
24 that land. That land isn't even owned by the

1 State. It is proposed that the State would take
2 out a hundred-year lease on it. If they did, we
3 feel that that land -- that mileage would be
4 included in the trail mileage and, therefore, the
5 full build-out of Belleayre would be accomplished,
6 all on the west side.

7 As Roger has pointed out, the east side
8 offers a good terrain. It is owned by Belleayre
9 or by the State and, in addition, you could
10 develop a zip line on the lower part of Cathedral
11 Glen, which would give you summer rec and bring in
12 people for the full season.

13 Finally, I'd like to say that the State does
14 mention the east side in their UMP. If they
15 mention it as an alternative, it must be
16 evaluated. And if it hasn't been evaluated, it
17 should be evaluated. And that's why we have
18 submitted the Alpen Tech plan, which is just a
19 rough layout, but the State should consider it,
20 because it does offer a good skiing area. Thank
21 you.

22 (Applause.)

23 ALJ McBRIDE: Karen Charman.

24 MS. CHARMAN: Hi. I'm Karen Charman and I

1 live in the Town of Shandaken full time. That's
2 the town where this resort will actually be built.
3 From the very beginning when it was first
4 announced the proposed resort at a past meeting of
5 the Shandaken Town Hall in late '99, the project
6 has been controversial and divisive and from
7 comments today, I see that it remains so.

8 Fifteen years later, we're asked for our
9 thoughts about a project that I and many ours
10 believe will be devastating for our town, the
11 Catskill Park and New York City Watershed. The
12 project, as it's proposed, even though it's much
13 smaller than originally proposed, I think it's
14 still too big. And I think that because it is a
15 destination resort, rather than enhancing the
16 existing communities, as the hype promises, it
17 will suck the economic life source out of them,
18 the same as Wal-Mart has put smaller stores out of
19 business in communities all across the country.

20 What will we get in return? Massively
21 increased traffic, especially during the
22 construction phase on Route 28, a road everyone
23 will be forced to use. It will bring additional
24 air pollution, noise, congestion, more traffic

1 accidents and tremendous wear and tear on our
2 roads, and I don't believe that DEC has adequately
3 addressed this impact.

4 There's a greater likelihood of catastrophic
5 flooding at a time of increasing global warming.
6 If you're going to cut on the mountain, it's got
7 to go somewhere. Forest cover actually holds
8 water and prevents it from going down.

9 I also am very worried about massive
10 increases in our taxes. If the resort succeeds
11 and many think that's only possible with a casino,
12 there's a very real possibility that locals will
13 be forced to move because they will be priced out
14 of the market.

15 At a time of fiscal stress when school
16 budgets are being slashed, hospitals are closing
17 and infrastructure's crumbling, I think it's
18 completely unacceptable that the State is
19 considering spending \$74 million, especially if it
20 comes out of the Environmental Protection funds,
21 much of it for ski lifts and trails for Belleayre
22 to resort, as opposed to a full build-out which
23 seems to be the State's preferred option.

24 Speaking of which, in looking through the

1 documents, I find it odd that the UMP, at least in
2 part A, talks about a full build-out which is
3 specifically designed to facilitate the resort
4 without mentioning the resort. I think that's
5 deceptive. And I think it would be better for the
6 process if it was actually spelled out that this
7 is what the State is pushing.

8 I would like to see the State adequately
9 consider the other alternatives in the UMP. Thank
10 you.

11 (Applause.)

12 ALJ McBRIDE: Kevin O'Dell.

13 (No response.)

14 ALJ McBRIDE: Is Kevin here?

15 (No response.)

16 ALJ McBRIDE: Ann Carroll Micheletti.

17 MS. MICHELETTI: Thank you, Your Honor, for
18 this opportunity to speak. My name is Ann Carroll
19 Micheletti. My family has lived in the Big Indian
20 Olive Valley for six generations. We consider
21 ourselves blessed. I'm an officer of the Big
22 Indian Olive Fire Company Women's Auxiliary. Our
23 daughter is a trained firefighter and EMT. She
24 would love to live here and be a volunteer

1 firefighter. Both of our children and
2 grandchildren love it here, however, they cannot
3 live here and make a living. There are no jobs
4 for them right now.

5 The resort will bring people and jobs.
6 Please say yes for all of our children and
7 grandchildren to be able to enjoy this wonderful
8 place for generations to come. Let this be our
9 heritage for them. Thank you.

10 (Applause.)

11 ALJ McBRIDE: Our next speaker is Ben Korman.
12 I'll call the next group of speakers. If I could
13 just remind everyone if we have a pause between
14 each speaker, we will probably only get through
15 about a third of the people that have signed up.
16 So I would suggest that you please refrain from
17 applauding.

18 The next group I'd like to come up front:
19 Robert Stanley, Lance Hoffman, Charles Perez, Tony
20 Albanese.

21 MR. KORMAN: Thank you, Your Honor. My name
22 is Ben Korman. I'm a civil engineer by training
23 and I'm a realtor developer. I live in Highmount
24 and my comments will relate mainly to the

1 Highmount Ski Center and to the proposed UMP.

2 I view the Belleayre Mountain Ski Center not
3 only as an economic driver for the area but also
4 as an important vehicle in promoting outdoor
5 recreation in the region. As such, I really hoped
6 that the UMP released six weeks ago would come
7 with a business plan that stabilized and secured
8 the future of Belleayre Ski Center enabling people
9 to enjoy the environment that we all cherish, but
10 that was far from it.

11 At the last presentation, DEC presented five
12 alternatives. There was no business plan. There
13 was no cost comparison between all five. There
14 was no risk assessment. There was no presentation
15 of operational projection, no rate of return, and
16 there was no out-of-the-box ideas. Nothing.

17 The only number that was mentioned was the
18 formula that include the purchase of Highmount but
19 no specification of that investment except for the
20 mention that they hope to break even, \$74 million
21 in taxpayer money invested for the hope of
22 breaking even. I find that pretty alarming.

23 So what we're left with is to destroy the
24 version of the finest ski resort where we, the

1 taxpayers, invest in Highmount creating the
2 infrastructure to bring the skiers and they, the
3 developers, collect the income. In my opinion, it
4 is pretty clear that under the full build-out
5 plan, the Ski Center has no chance of ever
6 covering its costs of operation and the cost of
7 investment, because the revenue that our
8 investment creates goes to developers.

9 It would make a lot more sense to let the
10 developer keep Highmount and explore other
11 alternatives that are most probably of a lower
12 cost in order to create a sustainable model for
13 the Ski Center in which to invest itself and is
14 not subject to the resort business.

15 The Belleayre Mountain Ski Center should be
16 protected from being used as a resource of public
17 money in private hands so that it thrives and
18 survives. Thank you.

19 (Applause.)

20 ALJ McBRIDE: Idith Korman.

21 (No response.)

22 ALJ McBRIDE: Robert Stanley.

23 (No response.)

24 ALJ McBRIDE: Lance Hoffman.

1 MR. HOFFMAN: I'm Dr. Lance E. Hoffman. I'm
2 a civil environmental engineer and alternative
3 energy engineer. My doctorate is in environmental
4 engineering. I was born and raised and live here
5 in the Town of Shandaken. The best option for
6 both of these projects is no build.

7 When climate change causes a limited snow
8 situation as early as 2018, as suggested when I
9 visited the base here at Belleayre, the DEC
10 representative stated global warming and the ski
11 industry may very likely be non-existent by 2018.
12 I don't know how the science changed.

13 We can take approximately \$740,000 of our tax
14 dollars, a fraction of what has already been
15 wasted by the DEC, and use this on a project right
16 now that we can create income-producing,
17 world-class, four-season conservation, education
18 and entertainment arts and recreational center for
19 all to enjoy. All of the project details that
20 have been examined are severely flawed,
21 inaccurate, environmentally and economically
22 devastating.

23 Here are some examples why. Well over 73
24 million pounds per year of toxic poisonous

1 greenhouse gas is stated to be produced by the
2 completed project. Re-calculating this, though, I
3 believe this figure will be far greater. The
4 geotechnical aspects are clearly not accurate.
5 On-site soil samples do not correlate with those
6 identified in the exact area on project blueprints
7 and differ from U.S. Geological Survey findings.

8 In areas where bedrock was encountered very
9 close to the surface, one sees ponds, dams,
10 foundations and even sewage and water pipes.
11 Rock; not for hundreds of feet but for miles in
12 range. And the utilities, these utilities are
13 drilled upon public state land.

14 So can everyone use state land for private
15 entities, say, for septic systems? It's the same
16 issue. Snowmaking, stormwater, culvert design,
17 irrigation ponds, runoff, wastewater, electricity
18 and a multitude of others, extremely flawed.
19 Engineering facts, formulas, models, economic
20 figures clearly show the projects fail.

21 The no build is best both economically and
22 environmentally by far; that's right, no build.
23 Stop this nonsensical project before any more of
24 our tax dollars are wasted. We're in a tough

1 economic climate. Don't make another mistake.

2 Thank you.

3 (Applause.)

4 ALJ McBRIDE: I'm going to call a few more
5 speakers to come forward. Nicholas Savin, Susan
6 Wagner, Buffy Kie (phonetic), Gail Scanlon, Ray, I
7 think it's Dignes, but I'm not sure. I apologize.

8 And our next speaker is Charles Perez.

9 MR. PEREZ: As a business owner and resident
10 of Big Indian for the past 32 years, first of all,
11 I'd like to confirm my alliance with the Belleayre
12 Citizens for Progress and with the Coalition to
13 Save Belleayre. I have some comments that I would
14 like to make. Most of them are with regards to
15 the Belleayre Ski Center expansion.

16 My goals are pretty simple: To make
17 Belleayre a premier four-season destination
18 resort, to ensure the protection of the
19 environment and to start the process of rebuilding
20 the economy and the community.

21 Belleayre Mountain, having been taken over by
22 ORDA recently, I think, has a new and bright
23 future. The people at ORDA are acutely aware of
24 the amenities needed to attract visitors four

1 seasons. They also have another goal in mind.
2 Realizing that Lake Placid is the Olympic village,
3 they are trying to encourage youth to get involved
4 in the winter and summer recreations. If we breed
5 cross country skiers at Belleayre or breed racers
6 at Belleayre or freestylers at Belleayre, there is
7 a chance that they will ultimately aspire to be
8 Olympians and possibly travel up and utilize the
9 premier facilities in Lake Placid.

10 Having said that, I have a few ideas that I
11 would like to see promoted, one of which is the
12 cross country skiing. Improvements are needed,
13 but they can also double as mountain bike, hiking
14 and horseback riding trails. Improvements that
15 would be needed would include trail widening,
16 cleanup, grooming and snowmaking, not necessarily
17 in this order. But realistically, we need
18 expansion of that area, we need maintenance of
19 that area and, ultimately, we need marketing of
20 that area.

21 I would suggest focusing the expansion of
22 that area to the Belleayre ridge. The summit and
23 the ridge would more than double the existing
24 north terrain and the network of trails on the

1 ridge. It would not require any extensive cutting
2 of new trails. The elevation of the ridge would
3 give you a longer season with more natural snow
4 and better overall conditions. The underutilized
5 sunset lodge could serve as a base of operation
6 for the cross country skiers and you can charge a
7 fee for lift access. Again, these trails could be
8 used for mountain biking as well as hiking.

9 I would also like to encourage the addition
10 of snow tubing and it's possible that that could
11 run later in the day and possibly after-hours.

