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Town of Bethel Planning Board

PO Box 300, 3454 Route 55
White Lake, NY 12786

The Town of Bethel Planning Board held a Work Session on January 8, 2018 at 7:00 PM at the Dr. Duggan Community Center, 3460 State Route 55, White Lake, New York. A regular meeting of the Planning Board followed on the same date at 7:30 PM. On the agenda at that time were the following;

In attendance: Daniel Gettel Chairman, Steve Simpson, Vice Chairman, Michael Cassaro, Susan Brown Otto, Wilfred Hughson, David Slater, Robert Yakin, Jacqueline Ricianni, Attorney, Vicky Vassmer Simpson, Liaison, Jannetta MacArthur, Recording Secretary, Glenn Smith, Engineer.

Excused: David Biren, and Randy Wasson, Engineer

Seating: Robert Yakin, Jr., Alternate Member

Quorum present

Pledge to the flag

Motion to approve the minutes from the December 4, 2017 Planning Board meeting by Steve Simpson, second by Susan Brown Otto.

All in favor - 7

Opposed - 0

Agreed and carried

Daniel Gettel: Mr. Daley has proposed expanding the Bethel Storage facility by four buildings. That's not to say he is going to build the four buildings this spring, but clearly he has plans for the future. As part of his original approval of the project it was capped at a total of 30,700 square feet of storage plus a car wash. At present he has 25,260 square feet of storage and has abandoned the idea of the car wash. His proposal at this time is to gain the approval from the

Planning Board for a total 36,360 square feet of storage or an addition of 11,100 square feet. In a minute I will entertain a motion that we open the meeting up for public comment. At that time I will ask the applicant to make a brief presentation to the audience, to describe to the neighbors what he may be doing to mediate their concerns. If anyone has any questions or comments, I would ask them to approach the microphone at the front of the room and to address any comments to the board. Do not address to the applicant. As soon as all of the comments are received, we will close the public hearing and move on to our regular agenda where we discuss that application as a board. Are there any comments from the board?

None

- 1) Public Hearing for a revision to a previously approved Site Plan for the expansion of an existing storage facility located at 1998 State Route 17B, known as Bethel Tax Map #22.-1-46, proposed by 1998 Bethel Self Storage Corp. (Daley)***

Motion to open to public hearing by Susan Brown Otto, second by Wilfred Hughson

All in favor – 7

Opposed-0

Agreed and carried

Daniel Gettel: Mr. Daley if you would please. You may want to spin that board around so the people in the audience would get an idea of what you are proposing. We have seen the application already.

Steve Daley: We were previously allowed to build 30,700 square feet at Bethel Storage. Currently we have 25,260, so I am allowed to build approximately another 5,000 square feet. I have the permit to do that. What we decided to do was instead of coming mostly up front with the storage buildings we decided to place the majority in the back so nobody could see it. It is kind of hidden in the back. What we are asking the board for is an addition 6,360 square feet. I don't think anyone will be affected by it at all. It is pretty simple.

Daniel Gettel: Also the area in the rear where you are going to put the main storage buildings is already bulk storage.

Steve Daley: I have another map in the back. Here is a new map. The three highlighted spots over here is where they are going, straight in the back, and one small building right up front here. The house is going to stay there. The office is going to stay.

Daniel Gettel: Before we take public comment, there are a couple of things I need to run through, so the public is aware. As part of any review on a project on a State Road, it is subject to a 239M review. Usually the County does that. We did subject this project to a 239M review,