12 ALJ McBRIDE: Sir, I'm sorry. Your time's
13 up.

14 MR. PEREZ: I'll have to submit my comments.

15 ALJ McBRIDE: Thank you.

16 Ms. Korman, did you return to the room, I was
17 told?

18 MS. KORMAN: Hi. My name is Idith Meshulan
19 Korman. I sit here and I see most of the room
20 here is for this resort and I feel it's almost
21 like a sad thing; like the resort will resolve all
22 our problems, marriage problems, job problems,
23 simply everything. One thing will never do, even
24 if it's genius. Needless to say, I don't think

1 this is genius at all. And needless to say, I
2 think this is a disaster and everyone boo me right
3 now, but I will say what I feel and I will say
4 that this project is a disaster and I explain you
5 why.

6 First of all, I think it will diminish the
7 value of the life here aesthetically,
8 environmentally and economically. As an artist, I
9 will speak about aesthetics, which is at the
10 center of our lives and enormous success. The
11 project creates unpleasantness in our area in
12 size, material and entity. It's true that
13 beauty's in the eye of the beholder. So in my
14 opinion, the design lacks absolutely any
15 creativity at all. That's my opinion.

16 However, everyone can see the size and scope
17 of the proposed resorts dwarfs the surroundings
18 and the construction materials and density are out
19 of sync with the environment. We all see
20 two-story structures in small villages and
21 hamlets. The proposed structure is a monster that
22 no one can miss.

23 We also live in a place where structures have
24 grown up organically in size, shape and color.

1 This project has a lack of structural integrity
2 that to me signals an indifference and
3 insensitivity to the place and region and a
4 drastic unacceptable change of community
5 character. And the change of community character
6 will be also one of the reasons for this resort to
7 fail.

8 In fact, it is so big that it will fail for
9 sure. It's doomed to fail. Tourists today are
10 looking for small, intimate places with
11 consideration for the natural environment and
12 beauty. This resort does not have it. I'm not
13 even talking about the global warming.

14 To make such a dramatic change to our
15 community character and environment and to commit
16 tax dollars to change seems to me a case of
17 putting private welfare ahead of the public good.
18 The DEC has the responsibility to stay true to its
19 purpose and to preserve our community character.

20 ALJ McBRIDE: Ma'am, your time is up. Thank
21 you.

22 (Applause.)

23 ALJ McBRIDE: Tony Albanese.

24 MR. ALBANESE: Good evening. My name is Tony

1 Albanese. I've had the pleasure of being the
2 Superintendent of Schools at Margaretville Central
3 School District since 2008. Prior to that time, I
4 was the Director of Pupil Personnel Services in a
5 larger school district in the Capital District and
6 prior to that time, I was the Deputy Executive
7 Director of Education for a private nonprofit
8 school serving students from age three to
9 twenty-one with autism and unique disabilities.
10 I have been in the field of education and
11 surrounded by children, young adults and their
12 families for more than 34 years.

13 My focus throughout my career has been on
14 providing learning and educational opportunities
15 that challenge youth; creating pathways of choice
16 and interest that can shape a lifetime. I'm here
17 as an educator. I've been told that there isn't a
18 way to separate education from politics. When
19 speaking about the lives of children and our youth,
20 politics, in my mind, are left to others more
21 fluent on the topic.

22 My current view as an educator, as one would
23 say, is from a perspective of 3,429.1 feet. Yes,
24 I will confirm that as educators, our thoughts for

1 our students' success is oftentimes in the clouds.
2 What better way to view the seemingly lifelong
3 steepness of the mountain ahead for our youth as
4 they traverse up the slopes of that ever-present
5 mountain to gain access to the hopes and dreams we
6 share for them as members of this great State of
7 New York and our country.

8 As I visualize my view from over 3,400 feet,
9 I see opportunities of plenty for a school
10 community that is doing its best to deal with a
11 declining enrollment, decreased educational
12 funding and increased poverty. In my first year
13 at MCS, our student population stood at 435
14 students. Some 12 years prior, that number was
15 over 600. Today, MCS's enrollment is
16 approximately 395 students and that includes 18
17 children that are in our universal pre-K class.

18 As a public school district, we are here to
19 serve our students. The public school educates
20 anyone who enters our doors. As a school
21 district, we are proud to carry out this
22 responsibility. However, our responsibility also
23 includes the legal obligation to provide a free
24 and appropriate education and support the

1 constitutional right for all students to be
2 provided a sound and basic education.

3 Low enrollment, fiscal constraints and
4 meeting the challenges of the changing world we
5 live in are realities of great and lasting
6 importance. Providing classroom and real-life
7 learning opportunities to develop the skills
8 necessary to compete in a global workforce and
9 economy that supports the Board of Regents'
10 initiative to prepare all students to be college
11 and career ready is clearly our mandate.

12 The Belleayre Project will provide
13 opportunities for our youth. It creates jobs and
14 defines career pathways for our youth that can
15 potentially lower the poverty I see rising within
16 our communities. It can bring resources that are
17 not only fiscally and educationally relevant but
18 also a returned pride to an area that is full of
19 history and determination.

20 ALJ McBRIDE: Sir, your time is up.

21 MR. ALBANESE: Thank you.

22 (Applause.)

23 ALJ McBRIDE: Nicholas Savin.

24 MR. SAVIN: Thank you very much. Spending an

1 entire career in education and supporting students
2 to aspire to realize their dreams, my comments are
3 focused on exploring the needs to strengthen our
4 schools and communities.

5 I am the district superintendent of the ONC
6 BOCES and have spent an entire career trying to
7 assist students. Please accept this letter of
8 support for the Belleayre Resort and Catskill Park
9 project. This project will provide a positive and
10 needed boost to the local economy.

11 "Over the past 15 years, the Otsego Northern
12 Catskill BOCES region has seen a 25 percent
13 decline in student enrollments. The lack of jobs
14 has forced young families to move from the area
15 seeking employment elsewhere. Young high school
16 and college graduates seeking employment are also
17 faced with the choice of leaving the place where
18 they were raised to pursue family wage and career
19 opportunities.

20 "The enrollment decline, in addition to
21 recent recession and accompanying reduced state
22 aid, has caused economic stress to our schools.
23 As a result, school leaders have had to make hard
24 choices, often selecting among poor options which

1 have resulted in less educational opportunities
2 for students.

3 "Struggling schools are less attractive to
4 potential employers that will locate in our rural
5 communities. Consequently, a slow but steady
6 downward spiral continues to negatively impact our
7 schools and communities.

8 "This project has the capacity to invigorate
9 the economy in the greater Margaretville area.
10 Moreover, Belleayre Resort has expressed interest
11 in establishing a collaborative partnership with
12 ONC BOCES to provide educational internships to
13 students. We have discussed potential internships
14 and work-based educational experiences for our
15 career technical education in culinary arts.
16 We've also discussed collaborative working
17 relationships to establish leisure management
18 courses at our BOCES for students expressing
19 career interest in business.

20 "Expanding educational opportunities for
21 students in the area of business education is
22 especially appealing as many of our 19 districts
23 in the ONC BOCES do not offer extensive
24 business-related courses for students. All that

1 we can do to support our local communities and, in
2 turn, our students, benefits us all."

3 I'd like to thank you for your time.

4 (Applause.)

5 ALJ McBRIDE: Thank you. Our next speaker is
6 Susan Wagner. And the next speakers, please come
7 forward: Dick Remsen, Sam Fadacho (phonetic),
8 Alex Lines.

9 Go ahead.

10 MS. WAGNER: Thanks to Tommy Tar, Ted Blazer
11 and Daniel Whitehead for their presentations. And
12 thanks to Donny Bush and the Catskill Mountain
13 News for letting me know about these proceedings.
14 After last week's meeting, I went home and read a
15 copy of the revised management plan, which was 319
16 pages, and I read it all in one sitting.

17 That being said, I can now say that the DEC
18 has given us, the people of New York, a
19 masterwork, not as a plan but as a detailed body
20 of information. As a taxpayer, my money has been
21 well spent. These data collectors walked to the
22 top of every surrounding mountain and tell us what
23 they see. They looked at rocks in the stream and
24 reported back on all of the salamanders.

1 Something I've still never seen is a bluebird and
2 I came to the part of the plan which told me
3 there's 80 kinds of birds around here, one of
4 which is a bluebird and I thought, "Oh, bluebirds,
5 I feel so glad."

6 I also see we have big and little brown bats,
7 which at the moment, I'm concerned about since
8 they have some sort of fungal disease and are
9 dying. There's a mention of frogs. This year, my
10 property has seen a decrease in frogs. I have
11 heard our honeybees are stable, thanks to the
12 local bee people, but you'd have to call the
13 Cooperative Extension in order to make sure.
14 This document even had a section on night sky
15 pollution. So I find the extent of this work to
16 be totally awesome.

17 But then I come to this whole section on
18 climate change and it says that in 50 years, there
19 probably won't be more than 100 days with snow
20 enough to ski on. 100 days is how many we need to
21 be a profit center for skiing and I'm like "What?"
22 I had no idea.

23 Certainly, I'm aware of the encroaching bugs.
24 Our DEC campgrounds teach us not to move firewood

1 for more than 50 miles and because I am from seven
2 generations in a local stretch of family, our
3 family recognizes the importance of trees. And I
4 it's not just the Pine Beetle about to hit me,
5 it's the Emerald Ash Borer as well.

6 New Yorkers from all parts of the state are
7 being asked to collect seeds from their ash trees
8 and present them to the Cooperative Extension seed
9 bank. We know we will lose every ash tree, but we
10 hope to replant them when the danger has passed
11 and reintroduce them like we did the turkeys in
12 the '80s.

13 I saw no plan within this plan and, without
14 one, I feel sorry for ORDA. They just inherited
15 an eco-disaster. Since ash trees fall suddenly
16 and without warning within a year after death,
17 ORDA will have to go out, identify, mark, then cut
18 down each ash that grows anywhere near life, limb
19 or property. The cost will be enormous.

20 So if we're looking for job creation, there's
21 something we can identify right there. Let's
22 harvest those ash soon since they can
23 realistically help us for a pay-as-you-go plan.

24 We are classified as an intense use area

1 surrounded by a wilderness area, which means we
2 are allowed to cut down trees. It then states the
3 DEC promises not to sell any of the timber to
4 outside sources.

5 ALJ McBRIDE: Ma'am, your time is up.

6 MS. WAGNER: Why are we hoarding? As a
7 taxpayer on the Forestry Tax Plan, good practice
8 requires I sell my timber to the highest bidder,
9 using --

10 ALJ McBRIDE: Ma'am, your time is up.

11 MS. WAGNER: Why is New York state not
12 following its own rule here? We're talking jobs
13 and I see jobs right there.

14 ALJ McBRIDE: Ms. Wagner, excuse me, but your
15 time is up.

16 Ms. Wagner, please, I'm asking you to please
17 sit down so we can call the next speaker. Thank
18 you.

19 ALJ McBRIDE: Our next speaker is Buffy Kie.
20 Is Buffy here?

21 (No response.)

22 ALJ McBRIDE: Gail Scanlon. Is Gail Scanlon
23 here?

24 (No response.)

1 ALJ McBRIDE: Ray Dignes, D-I-G-N-E-S, I
2 believe.

3 (No response.)

4 ALJ McBRIDE: Rick Remsen.

5 (No response.)

6 ALJ McBRIDE: Sam Fadacho.

7 (No response.)

8 ALJ McBRIDE: Alex Lines.

9 MR. LINES: I really appreciate the Catskills
10 for their natural beauty. I believe the economy
11 is based on the natural health of our environment,
12 clean water, clean air, food. If we invested all
13 these millions of dollars into growing fruit and
14 nut trees, imagine how much abundance we'd have.

15 Instead, we're relying on rich folks who are
16 exploiting natural resources worldwide and using
17 unsafe forms of energy so we can skim a little
18 money off what they've taken. To me, that's not
19 sustainable.

20 To me, sustainable and regenerative is
21 building the ecology and building our connection
22 with it and getting as much food for the local
23 areas as we can. I want to make sure that the
24 golf courses into the future are organic, if this

1 ever happens, and even organic compounds can be
2 toxic in large concentrations, so we have to look
3 at that.

4 About the leach field being on full soils and
5 rocks, that sounds like another disaster, but if
6 this were in anybody here's backyard, I'm sure you
7 probably wouldn't want it here. A lot of noise, a
8 lot of pollution. Thank you.

9 (Applause.)

10 ALJ McBRIDE: I'm going to call the next
11 group of speakers. I have Tony Eisenhart, John
12 Krois, Kindeon Gould, Jr., Dave Rierdan, Cathleen
13 Breen, Mark Bittman, Sally Fairbairn.

14 Our next speaker is Tony Eisenhart, I
15 believe.

16 MR. EISENBILE: Eisenbile?

17 ALJ McBRIDE: That could be, yes.

18 MR. EISENBILE: My name is Tony Eisenbile.
19 My folks came to the Phoenicia area in the late
20 '50s. My family scratched a living since the late
21 '50s here. I love the area. I did not intend to
22 leave, so I stayed, self-employed for 25 years.
23 During the economy and everything, I had my shop
24 and I watched the area really go down. I started

1 skiing in the '60s at a ski center that I haven't
2 heard anybody mention. I don't know how many
3 people know it existed. It started in Belleayre
4 and I've seen it go down all these years and the
5 place is closing, my place was dilapidated for
6 years and it's a shame to see it go that way.
7 This, I think, is a Godsend. Without this, I
8 think we're all dead in the water.

9 All I can say is I hope you agree. I think
10 this is great for the great majority of us and
11 think positive and let it happen.

12 (Applause.)

13 ALJ McBRIDE: John Krois.

14 MR. KROIS: Good evening, Your Honor. I'm
15 John Krois of the Coalition (inaudible)
16 representing the National Resources Council --

17 ALJ McBRIDE: Can you speak a little louder?
18 We're having a hard time hearing you.

19 MR. KROIS: Yes. Sorry. The 2007 conceptual
20 agreement requires both full review and full
21 compliance with federal, state and local laws.
22 The INC signed that agreement and we stand by it.
23 The Catskills are suffering. It needs an economic
24 boost and to that end, we've hired an expert to

1 help review both the UMP and the supplemental
2 draft. Now, we will have further written comments
3 later, but I will briefly cover a few areas we
4 have noticed that have raised concerns.

5 First, the golf course is offhanded very
6 damaging to the environment. So our expert is
7 carefully reviewing the golf course to make sure
8 it meets the highest standards of management and
9 be sure the EIS covers all of the possible
10 impacts.

11 The second is stormwater. Several questions
12 have been raised about impacts, both cumulatively
13 and at Belleayre, the impervious surface areas,
14 additional runoff, local environment having
15 sensitive streams in the area and it's also raised
16 questions about whether the mitigation techniques
17 that have been proposed to address this problem
18 are actually suitable given the soils both on the
19 site here at Belleayre and the site described to
20 you in the UMP.

21 Now, turning to the UMP, this has only
22 recently become available to us. We are currently
23 reviewing that, but we would like to note we
24 believe that all of the alternatives should be

1 fully explored, especially given the effect of
2 climate change. We would like to note, however,
3 that we do not support the east build alternative,
4 because of the risks that it poses to the
5 reservoir.

6 Now, finally, a word on the issue of phasing.
7 We believe that the phasing proposed for both the
8 draft UMP and for the EIS are too quick or too
9 short, rather, the phasing period is too short,
10 and that the short phasing period poses great
11 increased risk of construction runoff and other
12 environmental risks. We will be submitting
13 recommendations that the phasing period be
14 extended.

15 In short, Your Honor, we believe that
16 although this project has been redesigned and has
17 taken many years, much to everyone's annoyance,
18 the project that we have in front of us today is
19 immeasurably better than the project we initially
20 saw at the beginning of this process. And we hope
21 at the end of this comment period when DEC finally
22 goes forward, if it goes forward, that the project
23 not only meet the needs of the Catskills but that
24 it meets the economic needs and the human needs as

1 well. Thank you.

2 (Applause.)

3 ALJ McBRIDE: Kindeon Gould, Jr.

4 MR. GOULD: Hello, Your Honor. I'm Kindeon
5 Gould, Jr. I have a letter from my dad here, if I
6 might read that. It's addressed to Mr. Whitehead,
7 so I apologize for that.

8 "This letter is in response to the DEC's
9 April 17th advice and comments on the current
10 draft plan for Belleayre management and the SDEIS
11 for Crossroads Ventures' proposed development to
12 both be addressed to you.

13 "Regarding Belleayre, I recommend adoption as
14 what is shown as plan G-4.3 subject to the two
15 following conditions: One, assuring that the
16 proposed snowmaking pond does not pose a safety
17 hazard to citizens below; two, evaluation of the
18 benefits of extending the eastern lift into the
19 Village of Pine Hill, which would put it on the
20 map as has been done with much success in other
21 countries and out west.

22 "My reason for endorsing the G-4.3 option are
23 that it appears the least costly, though,
24 regrettably, the cost estimates for this option

1 are not shown.

2 "Furthermore, G-4.3 will improve the existing
3 amenities and the skiing on the entire mountain.
4 Most important, this choice will not attract the
5 inevitable lawsuits that will undoubtedly occur if
6 the alternative G-4.1 is selected.

7 "Regarding the SDEIS for Crossroads Ventures,
8 I fully agree that this area of the Catskills is
9 economically struggling and that it would be aided
10 by substantial investment. The proposed hotel and
11 the housing being located at the intersection of
12 Route 49A and the access road to the upper
13 Belleayre makes sense and will be beneficial even
14 though it would be better located closer to Route
15 28 of the lower parking lot.

16 "However, as to the part of the Crossroads
17 Ventures' plan which proposes a second hotel and
18 additional housing in the west portion of the
19 property, I make strong objection for the
20 following reasons: One, this whole proposed
21 development to the west is intertwined with the
22 property being purchased by the State of New York
23 under the developer which is sure to attract
24 lawsuits. It is miles from available and

1 necessary infrastructure, such as sewer, water and
2 safe access and the state highway. Three: It
3 would introduce unwanted traffic on the Dry Brook
4 Road and, at night, create illumination pollution
5 for many.

6 "To summarize, I believe the majority of the
7 development proposed by Crossroads, namely that
8 below 49A, is worth approval, although as far as
9 the proponent related project on Route 28, I am
10 told it does not operate at a profit.

11 "Hopefully, the operator of the
12 Crossroads --"

13 ALJ McBRIDE: I'm sorry, sir. Your time is
14 up. Your time is up. You can submit your
15 comments, sir. Thank you.

16 (Applause.)

17 ALJ McBRIDE: Dave Rierdan.

18 MR. RIERDAN: Good evening, ladies and
19 gentlemen. Good evening, Judge McBride. My name
20 is Mark Rierdan. I'm a second homeowner. My
21 second home is in Manhattan. I live here right
22 outside Fleischmanns, the town that we've all be
23 discussing.

24 In 1967, my parents and I were the first

1 guests of the original Long Acres Resort. In
2 1970, my father built a home where I now live. I
3 want to speak to you not about theoreticals but
4 about the realities of the situation as applies to
5 me here.

6 It's no secret that in the past few years,
7 I've invested close to a million dollars in the
8 Main Street in Fleischmanns, not of the bank's
9 money, partners, investors, but of my own money.
10 I've done that not out of speculation for the
11 resort, not because real estate values are going
12 up, but because I believe in Fleischmanns and also
13 the business value in my estimation is pretty
14 good.

15 My wife and I were married on Belleayre
16 Mountain in 2002. I grew up skiing here. I've
17 been skiing here since 1967, since I was three
18 years old. So to say that I'm invested here in
19 this community and this mountain, I think, would
20 be quite accurate.

21 In addition, I'm a tennis pro. I teach about
22 thirty or forty local children, children ranging
23 from the ages of five to eighteen. At least three
24 of them, one in Shandaken, one in Roxbury and one

1 in Margaretville, are good enough to be junior
2 pros. There is nowhere for them to teach other
3 than my court, and I only have one court so
4 they're not teaching on my court. The proposed
5 resort offers them -- this is the kind of job that
6 allows them to stay here and allows them to summer
7 here so they don't have to go to the Hamptons or
8 they don't have to go to Cape Cod. They can
9 remain here.

10 As far as a higher paying job, let's talk
11 about myself for a second. Let's say I need a
12 job. I would be an instructor of tennis here.
13 I'm a local resident. It would be a higher paying
14 job, I imagine. I imagine as a local resident, at
15 the very least, I would get an interview. It's an
16 opportunity that we did not have before.

17 I'd like to address finally a couple concerns
18 I've heard about traffic. That should be our
19 biggest problem. We are a long way from the
20 Hamptons, the east end of Long Island where we
21 have traffic jams on a Friday and Saturday. Your
22 Honor, as a matter of fact, if you're still
23 deciding some time in November or in October, I
24 urge you to come up here, drive from here to 375

1 east towards Kingston at 8:00 o'clock on a weekday
2 morning, on a work morning. I assure you there
3 are times you can count the number of cars you
4 pass on the other side of the road. Thank you.

5 ALJ McBRIDE: David Rierdan. Is David
6 Rierdan here?

7 (No response.)

8 ALJ McBRIDE: Cathleen Breen.

9 MS. BREEN: Good evening. My name is
10 Cathleen Breen. I am the water protection
11 coordinator for the New York Public Interest
12 Research Group, NYPIRG. NYPIRG is New York
13 State's largest research and advocacy nonprofit
14 organization primarily focused on environmental
15 preservation, consumer protection, government
16 reform and public health issues.

17 Thank you for the opportunity to comment on
18 the Belleayre Mountain Ski Center Unit Management
19 Plan and the Modified Belleayre Resort at Catskill
20 Park, both of which are in the New York City
21 Watershed.

22 We have long been asked to protect the New
23 York City Watershed and are one of the five
24 environmental organizations that signed on to the

1 1997 New York City Watershed Memorandum of
2 Agreement. We are also signatories to the
3 Agreement in Principle, the AIP, regarding the
4 proposed Belleayre Resort at Catskill Park. My
5 comments tonight will be brief as NYPIRG will be
6 providing written comments.

7 The New York City Watershed provides more
8 than a million gallons of clean drinking water to
9 nine million New Yorkers every day. The landmark
10 watershed agreement represents a comprehensive
11 effort to protect and preserve New York City's
12 high quality water supply while preserving and
13 enhancing the economic vitality of the communities
14 within the watershed.

15 To date, the City's \$1.5 billion investment
16 in comprehensive water testing efforts has paid
17 off. New York City continues to qualify for a
18 waiver of filtration from the EPA. However, if
19 the City fails to demonstrate that it can
20 successfully protect the system from pollution,
21 city officials will be ordered to build a
22 filtration plant estimated up to cost upwards of
23 10 to 20 billion dollars; therefore, protecting
24 the watershed is critical.

1 Development in the watershed, especially
2 large-scale development, is always cause for
3 concern that requires heightened review,
4 especially since one of the greater stressors of
5 the watershed and the continued filtration waiver
6 is the turbidity in the Ashokan reservoir.