and it came back. The Sullivan County Division of Planning states it should be treated as local determination, as the proposal will not have a significant intercommunity or countywide impact. They do however make a few technical comments. They state that the property is in a highly visible location and is in close proximity to County attractions that draws significant tourism. Consequently it contributes to visitor impressions of the County making the impact on County character. They recommend the Board use this opportunity of the site plan review to engage the applicant in the discussion of the potential property improvements such as sign consolidation, maintaining a clear right of way along Route 17B, and bringing elements of the proposed screening and planting to the property frontage. They recommend a mix of shrubs and trees, mixing in a number of shrubs in with the trees that are already planted there for more of a natural effect. They also recommend a maintenance bond for three years to insure the trees get well established. We are not saying we are going to go along with this, this is just how the County review came back. The State Department of Transportation came back with three typical comments that they give us in the 239M's. Two having to deal with that the driveway stating it should be brought up today's standards, and the comments are the driveway opening should be brought up to conform with the department standards for control and access and for highway safety and that the applicant's method or modification shall be approved by the DOT. They also mention nothing should be stored in the right of way. That is something that they always come back with including signage, and storage materials. The County came back with some recommendations, but it does come back as local determination, so it really is up to the board whether we approve it or not.

Steve Daley: Dan, there is something I wanted to point out. I did knock the house down next door. When I did that, we got a bigger driveway.

Daniel Gettel: I realize that. Does anybody in the public want to make a comment?

Bette Jean Gettel: Peter Hofstee.

Peter Hofstee: I have a business across the street from the storage units. I have a safety concern. About the traffic. We have a lot of traffic volume, a lot more than we ever had. A big concern is, I run equipment up and down the road. People do park along the street all the way up through there and beyond there. I have come across a lot of close calls, and that is a big concern. Second of all, I would like to know, for the location within 500 feet of anybody, I would like to know if it is procedure if that applies to all businesses.

Daniel Gettel: I don't know what you mean by that.

Peter Hofstee: Do you receive notification if a business happens.....

Daniel Gettel: This was a change in the plan approved by the Planning Board, and when we schedule a public hearing we notify all the neighbors within 500 feet. If it is an established business and it changes hands, that is not....

Peter Hofstee: No, I understand. In the past a few businesses that came along...

Daniel Gettel: This is the only one reviewed in your neighborhood. I know what you are talking about. I don't think the parking problem is necessarily from Bethel Storage, but we did not review that application.

Peter Hofstee: The one that moved next door to me that was from last year, I got no notification of that, and there was another one just down the road from there, the Distillery, I didn't get any notification of that. That is within 500 feet.

Daniel Gettel: And they weren't reviewed by this board.

Peter Hofstee: That's it then.

Daniel Gettel: Thank you Peter. Anyone else? Larry you have to stand up.

Larry Schick: I'm not going to stand up.

Daniel Gettel: Jannetta has to pick you up.

Larry Schick: When the ownership changed hands, after the new zoning went into effect, 2009, once it transfers hands ... therefore Special Use kicks in.

Daniel Gettel: Special Uses goes with the property.

Larry Schick: Special Use from what I understand stays at what it is acquired as....

Daniel Gettel: Special Uses go with the property.

Larry Schick: Special Use as existing.

Daniel Gettel: If we approve Special Use Permits, if a Special Use Permit is approved, that goes with the property.

Larry Schick: Right. Not expansions. That one building was built on a piece of property that wasn't part of the original site plan.

Jacqueline Ricciani: I am having a hard time hearing also, with this fan going. If a project is granted a Special Use Permit, and then the zoning changes, that property can continue to operate under that Special Use Permit.

Larry Schick: If it is nonconforming, after 2009. It changed ownership also.

Daniel Gettel: It wasn't nonconforming at the time. Les Sharoff was granted a Special Use Permit. When Les Sharoff passed and the property was sold, the Special Use Permit was still in effect. Mr. Daley is with us tonight to make an amendment to the Special Use Permit, which is perfectly logical for him to do that. Nonconformity has to do with properties that don't conform to zoning but not for Special Use Permits. I would be glad to talk to you about that anytime, but

Special Use Permits go with the property. Nonconformity is a different section.

Larry Schick: (Could not hear / Inaudible)

Daniel Gettel: Would anyone else from the audience like to make a public comment? If I close the public hearing, that will be the end of the public comment.

Angela Bakos: It looks like it is going up Whitmore. Is there access there?

Daniel Gettel: The only access to this parcel is from Route 17B. Anyone else?