7 Turbidity is a problem that impacts the
8 health and safety of the entire drinking water
9 supply. The EPA has been very clear on this
10 issue. Turbidity in the Catskills must be
11 controlled. That is why one of the key provisions
12 of the AIP was the State's acquisition of over
13 1,200 acres of forestland in the Big Indian
14 plateau for addition to the Catskill Park
15 Preserve. This land is now safe from the threat
16 of development. We believe that this public land
17 will assist in water quality protection as well as
18 provide essential wildlife habitat.

19 The scale of the Modified Belleayre Resort is
20 a large development proposal and brings increased
21 impervious surfaces and stormwater into the New
22 York State Watershed, among other things, and we
23 are committed to fully participating in the SEQRA
24 process.

1 As for the Belleayre Mountain Ski UMP, we
2 agree that modernizing the facilities, including
3 the replacement of old and outdated equipment with
4 more modern and energy-efficient equipment, is a
5 positive step forward and long overdue. However,
6 we believe the DEC should make available all the
7 detailed analysis and supporting documentation for
8 public review for all of the alternatives. Thank
9 you.

10 (Applause.)

11 ALJ McBRIDE: Our next speaker is Dan LaFevre
12 (phonetic). Is he here?

13 (No response.)

14 ALJ McBRIDE: Sally Fairbairn. I'm going to
15 call another group as well. Laszlo Vajtay, Lewis
16 Kolar, Kathy Jordan, Eleanor Burkett, Corey Zwick,
17 Andrew Mason. Please come and sit in the first
18 two rows.

19 Go ahead, Ms. Fairbairn.

20 MS. FAIRBAIRN: Good evening. My name is
21 Sally Fairbairn. I live in Rider Hollow, a few
22 minutes from Belleayre Mountain and the proposed
23 resort. I'm a lifelong resident and a farmer. I
24 want to speak in favor of the Belleayre Resort and

1 the expansion of Belleayre Mountain. I have three
2 grown children, all of whom have traveled away
3 from the Catskills and come back making conscious
4 decisions to settle here and raise their families.

5 While I won't discount the attraction of free
6 baby-sitting, I think the real reason they have
7 returned are the things that so many of us hold
8 very dear: The beautiful landscape, the warmth of
9 the community, clean air, clean water, the
10 diversity of people, just to name a few.

11 Each of these adult children and spouses are
12 reevaluating that decision to come back. They've
13 all known that making a living here is not easy,
14 but especially during this economic downtime,
15 making a living has doubled down in difficulty.
16 Our local economy seems to be hanging by a thread.
17 We were hurting before Irene dealt us her blow
18 from which we have not recovered. Opportunities
19 from other places are looking more and more
20 attractive.

21 While I'm hardly objective about my own
22 children, these people are what the broader
23 communities would like to keep here and their
24 friends who have come back and the friends who

1 would like to come back if there were just more
2 opportunities.

3 Not all economic development is equal. What
4 we are examining here is eco-tourism. Can we have
5 development that does not destroy the very thing
6 that people are coming to experience? I think the
7 answer is yes with the caveat that we constantly
8 pay attention to our environment. I would much
9 prefer this over the hydraulic fracking that seems
10 to be our other choice of economic development.

11 Do I think the expansion of the Belleayre
12 Mountain and the development of the resort will
13 solve all of our problems? No, of course not.
14 But it's a start in the right direction of
15 expanding our economy. And I think I better skip
16 a lot.

17 I respect the opposition to the resort,
18 especially those who live nearby and will have
19 their lives impacted daily. But for those whose
20 opposition is more philosophical, I think you have
21 an obligation to suggest other ways of economic
22 development in this part of the Catskills.

23 I can't believe that you seriously think that
24 things are fine here as they are now. If you do,

1 then you probably don't depend on our local area
2 for your income or you don't have a growing family
3 and a mortgage. The future of the Catskills
4 should be big enough for all of us.

5 Here, we are in New York State finding a way
6 to put some funding in part of the Catskills, look
7 around and ask yourself: What else around here
8 would they help out with? If we were Saratoga,
9 sure. Bethel Woods, why not? Here in the
10 watershed, uh-uh. And we have investors willing
11 to put millions into a resort --

12 ALJ McBRIDE: Your time is up, ma'am.

13 (Applause.)

14 ALJ McBRIDE: Laszlo Vajtay.

15 MR. VAJTAY: My name is Laszlo Vajtay. I own
16 and operate Plattekill Mountain Ski Center, five
17 miles from here the way the crow flies. It is the
18 closest private ski center to a public ski center
19 in the country. I'm going to speak to the
20 business of skiing. I have no comments on the
21 resort development. I am going to talk about the
22 ski area expansion.

23 With regards to the Belleayre Mountain
24 build-out, I feel the plan is inherently flawed

1 and the business model doesn't make sense and here
2 is why: I don't agree with the spending of
3 \$74 million of public funds to build out a ski
4 area that not only will never realize payback but
5 will potentially put another nail in the coffin of
6 my ski area trying to compete with it.

7 Let me cite some examples and make some
8 points as to why. If I or any other non-municipal
9 ski area were to attempt to borrow \$74 million to
10 expand our ski areas, not only would we be laughed
11 at by the financial institutions but if we were
12 lucky enough to win over bankers, we would surely
13 be out of business within a year or two,
14 especially after a season like two seasons ago
15 where we were all closed by the middle of March.

16 Let me give you an example. Greek Peak in
17 Cortland County, New York filed for bankruptcy and
18 was sold at foreclosure auction just a couple of
19 months ago. It had accumulated \$48 million of
20 debt building a hotel and infrastructure, and this
21 is an area that gets 250,000 skier visits. They
22 built a model of growth to raise skier visits to
23 350,000 and sell condos and hotel rooms and it
24 never materialized forcing the bankruptcy. It

1 sold at auction a couple months ago for
2 \$6.4 million.

3 Another example is Scranton, Pennsylvania,
4 the Montage Resort, also formerly known as Sno
5 Mountain. It racked up only \$14 million in debt
6 and was forced into bankruptcy and is more in line
7 in size with Belleayre Mountain with 150,000 skier
8 visits. It sold for around \$4 million. I can
9 name countless others.

10 I don't want Plattekill Mountain to become
11 another statistic and go by the wayside like
12 Scotch Valley, Bobcat, Cortina and countless
13 others. We are now moving into our twentieth year
14 competing against the State of New York. We've
15 kept our debt low and been able to ride the storm
16 of bad years in the past, but this business model
17 has been one of survival and not big debt to keep
18 up with the Jones'.

19 Competing against the State and Belleayre
20 Mountain has been a difficult challenge,
21 especially during the last 11 years as millions of
22 dollars has been spent on improvements I will
23 never be able to compete with, such as a sewer
24 line from the top lodge, the sunset lodge and the

1 new ridge infrastructure, snow trail development
2 that has taken place over the last 15 years.

3 I'm afraid that it will become more and more
4 difficult to compete with expansion up to the
5 Highmount property as it will take away one of my
6 last little competitive advantages of advanced
7 terrain.

8 ALJ McBRIDE: Your time is up. Thank you.

9 (Applause.)

10 ALJ McBRIDE: Lewis Kolar.

11 MR. KOLAR: Thank you. My name is Lewis E.
12 Kolar. For over 50 years, I have been involved in
13 projects to improve the local and regional
14 economy. My efforts have been shaped in part by
15 other communities where I also lived and worked,
16 such as Lake Placid and Saratoga Springs,
17 communities that realized and adopted the
18 synergies supporting tourist-based economies.

19 It is important to explain some of the local
20 efforts I, along with others, supported. I was
21 campaign treasurer for the new Margaretville
22 Hospital in the '60s, raising grants and private
23 donations in excess of \$1 million. We saved over
24 100 jobs and created many more. As the first

1 director of the Margaretville-Arkville
2 Revitalization Project, M-ARK, funds were raised
3 to rebuild a burned out section of Main Street
4 Margaretville, parking, water and sewer projects
5 in Arkville.

6 M-ARK negotiated and secured funds to acquire
7 a site where the ARC is located and other projects
8 may be developed. As the first director of the
9 Delaware and Ulster Ride, we negotiated the
10 purchase of the railroad right-of-way in Delaware
11 County conceived as a linear park.

12 I was a founding member of the Catskill
13 Center for Conservation and Development. Along
14 with Roswell Sanford, then owner/editor of the
15 Catskill Mountain News, and Armand G. Erpf, a
16 local benefactor and my mentor; together, we
17 pushed for the inclusion and need for development
18 in the Center's name.

19 We believed that a balance between the
20 natural and built environment was essential to
21 preventing the poverty ultimately destructive to
22 both the social and natural environment. But my
23 primary focus has been in banking, especially
24 community and commercial development.

1 The simple fact is that these efforts, while
2 commendable and supported by many, have not been
3 adequate to sustain employment, improve the
4 quality of life and increase average family
5 income, now under \$17,000 in Delaware County.

6 As a result, our young and many who planned
7 to retire here have been leaving. This has
8 resulted in Delaware County having the second
9 largest population loss in the State of New York.

10 Our tax base is in serious jeopardy. Many
11 restaurants have closed, construction jobs in the
12 second home market have declined, property values
13 have declined, school numbers have dropped and
14 there's an increasing number of properties
15 abandoned or in disrepair and on and on our
16 unrented, abandoned or in disrepair.

17 Our economy, once supported by primarily a
18 tourism base, has had countless more
19 accommodations than proposed --

20 ALJ McBRIDE: Sir, your time is up.

21 MR. KOLAR: -- and a time of less
22 environmental constraints.

23 ALJ McBRIDE: Your time is up. Thank you.

24 (Applause.)

1 ALJ McBRIDE: Kathy Jordan.

2 MS. JORDAN: I'm going to give you a little
3 brief history of myself so you know where I'm
4 coming from. I was born in Brooklyn. I moved to
5 Woodstock when I was three. I lived in Shokan
6 from the age of 11 to 19, attending Onteora from K
7 through 12. I moved to Big Indian in 1970 where I
8 resided for over 30 years. I now reside in the
9 Pine Hill area for 11 years. I'm not a native,
10 but I'm darn close.

11 I retired from Onteora with 33 years of
12 service. I served as a rec director, assistant
13 director officer of the recreation program and I
14 was an officer with Shandaken Little League,
15 Recreation Commission, Youth Commission, Onteora
16 Babe Ruth and Sports Fan Association and so on.

17 I'm not here to give you my resume but,
18 rather, to give you some insight as to how well I
19 know this community from various aspects, in
20 particular, our area youth.

21 Over the years, I have seen so many of our
22 youngest residents grow from being curious and
23 somewhat timid little kindergarten students to
24 confident high school graduates for with an even

1 greater curiosity for what's out there beyond the
2 protective and beautiful Catskill Mountains.

3 They spread their wings, left the nest and
4 off they went to further their education, serve in
5 our military or pursue their careers. A small
6 number of them stayed or were able to return to
7 the area and become very successful and invaluable
8 members of our local community, some who are here
9 tonight, but I believe they are too few in number.

10 I might add for some who have stayed and
11 returned, the going has been tough recently with
12 the economy, floods, failing businesses, school
13 closings. In order for them to maintain their
14 employment, some of them have had to travel great
15 distances after the layoffs from Belleayre.
16 Others have to work two and three jobs to provide
17 their families with the essentials.

18 As a result, finding time to volunteer in
19 fire departments, PTA, church groups, coaching and
20 other community activities is just not an option.
21 In the long run, this has had a tremendous impact
22 on all of us. For example, our local fire
23 department memberships have declined greatly in
24 the past 20 years. Older dedicated members have

1 to wear many hats and the physical demands of
2 responding to emergency calls have become
3 extremely difficult. Yet, they continue to
4 respond and do what they have done faithfully for
5 many years. They have earned the right to pass
6 the torch if they so desire, but for some of the
7 smaller departments, there's no one to pass the
8 torch to.

9 Social media has allowed me to stay in
10 contact with many of our young people. When asked
11 why they didn't return or stay in this area or
12 even come back to visit, it's due to the lack of
13 opportunities. They shared with me that some of
14 them would give up their high paying job, their
15 large homes and urban living in order for their
16 children to experience growing up in the
17 Catskills. But in order for that to be a viable
18 option, they would need at least to have the
19 chance for a relatively secure and decent wage.

20 Now, I'm not here to say that this project or
21 this resort will be a cure-all, but I feel that
22 their time has come and it's overdue and I believe
23 it will give this area a much needed uplift.

24 ALJ McBRIDE: Your time is up.

1 MS. JORDAN: Just one more line. One more
2 line. Let us bring back our greatest asset, our
3 youth. Give them the opportunity to thrive and
4 survive in this area that is so beautiful. Thank
5 you.

6 (Applause.)

7 ALJ McBRIDE: I'm going to call the next
8 group of speakers. Just to let everyone know,
9 we're on card number 76 and I have approximately
10 120 cards. Just so you know where we are in the
11 process.

12 So the next group I have is: Eleanor
13 Burkett, Corey Zwick, Andrew Mason. If I've
14 called your name, please come forward to the front
15 row.

16 Robert Lane, Helene Weissman, Leonard Utter,
17 Kate Hudson, David Mann, Julie McQuain. If I
18 called your name, please come sit in the front
19 row.

20 Our next speaker is Eleanor Burkett. Is
21 Eleanor here?

22 (No response.)

23 ALJ McBRIDE: Corey Zwick.

24 MR. ZWICK: Good evening. My name is Corey

1 Zwick. I live in Delhi. I am nine years old. I
2 love living in the --

3 ALJ McBRIDE: Corey, wait one minute. I'd
4 like people to be quiet so they can hear you.
5 Would everyone please be quiet? We have a speaker
6 at the microphone. Thank you.

7 MR. ZWICK: Good evening. My name is Corey
8 Zwick. I live in Delhi. I am nine years old. I
9 love living in the Catskill Mountains. I learn
10 that I won't be able to stay because of all the
11 things I'm hearing. What is wrong with having
12 lots of people come and have fun? I want to live
13 and work here and not to have to leave as some of
14 my friends have. Please do what is right and
15 build this place and stop fighting with each
16 other.

17 (Applause.)

18 ALJ McBRIDE: Andrew Mason.

19 MR. MASON: My name is Andrew Mason. I am
20 co-president of the Delaware Otsego Autobahn
21 Society, the local chapter of the National
22 Autobahn Society. Our organization has 250
23 members in the region and we have a longstanding
24 interest in the Catskill Park and its environment.

1 Our members access the park and the region
2 for hiking, wildlife observation, camping and
3 other low impact activities. The Catskills, and
4 more specifically the Catskill Park, is a special
5 place so designated by the State Legislature to
6 benefit all New Yorkers, all generations of New
7 Yorkers, and to serve as the natural area where
8 the wild character of the forest is protected.

9 Simply put, these projects do not meet that
10 standard. It would lessen the wild quality of the
11 park by clear-cutting hundreds of acres of the
12 forest. It would impair the vista by imposing
13 buildings and other facilities on the view. It
14 would threaten pristine waters through
15 sedimentation and toxic chemicals. It will
16 disturb wildlife and destroy habitat and species
17 already under threat. And it would diminish the
18 experience of nature by those seeking a refuge
19 from the ever-approaching sprawl and development
20 as much as the rest of the state.

21 Since the DEIS will be used by municipalities
22 and other agencies, it is important that this be
23 accurate, based on fact and not tainted by the
24 developer's opinion. However, in many instances,

1 the document reflects these self-serving views.
2 For example, the DEIS states that "No cumulative
3 impacts on community character are expected,"
4 unquote. The statement is made despite the fact
5 that the project arguably will be the largest,
6 most expensive single development in history
7 anywhere in the Catskill Park and despite the fact
8 that it would diminish the environmental quality
9 that defines the character of the community and
10 provide this intrinsic value.

11 Our organization has a particular concern
12 over the impact on birds and other wildlife and
13 their well-being. The large wooded tracts of the
14 Catskill Park stands as one of the few remaining
15 relatively undisturbed forested areas in New York
16 State and in the eastern United States. It's well
17 documented that these unfragmented forests are
18 crucial for the survival of any number of migrant
19 birds that are already facing loss of their
20 tropical winter area.

21 The forests are broken up and diminished in
22 their areas. These species are increasingly
23 threatened by invasive species and predators that
24 otherwise cannot reach the forest interior. The

1 importance of the Catskills in this regard cannot
2 be overstated. The loss of several hundred acres
3 of woodland fragmentation are even more a
4 significant impact on this important resource.

5 The Catskill Preserve was established by --

6 ALJ McBRIDE: Sir, I'm sorry. Your time is
7 up.

8 MR. MASON: -- over a century ago. We are
9 the beneficiaries of that foresighted recognition.
10 Should we not do the same for the generations yet
11 to come?

12 (Applause.)

13 ALJ McBRIDE: Robert Lane. Is Robert Lane
14 here?

15 (No response.)

16 ALJ McBRIDE: Helene Weissman.

17 MS. WEISSMAN: Hello. My name is
18 (unintelligible). I represent the forces of
19 nature. Who represents? No one. Who speaks for
20 the wildlife? No one, except this last gentleman.
21 I am here to do that. The only time these
22 elements of our worlds can push back is with
23 severe storms, which we've seen up here,
24 wildfires, tornados, floods, et cetera.

1 The expansionist motif was started in this
2 country a very long time ago. It continues to
3 ravage and destroy our environment, on and on.
4 These proponents, overdevelopment from builders
5 and anyone that has that expansionist view, such
6 as we have here, the very side of the wilderness
7 area I might add. These people will not rest
8 until they have used up every inch of space,
9 natural resource.

10 In this case, we have water and erosion. How
11 about garbage? Refuse? How about the sewage?
12 You have a garbage paradise here. Take a look
13 outside. The weather changes every five minutes
14 in the Catskills. Most of the time, Belleayre is
15 covered in clouds and fog.

16 Think of the fertilizer, organic or
17 inorganic, that will drain into the soil and into
18 your wells. Folks, everything is connected.
19 Gravity pulls everything to the lowest spot.
20 Think about that for a while.

21 And how many jobs? Oh, my God, 9,900 jobs.
22 Oh, that's great for your kids. Is that economic
23 security and what wealth is all about? If you
24 think so, you had better check your calculators.

1 Bottom line: Cheap labor, nonunion, imported from
2 anywhere but here.

3 So in summary, this project is against my
4 beloved. My beloved is dying. Yeah, the
5 Catskills will die. The wilderness area will die.
6 I am going to do everything to try to save my
7 beloved. Thank you.

8 (Applause.)

9 ALJ McBRIDE: Our next speaker is Kate
10 Hudson.

11 MS. HUDSON: Good evening, Your Honor. My
12 name is Kate Hudson, Watershed Program Director
13 for Riverkeeper. Thank you for the opportunity to
14 present our initial comments on the proposed
15 Belleayre projects and related documents.

16 Riverkeeper is a member-supported watchdog
17 organization dedicated to defending the Hudson
18 River and its tributaries and protecting the
19 drinking water supply of nine million New York
20 City and Hudson Valley residents. As a signatory
21 to the New York City Watershed Agreement, we have
22 a commitment to ensure that development projects
23 in the watershed do not adversely impact the
24 surface water resources that provide unfiltered

1 drinking water to nine million New York City and
2 upstate consumers daily. Accordingly, Riverkeeper
3 is very concerned with any project in the
4 watershed that proposes potentially significant
5 disturbance of streams, wetlands or their buffers.

6 Due to the large size of the proposed
7 projects, their sensitive location within the New
8 York City Watershed and their potential to degrade
9 water quality, Riverkeeper has followed project
10 development plans and participated in the
11 environmental review process over the past 10
12 years.

13 The proposed projects are located within both
14 the Catskill and Delaware watersheds, which supply
15 90 percent of the unfiltered drinking water
16 enjoyed by New York City and upstate residents.
17 Riverkeeper is particularly concerned with
18 stormwater runoff from the proposed projects
19 which, if not properly controlled, presents risks
20 that harmful contaminants will be transported into
21 unfiltered drinking water supplies.

22 As a signatory to the 2007 Agreement in
23 Principle, we appreciate the opportunity to review
24 and comment on the significantly modified and

1 scaled-down resort project as well as DEC's Unit
2 Management Plan.

3 Given our concerns about potential water
4 quality impacts and our commitment to protect the
5 New York City watershed, Riverkeeper intends to
6 fully review the stormwater mitigation measures,
7 plans, controls and cumulative impacts that are
8 discussed in the Environmental Impact Statement
9 for compliance with the Agreement in Principle,
10 SEQRA and other applicable laws and regulations.

11 Riverkeeper has hired a stormwater expert who
12 will assist us with an in-depth review of these
13 documents and we will submit detailed written
14 comments assessing the potential for stormwater
15 impacts and the adequacy of proposed mitigation
16 methods to ensure that the modified resort plan
17 and the proposed Belleayre Ski Center plan
18 individually or in combination do not result in
19 unmitigated stormwater impacts or impair river
20 quality.

21 Riverkeeper thanks DEC for extending the
22 public comment period which will help ensure a
23 thorough robust public review of these documents.
24 Thank you.

1 (Applause.)

2 ALJ McBRIDE: I'm going to call the next
3 group of speakers: David Mann, Julie McQuain,
4 John Carney, Nick Hopp, Dennis Orloff, Jackie
5 Kuhls, Jenny Liddle, Tom O'Brien, Christina Kopf.
6 Michael Porter, John Bush, Jr.

7 Our next speaker is David Mann.

8 MR. MANN: I just want to introduce myself.
9 I'm David Mann, part owner of Altech Industries,
10 Limited, a local manufacturer of log homes since
11 1971. I'm also a resident for about 40 years
12 between Margaretville and Fleischmanns area.

13 I just want to start out by saying I'm in
14 favor of the construction of the Belleayre Resort
15 and development of the Belleayre Ski Center to its
16 fullest extent possible under the state
17 constitution. We ourselves have seen a major
18 decline in business with the housing market
19 recession in 2008, which I believe turned into a
20 depression, call it what you will. Plus, natural
21 disasters like Hurricane Irene in 2011 and Super
22 Storm Sandy last year have all affected the
23 tourism and the local economy.

24 Six potential clients told me themselves they

1 can't do anything this year because of what
2 happened with Super Storm Sandy, so that affects
3 my business. I think our local economy needs the
4 jobs at Belleayre. They need the jobs that the
5 resort will provide and the jobs in the community
6 that will spin off from those jobs. The
7 improvement to the ski center, the building resort
8 will be a major draw to bring more visitors to our
9 area that will spend money.

10 A percentage of those visitors may even want
11 to buy a weekend home. I believe all the
12 questions asked have been answered and the
13 build-outs should be permitted immediately.
14 Again, I want to thank you very much for your time
15 and that's about all I have to say.

16 (Applause.)