No one

Motion to close this Public Hearing and go back to our regular meeting by Steve Simpson, second by Susan Brown Otto

All in favor – 7

Opposed - 0

Agreed and carried

Daniel Gettel: Jacy do you have any additional comments?

Jacqueline Ricciani: No.

Daniel Gettel: Just for the record the applicant did purchase an additional parcel, knocked down a residence that was on that parcel, and did annex that acreage into the proposed project site. So the project site has expanded. The applicant did give up the proposal to construct a 2,200 square foot car wash building with 10,000 plus square feet of pavement area for that building, which would have been right off the road. The storage units along the rear of the parcel are to be installed in an area presently being used as bulk storage. The storage units either installed or could be installed in the future in the area of the office building, are only accessible from one side, is that correct, the driveway side?

Steve Daley: Yes.

Daniel Gettel: So they wouldn't be accessed going along the neighbors properties. For the record, we did discuss the Gateway Route 17B design standards at the last meeting, and determined that they really don't pertain to the expansion, but to new facilities. Glenn, did you want to make some comments, and if you would, just touch on the DOT letter we received also. Could you come up please?

Glenn Smith: The DOT letter suggested that the driveway be reconstructed. Which I have never heard of an existing driveway that is not proposed for anything, expansion in the state right of way, to be required to be upgraded to current standards. It is kind of what the letter sounded like.

They may not have understood the plan that the County sent on to them, but I don't see any reason there needs to be any driveway work. The DOT, as far as I know, can't come back and say rebuild the driveway.

Daniel Gettel: If so, they could do that to anyone along Route 17B if they wanted to.

Glenn Smith: The other thing was, as he said, there was roughly 25,000 square feet in the existing buildings now. The increase would be around 5,000 to 6,000 square feet with the three new buildings in the back, and the one additional in the front. Your board would have to approve that additional 5,000 or 6,000 square feet to do that. Other than that there wasn't much.

Daniel Gettel: We did meet at the site and we talked about some buffer zones that could use improvement, and where the buffer zones really shouldn't be....

Glenn Smith: The tree screening along the easterly side, I think your board would want to see that extended further.

Daniel Gettel: Forward towards the road.

Glenn Smith: Yes.

Susan Brown Otto: Wasn't there talk last month about going back further, whether that blocks the Schick house?

Daniel Gettel: That is where the 900 building exists today. If you want to bring it back a little more. The units in the back we had discussed when we were out there, they are pretty well hidden. Anyone that is on Donaldson Road, a buffer wouldn't really matter anyway because they are so much higher than the existing storage buildings. We are only talking about the easterly bounds.

Glenn Smith: As was pointed out at the last meeting, where the three buildings in the back are going, Mr. Daly proposed to take out a lot of those old truck bodies out of there.

Daniel Gettel: That will be a condition of approval. Does anyone on the board have any comments? The NYS DOT, 239M comments, Glenn, I don't think they can require an existing business to upgrade their driveway to a standard that they came up with today, to today's standards. I agree with you, that is just one of their boiler plate comments that we get, and it doesn't really pertain to this application. The County 239M comments we do need to address, because they are one of our reviewing agencies. They mentioned possibly mixing shrubbery in with the buffer zones. I don't see that on any of the existing buffer zones, that would be more of a disturbance. A low growing shrub is really something we put along the road. We can consider that for any buffer between... I'm going to call it the building by the road. Steve, is there a number on that building? Is that the 900 building that doesn't exist yet?

Steve Daley: No, the 900 building exists now. There is no building close to the road. Building 10 (a/k/a 1000) will be installed. That will be by the office.

Daniel Gettel: Steve, we are going to put in the file, in order to address the County that the buffer zone between the 900 building and the adjoiner is to be extended along the rear of building 10 (1000) along the back. We are going to suggest that the buffer zone behind, what is called the 900 building, be extended along the property line to and along the back of building 10 (1000), which is also the one that is close to the property. We are going to require that the applicant extend the buffer zone from building 9 (900) to that building in front of it, building 10 (1000), along the entire rear of that.