17 ALJ McBRIDE: Julie McQuain.

18 MS. McQUAIN: Hello, Your Honor. Thank you
19 for the opportunity to speak. I'm Julie McQuain.
20 I'm here as Chair of the Sierra Club Atlantic
21 Chapter, Watershed Committee.

22 The SDEIS and the Belleayre UMP, not to
23 mention the Cumulative Impact Assessment, are very
24 large and complex for citizens to evaluate and

1 comment on in this short amount of time. We have
2 not had a chance to digest the UMP and cumulative
3 impacts this soon, let alone conduct studies, but
4 I'm going to make a couple preliminary comments.

5 In light of the predicted increase in intense
6 precipitation events, we are deeply concerned
7 about the potential for an increase in flooding
8 and pollution from tree cutting, mountainside
9 construction, road building and replacing
10 permaculture with many acres of impervious
11 surfaces. Villages below and downstream have been
12 profoundly impacted by historic flooding, even
13 without such commercial construction high above
14 them.

15 Just because the Pepacton reservoir is not
16 yet impaired doesn't mean it can sustain an
17 unlimited number of insults. The debris and
18 pollution roaring down the east branch into the
19 reservoirs during recent storms was frightful to
20 behold. We are deeply concerned that runoff from
21 this project, now entirely on the western side of
22 the mountain, coupled with more and more intense
23 storms that we all know are coming, will cause
24 devastation to the irreplaceable Pepacton

1 reservoir and everyone who depends on it for
2 drinking water and for recreation.

3 In light of climate change and warming
4 winters, does it make sense to bet so much
5 taxpayer money on the skiing part of this
6 recreation area? Belleayre Mountain is, or has
7 been, a family-friendly affordable ski center
8 where many lifelong skiers learned to love the
9 sport.

10 Yet, more and more, it appears to be managed
11 for purposes other than the affordable enjoyment
12 of the public. Please remember that Belleayre
13 Mountain Ski Center is a public park amenity, not
14 a cash cow for the State or any other interests.
15 It's a park. Treat it like a park.

16 Catskill Park is a world class treasure
17 bequeathed to us after it was nearly destroyed,
18 enshrined in our state constitution and protected
19 from further development by generations of New
20 Yorkers. And Belleayre Mountain is much more than
21 its ski center. Not just skiers but sightseers,
22 families on vacation, hikers, bird watchers, leaf
23 peepers, photographers, beekeepers, artists and
24 people seeking the peace and inspiration of

1 encountering wild nature must also be serviced by
2 the UMP for this special place. The park belongs
3 to all New Yorkers for their enjoyment in the
4 spring, summer, fall and winter whether or not
5 they ski.

6 Snowmaking is very expensive and will become
7 more so as winters warm --

8 ALJ McBRIDE: Ma'am, your time is up.

9 MS. McQUAIN: The message of that point is no
10 public funding should be spent on snowmaking for a
11 private development.

12 (Applause.)

13 ALJ McBRIDE: John Carney.

14 MR. CARNEY: Hi. My name is John Carney. I
15 want to start out by saying this proposal is a
16 classic taste of development being way too much,
17 proposing far too much to be realistically
18 developed and as a result of an outrageous
19 original plan, they kept riding out the same thing
20 year after year. Now, economic times have changed
21 and they are stuck. Now, they want the state to
22 foot the bill for their lack of foresight.

23 ALJ McBRIDE: Mr. Carney, I'm sorry. It's
24 hard to hear with the rain. I'm just going to

1 have you slow down a little bit. I'll give you a
2 little extra time, because I'm interrupting you.
3 It's hard to hear you with the rain. I know
4 you're trying to get it all in. Just slow down a
5 little bit so we can get you better.

6 MR. CARNEY: Did you hear any of what I said?
7 Okay. I'll slow it down.

8 ALJ McBRIDE: You can just continue where you
9 were.

10 MR. CARNEY: The first compromise is just
11 build two golf courses, right? They wanted to
12 scale the project back. The PR people put out the
13 word to scale back this project 62 percent. But
14 where is the majority of the 62 percent coming
15 from? One less golf course. Originally, they
16 wanted three golf courses. That was their 1990
17 mindset. Now, we'll compromise and we'll just
18 build one golf course. That's not a sacrifice.

19 Here's some statistics about golf. According
20 to the National Golf Foundation, the number of
21 golfers in this country has fallen from 30 million
22 in 2001 to 20 million in 2011. In 2000, the
23 industry generated \$81.2 billion in revenue and in
24 2011, that number plummeted to 68.8 billion.

1 The idea is land makes money and selling high end
2 real estate homes around the golf course has been
3 punctured by the reality of the housing collapse.
4 Right now, the PGA, USGA and Golf Digest are
5 proposing a nine for nine. That's an initiative
6 initiating nine-hole play. Why? Because golf is
7 no longer a major activity. The average American
8 family has no time for it. They're just not
9 playing it anymore.

10 Americans spend about 1,400 more hours
11 annually parenting and spending time with their
12 kids. Families find that leisure is a precious
13 commodity. Eighteen-hole golf takes too long and
14 it costs too much.

15 I would like you to realistically consider
16 spending our precious tax dollars on this
17 statistically shrinking activity. Remember, the
18 proposal hinges on the taxpayer footing the bill.
19 If things don't work out, how much of our money
20 are you willing to gamble?

21 ALJ McBRIDE: Thank you.

22 (Applause.)

23 ALJ McBRIDE: Nick Kopf. Is Nick Kopf here?

24 (No response.)

1 ALJ McBRIDE: Dennis Orloff.

2 MR. ORLOFF: Good evening. I'm Dennis
3 Orloff. I'm a real estate developer. I've been
4 in the business for probably close to 25 years.
5 What amazes me is how little it's been discussed
6 tonight, although the last speaker just started to
7 allude to it, that this whole situation really is
8 a glorified real estate deal for the developers.

9 These people, Crossroads Ventures, and I've
10 spoken directly myself, have been trying for a
11 long time to sell this project. They are in
12 trouble. They are not sure where they're going to
13 get their money from at this point. Dean Ginner
14 told me, promised me, 10 years ago that he had no
15 interest in skiing, he hated it. He would never
16 be involved in a ski business and none of this
17 would be part of a ski resort.

18 Well, you can see the decline in his options.
19 He's now turned to tying this into a ski resort at
20 our expense. Let's keep in mind also that Mr.
21 Ginner will have nothing to do with this resort
22 once it's approved. When this gets approved, the
23 land values will automatically increase and when
24 his development does not get built, he will then

1 have the ability to negotiate with the State for a
2 higher price for his land that we gave the value
3 to by approving these resorts.

4 The promises that are in this SDEIS, the
5 whole plan, have loopholes. None of what you see
6 in this plan will ever be built as you see it,
7 because no developer who is going to spend
8 \$450 million-plus on a project will be bound by
9 all of this fancy details and talk that we're
10 talking about. Isn't this wonderful? Isn't this
11 golf course wonderful? It's environmentally
12 sound. There are loopholes. If it doesn't work,
13 they don't have to do it.

14 What's this talk about they're negotiating
15 with the developer for internships? The developer
16 you're talking to will not even own the project.
17 At that point, who is promising these internships?
18 There will be some huge resort developer in their
19 wildest dreams, if they can find one to buy it,
20 who will then be in charge and they are not
21 interested in your community. They are only
22 interested in building their resort to their
23 specifications. You are not following the facts.
24 That is a bait and switch model right there.

1 You will never see that built whether we
2 approve it or not. It is not going to happen as
3 you know it and you're in for a great shock. I
4 have seen this happen countless times in my
5 business from small developers to big developers.

6 ALJ McBRIDE: Your time is up.

7 MR. ORLOFF: Thank you very much.

8 ALJ McBRIDE: Jackie Kuhls.

9 MS. KUHLS: Hi. My name is Jackie Kuhls and
10 I'm board chair of the Belleayre Music Festival
11 though I'm not here tonight representing the
12 Conservatory. I'm here to speak on behalf of my
13 family.

14 We own a home in Highmount and we love
15 Belleayre Mountain. We came here for the skiing
16 but soon found that we absolutely loved the entire
17 region and that we see it as a gem that we use
18 four seasons of the year. We hike, tube, shop and
19 enjoy the music with friends and family.

20 And I would like to add at this point there
21 have been a few comments about the resort as some
22 place where people may come and spend all their
23 time here. My experience has been the opposite.
24 While we're here, we certainly like to enjoy the

1 entire region. We're season passholders at
2 Belleayre, but we also ski at Plattekill and we
3 enjoy that and we've brought friends there. We
4 shop in the different towns. We bring people all
5 around. So I think that should be thought of in
6 that way.

7 We strongly support the expanded ski area and
8 the resort as we see it as critical to the
9 economic survival of the region. We think it will
10 breathe new life into many of the shuttered
11 businesses on Route 28. The new jobs will do more
12 than support families. They support the
13 community.

14 Talk to a lift attendant and you're talking
15 to a volunteer firefighter. Talk to a waitress
16 and you're talking to an animal shelter volunteer.
17 The resort will shore up the community in more
18 ways than just jobs. Let's bring more people to
19 this beautiful area. Belleayre isn't just for a
20 chosen few. It should be shared.

21 (Applause.)

22 ALJ McBRIDE: Melissa Gould.

23 MS. GOULD: Good evening. Thanks for
24 allowing me to speak tonight. I wanted to thank

1 the DEC for extending the comment period. I'm
2 here on behalf of my family and I'm here to speak
3 in support of Belleayre Mountain Ski Center and
4 the development but in modified form.

5 We support the core alternative as the most
6 appropriate alternative due to its size,
7 environmental impact and for New York State's
8 return on investment with realty and the current
9 skier metric for Belleayre in the northeast.

10 The scale will keep the Belleayre Mountain
11 Ski Center within its current and appropriate
12 boundaries and there would be no need for
13 traditional land acquisition and no controversial
14 arrangements for managing the operation of
15 snowmaking for Belleayre Mountain.

16 More importantly, there would be no need for
17 the transfer of millions and millions of gallons
18 of water from the Ashokan watershed into the
19 Pepacton watershed. It is incumbent on an
20 environmentally sound ski area expansion to scale
21 the build-out in such a way that does not
22 negatively impact on the neighboring watershed.

23 The size of the core alternative is the best
24 alternative for the current skier metrics

1 including those at Belleayre Mountain which show
2 not a growth but a flat and diminishing ski
3 industry. Rather than using the hypothetical
4 9,000 comfortable carrying capacity, it would be
5 more prudent to use realistic metrics that are
6 adjusted for real skier demands and for
7 significant impacts that climate change has had on
8 the ski industry.

9 Climate change impacts have not been properly
10 addressed in the UMP. In the State's very own
11 report as well as numerous other studies, it says
12 that temperatures are expected to rise by as much
13 as three degrees by 2020. Some studies predict
14 more than half of the 120 ski resorts in the
15 northeast will not be open more than 100 days in a
16 year by 2039.

17 With these challenges, I suggest the core
18 alternative and I would say we should also
19 consider adding bigger ground activities, such as
20 Alpine slides, zip lines and hiking trails.

21 Additionally, the development includes two
22 resorts, not one, two spas, two hotels, multiple
23 conference facilities, various fractional
24 ownerships which are all unneeded and risky

1 measures. Resort hotels are the most volatile and
2 highest risk. Using their very own consultants,
3 the hotel resort proposals with the prevailing
4 2007 method would be only marginally feasible.

5 ALJ McBRIDE: Ma'am, your time is up. Thank
6 you.

7 (Applause.)

8 ALJ McBRIDE: Jenny Liddle.

9 MS. LIDDLE: Hello. Thank you for everyone
10 who stayed. My name is Jenny Liddle and I live in
11 Hawkinsville, which is not too far away. I've
12 lived there for about 26 years. I support the
13 resort. I support the plan to expand Belleayre,
14 but I'm not going to repeat the litany of how our
15 area was once full of resorts and how we need jobs
16 and how we don't have enough adequate
17 accommodations. All those things are irrefutable.

18 What I would like to say is the developers of
19 the Belleayre Resort have a right to do what most
20 of us like to do and that is engage in building
21 and make money. Hopefully, the resort will make
22 lots of money. I don't think they should need to
23 apologize for that.

24 I'm glad the developers see what we all see,

1 those of us that support the project as well as
2 those who do not. We live in a fabulous,
3 beautiful region that many, many people should be
4 eager to visit.

5 I would like to personally thank them for the
6 faith that the developers have that our community
7 is such a promising place to make such a huge
8 investment. I'd also like to thank the State. We
9 New Yorkers pay a lot in taxes and the thought
10 that there might be some return here to help
11 stimulate some local prosperity is what we are
12 entitled to.

13 On a second note, we cannot allow the future
14 of our young people to be hijacked. They've been
15 brought up with the mindset that there is
16 absolutely nothing for them here and I desperately
17 hope to be proven wrong.

18 (Applause.)

19 ALJ McBRIDE: Tom O'Brien.

20 MR. O'BRIEN: Hi. I'm Tom O'Brien from
21 Roxbury, New York. I wear a number of different
22 hats in this community. I just have to say that
23 initially, at the onset, as the Superintendent of
24 Schools at the Roxbury Central School District, I

1 am not taking a position. I'm also a member of
2 the Margaretville Hospital Board and we have taken
3 a full position in supporting the expansion and
4 development of the resort.

5 I'm basically here to say how important this
6 is for our community. Our community and all of
7 our communities in this area have been dying. The
8 demographics in this area are abysmal. The
9 poverty rate is up. Job opportunities are down.

10 The one concern that I have about the
11 expansion and the development of the resort is
12 that it should be shared by all people, that it
13 become available and used and benefit the entire
14 Catskill region, that it not become a micro
15 economy but become a macro economy.

16 One of the most important things that we need
17 here right now are people and we need to stimulate
18 the entire region. And if this is going to be
19 built, and it's going to be the expansion of the
20 park, it needs to have a positive effect on the
21 entire region. Thank you.

22 (Applause.)

23 ALJ McBRIDE: I've just been told that a
24 tornado warning has been issued for this area, so

1 we're going to take a 10-minute break and move
2 downstairs away from the windows.

3 (A short break was taken.)

4 ALJ McBRIDE: I'm going to call the next five
5 speakers: Michael McKeone, Christina Kopf,
6 Michael Porter, Don Bush, Jr., Joanne Steel.

7 Mr. McKeone, go ahead.

8 MR. MCKEONE: Hello. I'm Michael McKeone.
9 I'm a member of the Onteora School Board, but I'm
10 not here representing the school board tonight.
11 I'm just here as a dad with two kids running
12 around. Luckily for them, I'm here now and get to
13 speak and then we can go home.

14 We came here eight years ago. We lived here
15 in Highmount full time. And when we arrived, we
16 came from Vermont and we were pleasantly surprised
17 by all the people that we met and we really
18 enjoyed starting our life here.

19 Since then, the economy has taken a downturn.
20 We suffered through a pretty bad flood through
21 Irene and other issues with Sandy and the local
22 economy's taken quite a hit. So that when we
23 first arrived here, we were in the business of
24 making a lot of new friends and starting our life

1 and we really enjoyed our life here today, but we
2 also ended up having to say goodbye to a lot of
3 friends because they weren't able to stay and they
4 weren't able to continue to enjoy the riches of
5 this area, because there was no work and nothing
6 for them to do to support their family.

7 I'm not naive enough to think that this
8 resort or the expansion of the mountain here,
9 Belleayre, is a panacea and will solve all our
10 ilks. But I do believe that if local leaders and
11 we, as community members, join together and
12 embrace these projects, they can provide the
13 catalyst to begin to develop some resiliency and,
14 over time, a local economy that's based upon
15 light-footed development and light-footed industry
16 and services that will provide for a meaningful
17 life of work for people here in the Catskills and
18 a base for our school districts and our schools.

19 As a result, I support this wholeheartedly
20 and hope that when and if the resort does get
21 approved that we can all come together as a
22 community, embrace it and work to make it have the
23 greatest and maximum benefit for everybody here,
24 both developers and the business people who will

1 profit, as well as everybody in the community who
2 can profit if we are creative and work together to
3 benefit from the resort. That's what I would ask
4 from everybody.

5 In our house down at the bottom of the hill,
6 we have pictures of when this area was built -- or
7 when our house was built a hundred years ago. In
8 that picture, there are pictures of this mountain
9 and there isn't a stick of timber around this
10 house. A hundred years since then, you can't go
11 anywhere without running into a tree.

12 If this is a colossal failure, which I don't
13 believe it will be because I believe people will
14 come together and will work to make this a
15 success, but if it isn't, Mother Nature will exact
16 her toll and in 50 or a hundred years, you will
17 have a completely forest filled again.

18 So I don't think that the worry of destroying
19 the environment is real and I think that we can
20 all join together and make it a success both for
21 us living here and for the environment that we
22 enjoy now. Thank you very much.

23 (Applause.)

24 ALJ McBRIDE: Christina Kopf. Is Christina

1 Kopf here?

2 (No response.)

3 ALJ McBRIDE: Michael Porter.

4 (No response.)

5 ALJ McBRIDE: Don Bush, Jr.

6 (No response.)

7 ALJ McBRIDE: Joanne Stepp.

8 (No response.)

9 ALJ McBRIDE: Rodney Aldrich.

10 MR. ALDRICH: Good evening, Your Honor. My
11 name is Rod Aldrich. I'm a professional engineer.
12 I work for Sterling Environmental Engineering and
13 I reviewed three aspects of the plans:
14 Stormwater, the snowmaking reservoir and sewage.

15 These are preliminary concerns and, also, we
16 have a draft of our written comments. In the
17 stormwater area, there's drainage coming from the
18 Highmount area, both the slopes and the spas. It
19 comes down Route 29A and it gets lesser by the
20 ditch. That's on the upper side of that road.
21 And there are culverts that pass under the road.

22 We look at the model that's been submitted
23 and 10-year flows exceed the capacity of the
24 culverts. That water has to go somewhere and we

1 did a walk along that stretch of road and found
2 that the water flows over the top of the road.
3 That is an existing condition, but the plan does
4 nothing to address it.

5 The effects will be to put soil and gravel on
6 the road, which is a traffic hazard. The shoulder
7 embankment will weaken and erode and it could
8 impact water quality.

9 They kept the peak flows the same as the New
10 York State design manual requires, but the total
11 flows are two to three times what they are in
12 existing conditions, and that longer time provides
13 for a longer amount of erosion.

14 Other problems with the model is the 52-inch
15 concrete culvert that they indicate at monitoring
16 point four, the capacity of a 38-inch high
17 concrete metal arch. They also left out a 12-inch
18 culvert found in field.

19 With regards to the reservoir, there is no
20 application so there's nothing for us to review.
21 We can't critique what we don't have.

22 The sewage issues, there's a long downhill
23 section in the Highmount area. If there's
24 clogging, power failure, pump failures, that steep

1 slope will back up with sewage and it could pop
2 manhole covers and create leaks. Those leaks are
3 sanitary waste. They would provide -- it would
4 dump nutrients into the Alpine plants in that area
5 and the water itself will create erosion. Thank
6 you.

7 ALJ McBRIDE: Thank you.

8 (Applause.)

9 ALJ McBRIDE: John Michelotti.

10 MR. MICHELOTTI: Thank you, Your Honor.
11 First, I'd like to say thank you to the DEC for
12 the work they've done on an outstanding job, no
13 matter which one gets chosen. I'd just like to
14 put some of this in reference, if I can.

15 New York State owns 90 percent of all state
16 land east of the Mississippi River. It owns and
17 controls 58,000 acres in Shandaken alone. We're
18 talking about a little over 200 acres here of
19 private land.

20 We're talking about a resort that's built
21 specifically to attract the type of ecologically
22 sensitive families to this area to create another
23 generation of conservationists.

24 The size that they're talking about for the

1 resort is only a fraction of what's available in
2 either Hunter or Windham and it's insignificant
3 compared to what's available in all the ski areas
4 in Vermont.

5 It's been stated here tonight that both
6 projects are interdependent. Neither project will
7 go forward without the other one. So moving it to
8 the east or moving it to someplace else or scaling
9 down one or eliminating one will eliminate both of
10 them, thus, you have nothing here.

11 Every elected official tonight, every
12 educator and every business organization has come
13 out in favor of this proposal unanimously tonight.
14 The only officials that haven't are from
15 Shandaken, because they've been advised legally
16 that at some point in the future, they may have to
17 rule on something involving the resort. So
18 they've been advised legally that they cannot come
19 in favor or opposed to the resort. That's it.
20 Somebody else can use the rest of my time. Thank
21 you.

22 (Applause.)

23 ALJ McBRIDE: William Borden. Is William
24 here?

1 (No response.)

2 ALJ McBRIDE: Chip Seamans.

3 And after Mr. Seamans, we have Alan White and
4 Joan Lawrence Bauer.

5 MR. SEAMANS: My name is Chip Seamans. I'm
6 the president and general manager of Windham
7 Mountain in Windham and I want to thank those of
8 you who are still hanging in there. I've been in
9 Windham for the last two years, but I've been in
10 the ski industry for the last twenty-six years and
11 I've managed ski areas in Maine and California
12 prior to coming to New York.

13 In those years, I've been involved in a lot
14 of decisions and discussions regarding capital
15 improvements of ski areas, both for the ski
16 operations as well as real estate development, and
17 they're complex decisions and they're passionate
18 and there's emotion and it's very difficult in a
19 lot of cases to determine a return on investment
20 at a ski area.

21 We're obviously a very weather-dependent
22 business. We're dealing with demographics of a
23 population. Skier visits, which is how we measure
24 our business, have been basically flat in the ski

1 industry for the last 20 years, which means that
2 the same people are going to different ski areas.
3 We try as an industry to bring new people into
4 those areas. But in every discussion that I've
5 been involved in regarding capital improvements,
6 the decision involves what the previous winter was
7 like, what the current financial situation is as a
8 company, what we think is going to happen next,
9 what our debt service will be. We have
10 considerations of taxes and liability insurance
11 that this area does not have to worry about. In
12 no cases in all those years was there free money,
13 in this case, coming from the state for expansion
14 of a ski area.

15 So we think competition is great. We think
16 it's great to have four ski areas in the
17 Catskills. We like to work together to bring
18 people to the area. Healthy, well-run ski areas
19 are good for business. The more ski areas we have
20 that are profitable and running well, the more
21 people will come to this area to ski.

22 However, we firmly believe in a level playing
23 field. We are not in favor of a state-funded
24 addition to Belleayre with an extremely

1 questionable return on investment.

2 It's very difficult for us to see that kind
3 of money -- like people have said earlier, there's
4 no way you get that kind of money from a bank for
5 any kind of improvements without showing some of
6 that return here and being able to put the money
7 that we have made back into the resort.

8 If we have a good year, we hold off for a
9 while. After a good year, if we're fortunate
10 enough, we'll put money back in. We think it will
11 bring more business to the area. And if we
12 haven't done everything that we think we can to
13 make the company healthy and profitably support
14 putting that money into it, then we'll invest that
15 money wisely.

16 So we're only asking for a level playing
17 field and we look forward to working with all ski
18 areas to bring more skiers to the area.

19 (Applause.)

20 ALJ McBRIDE: Alan White. And after Mr.
21 White will be Joan Lawrence Bauer and then
22 Michelle Spark.

23 MR. WHITE: Thank you, Your Honor. My name
24 is Alan White. I'm the Executive Director of the

1 Catskill Center. We are one of the signatories of
2 the Agreement in Principle. That's something that
3 we stand behind. We think after 15 years of
4 review, millions of dollars being spent and not
5 one stick of development resulting from that after
6 that time, we really would encourage you to
7 continue to forward with the compromise.

8 The Agreement in Principle is basically a
9 document that was made from progress and signed.
10 First of all, 1,200 acres were added to the
11 preserve. That's a major environmental
12 accomplishment from our perspective. There's an
13 additional 200 acres of a conservation easement
14 that have been completed. One aspect of the
15 Agreement in Principle has not been completed and
16 that is the Agreement in Principle calls for a
17 deed restriction prohibiting casino gambling on
18 all parcels. That is in the process of being
19 completed, but we would ask that those be recorded
20 prior to any permits being issued.

21 The Catskill Center also recognizes that in
22 the interim, the Agreement in Principle, there's
23 significant improvement in the elimination of a
24 series of ridge top units and the road to them.

1 So we feel that this proposal being reviewed is
2 better than the Agreement in Principle, both from
3 the standpoint of visual impacts and so forth.

4 A few comments on the Unit Management Plan.
5 We feel there are some gaps as presently presented
6 in the Unit Management Plan. First of all,
7 there's very limited business analysis. If I was
8 going to go to a bank and say, "I want to borrow
9 \$400 million to double my business," I'd have to
10 provide financial information than what's been
11 provided so far. And we also feel that the amount
12 of information provided on the east build
13 alternative is very limited. We'd really like to
14 see DEC show maps that if we're choosing to build
15 this, show us more details on why. That's
16 probably not the point.

17 The Catskill Center supports modernization of
18 this facility. One of the take-home messages for
19 us from the Unit Management Plan is at the present
20 time, the pieces don't fit together, the logic,
21 the parking and the trails. All that fits are the
22 Catskills.

23 We've had a real shortage of public
24 investment in this ski area for many years and

1 we'd really like to see Belleayre receive an
2 update.

3 We're very excited by the energy conservation
4 improvements. We, in general, think that phasing
5 beyond the current capacity for any expansion
6 should be left up to the new operator, ORDA, based
7 on the plan. Thank you.

8 (Applause.)

9 ALJ McBRIDE: Joan Lawrence Bauer. And then
10 it will be Michelle Spark and Chris Tyler.

11 MS. BAUER: Hi. My name is Joan Lawrence
12 Bauer. I grew up here in this region learning to
13 ski at Belleayre Mountain back in 1957. Belleayre
14 Mountain was built as an economic catalyst and it
15 worked so well that Windham and Hunter and
16 Plattekill and all those other mountains came
17 along 10 years later, because Belleayre was the
18 catalyst that attracted people here that made
19 their operations viable.

20 And if this ski center is expanded to its
21 full potential, those ski centers will feel the
22 benefit just as they did when Belleayre was
23 started. That's a really important point to
24 remember. Belleayre was here first.

1 Secondly, the State's voters voted for this
2 facility. They voted not only for a
3 constitutional amendment to build it, but they
4 voted in 1987 for a constitutional amendment to
5 expand it. That's as close as you're ever going
6 to get to direct public input and we've been
7 waiting ever since then for those expansions to
8 happen. It's about time.

9 Now, when I grew up here, I had one of those
10 low wage menial jobs. I was a chambermaid and I
11 gotta tell you it taught me how to work. Did I
12 stay a chambermaid for the rest of my life? No,
13 but it introduced me to tourism as a career.

14 I spent 15 years working here. I spent
15 another 10 years in other parts of the tourism
16 industry and it's a fun industry, it's a viable
17 industry and it's a career track industry that I
18 would be proud to have any child of mine go into.

19 Not only did I grow up here in that industry
20 and make a living in it, but now, I can't, because
21 there just aren't enough people coming. And I
22 think it's pretty ironic that, now, I have to earn
23 a living helping a nonprofit affordable housing
24 agency serve the people who live here all their

1 lives who can no longer afford their taxes, can't
2 afford to repair their homes, can't afford what
3 they need.

4 Someone against the resort earlier tonight
5 said the locals are going to be priced out of the
6 market. Maybe you haven't noticed, but they
7 already are, they already have been and it's time
8 to end that.

9 I heard somebody wonder if people will
10 commute here for these jobs. Well, most of us are
11 commuting to Kingston for our jobs now. If you
12 look at the census, you will see that the average
13 commutes are either 26 miles or 26 minutes. So I
14 don't see any problem with them going the other
15 direction to have a job here.

16 I've heard all this stuff all these years.
17 What I want to know is this: If not this, then
18 what? And if not now, when? Thank you.

19 (Applause.)

20 ALJ McBRIDE: Michelle Spark. Is Michelle
21 Spark here?

22 (No response.)

23 ALJ McBRIDE: Chris Tyler. Is Chris Tyler
24 here?

1 (No response.)

2 ALJ McBRIDE: Barbara Kunkel.

3 (No response.)

4 ALJ McBRIDE: Jason Martin.

5 MR. MARTIN: Hi. I'm Jay Martin. I'm an
6 Ulster County resident for the last 27 years and
7 my mom's family came to this area in the 1700s. I
8 have a very strong connection to the area.

9 First of all, thank you, Your Honor, and
10 thank you, everyone else, here for participating
11 in this process. I think, although we're debating
12 the pros and cons of this issue, we're all on the
13 same side. We're all vested in our community.
14 And I think that across the comments, whatever
15 side you're on, there seem to be two things that
16 people are agreeing on: One is that we need
17 economic development, and two is that Belleayre
18 has been and can continue to be a stimulus to that
19 development.

20 First, let me talk about Belleayre. I've
21 been skiing at Belleayre since the 1950s and I
22 know this area. I love Highmount and all the
23 areas here. Belleayre should expand and it needs
24 to be refurbished, but it makes sense to move to

1 the east. Anyone who skis here knows the terrain
2 is better there. The State already owns that area
3 and it holds snow better. The north side of the
4 mountain holds the snow. You move to the west,
5 get up onto the ridge and you're going to lose
6 your snow.

7 I drive every day from Belleayre back over to
8 Dry Brook and I can tell you when I get up to that
9 sign that says "The future home of the spa," the
10 snow starts to disappear.

11 So let me say I think we should develop
12 Belleayre, but let's develop it so that any new
13 trails and lifts run down into the community and
14 into the Town of Pine Hill instead of to a gated
15 resort, which brings me to the other thing which
16 is economic development.

17 I think that people are hoping this is the
18 panacea and this thing will provide economic
19 development. I don't see that it will. I think
20 they should be given an opportunity to try a
21 reasonable size development. Mr. Utter spoke
22 earlier about a time in which our local town was
23 thriving and was beautiful to drive through and I
24 distinctly remember that kind of time myself and

1 those communities, those towns are where we should
2 have our development. There should be indigenous,
3 local, sustainable development in the town.

4 As for this resort, I say something should be
5 built, but it should be scaled down and it should
6 be staged. Let's start with the lower part of the
7 mountain and go from there.

8 ALJ McBRIDE: Sir, your time is up.

9 MR. MARTIN: Finally, let's not forget in all
10 of our development that the healthy environment
11 and natural beauty of our area is the foundation
12 of our economy in the future. Thanks very much.

13 (Applause.)

14 ALJ McBRIDE: Karin Gustafson.

15 MS. GUSTAFSON: Thanks very much and thanks,
16 everyone, for waiting and thank you to Your Honor
17 and the DEC. Two of the things I'm conscious of
18 listening tonight is, one, that the economic pain
19 in the room is absolutely palpable. The second is
20 everyone here really loves the Catskills and wants
21 to be able to stay here. So I think that's what
22 we're all trying to figure out, how this is
23 possible.

24 How is it possible to leave this economic

1 pain and, yet, maintain the kinds of lives, the
2 infusion of the environment that we all cherish?
3 And what's worries me is that there's a real
4 difference between sound economic development and
5 a sweetheart deal for developers. And the fact of
6 the matter is that the only person sure to make
7 money out of this right away are the developers
8 that are selling their land and whether they'll
9 build the things the way they say, whether they'll
10 support the greater good, it's just speculation.

11 And at the same time, there is a real
12 possibility not of, you know, gain but of
13 destruction, because the environment is fragile,
14 the beauty of the landscape is fragile and the
15 size of this development could really affect us.

16 And I don't mean to sound like a tree hugger
17 or whatever, I'm actually a practical and
18 pragmatic person, but if you want eco tourism, you
19 have to maintain a beautiful place. You can't
20 have a big build-out. There's supposed to be a
21 conference center.

22 Has anyone been to the Jag Center? Boy,
23 there's great conferences going on there. And you
24 go down to Florida, Arizona, these are places that

1 are highly developed. And believe me, they're
2 having just as hard times with jobs as we are up
3 here. So it's not to say yes, develop it, but the
4 devil is in the details. And, here, we have a lot
5 of people who want to make a lot of money out of
6 this and I do believe they're active in the state
7 and I do believe that they're going to push for
8 the bigger plans, but I'm not convinced that their
9 plans are the best thing for the community.

10 The one plan which doesn't involve purchasing
11 land from Ginner would be to develop -- I think
12 it's the G-4.3 alternative. And guess what?
13 That's the one that's least developed in the plan,
14 that's the one with the least details. Because
15 why? Because they won't make a lot of money out
16 of it.

17 I would think people here would be very
18 suspicious of people coming in and they sign off
19 and make money off it. We all know there's a lot
20 of potential for corruption and collusion, and why
21 do we want to be a party to it?

22 And if that money is spent here, will there
23 be other money for the Catskills? No. You got
24 your \$74 million and you have two resorts and

1 nobody's in them. That sounds great for the
2 Catskills.

3 Part of the reason that skiing has died down
4 and golfing has died down is not because the
5 facilities need to be improved, but it's died down
6 all over the place.

7 And so the point is we have to look into
8 these details and everyone wants the best for the
9 Catskills, but you can't just make it that way
10 without the details. Thank you.

11 ALJ McBRIDE: Thank you. Sam Friedel. Is
12 Sam here?

13 (No response.)

14 ALJ McBRIDE: Carolyn Conway. Is Carolyn
15 here?

16 (No response.)

17 ALJ McBRIDE: Dean Tamber.

18 (No response.)

19 ALJ McBRIDE: Nick Torres.

20 (No response.)

21 ALJ McBRIDE: Zachary Spara.

22 (No response.)

23 ALJ McBRIDE: Anyone that filled out a card
24 that hasn't heard their name called?

1 (No response.)

2 ALJ McBRIDE: Okay. Well, then I thank you
3 all for sticking it out for the long time it took
4 and the weather. Have a good night and a safe
5 drive home.

6 (Applause.)

7 (Whereupon, at 9:20 p.m., the hearing was
8 concluded.)

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C E R T I F I C A T I O N

I, **THERESA L. KLOS**, Shorthand Reporter and Notary Public within and for the State of New York, do hereby CERTIFY that the foregoing record taken by me at the time and place noted in the heading hereof is a true and accurate transcript of same, to the best of my ability and belief.

THERESA L. KLOS

Dated: July 7, 2013.

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