Steve Daley: All the way to the road?

Daniel Gettel: To wrap around that building 10 (1000), yes. That would address the County's comments.

Steve Daly: When you say buffer zone, you are referring to the screening?

Daniel Gettel: The existing screening trees that are there. There are trees already there now. There are apple trees and evergreens there now. They go to the storage containers now. I think it is fair to say that we are going to ask that you verify that you extend along the rear to building 10 (1000). As far as... there is an evergreen screening now, he has to extend that evergreen screening to building 10 (1000).

Jacqueline Ricciani: To the back. It doesn't have to go along the back.

Daniel Gettel: Along the back of the building. We will require that you verify that the existing evergreens go back to building 10 (1000). As far as the County asking for a bond, that is really something more of a Dunkin Donuts, or an ornamental planting.

Glenn Smith: I think Steve said last meeting that his landscaper was going to warrantee the shrubs and trees. Maybe we want to get a copy of that.

Daniel Gettel: We are not talking about decorative shrubs. That is what our landscape wording is looking for. The sign question has always been an ongoing item there, as far as maybe consolidating the signs I know at one time there were less signs than there are now. It seems they are growing back again. What I would do is, in order to address the County, is state we specifically as a board approved the sign on the 800 building, the banner type sign. The previous board approved the main sign that is free standing by the office. The other signs that keep appearing aren't signs that were approved by the board. So I do think the County is right

Steve Daley: What signs?

Daniel Gettel: They are on the bulk storage containers. It is getting a lot of sign litter in the front. The more signs you have in the front, the less they are going to notice the signage. I would like you to sit with BJ and come up with some kind of idea of maybe consolidating some of the signs. Dressing up the one that is there. Susan is willing to sit down with BJ and look at that. We will hinge that upon that being resolved before you receive the Certificate of Completion of the units.

Susan Brown Otto: We would like a stone based sign with plants.

Daniel Gettel: We typically ask for some base around the sign. We did discuss lighting at the last meeting. It was discussed that it is just more of security lighting than anything else. Are there any comments from the board before I talk about how we may look at this? If we approve the amendment to the Special Use Permit, the Site Plan for the Special Use Permit, one condition would be that the bulk storage containers, boats and vehicles located along the rear of the property shall be removed from the site prior to the installation of buildings 11 (a/k/a 1100), 12 (a/k/a 1200 and 13 (a/k/a 1300). The natural buffer zones in the area of these buildings are to be maintained.

Steve Daly: Exactly.

David Slater: There are a bunch of cars on the side too (looking at aerial photograph).

Daniel Gettel: They have to come out in order to get the three in there.

Steve Daley: The cars on the side, they are not anywhere near where the storage is going.

Daniel Gettel: David, we don't have a date of your picture either.

David Slater: True.

Daniel Gettel: The conditions are as follows:

1. Prior to the issuance of a Certificate of Compliance for the installation of building 10 (1000), the evergreen buffer zone shall be extended from the rear of building 9 (900) along the easterly property line to and along the entire rear of building 10 (1000).
2. Deer resistant low growing shrubbery shall be installed along the southerly face of building 10 (1000) to soften the view of that building from passing motorists.
3. The applicant shall provide the Building Department with a plan to consolidate and improve the existing signage located at the entrance to bring that sign up to standards typically accepted by the current Planning Board. This shall be completed prior to the issuance of a Certificate of Compliance for building 10 (1000).
4. All fees be paid.

Jacqueline Ricciani: Did you say landscaping to the north of the building?

Daniel Gettel: The south. And Glenn, we agreed that there is nothing that the DOT has to be involved with. So that would be the conditions. Jacy, the County would like some plantings in front of buildings to soften it from the road.

Jacqueline Ricciani: That is separate from in front of building 10 (1000)?

Daniel Gettel: If there are no other comments from the board?

None

Motion to approve the amended site plan for the expansion of the existing Storage Facility located at 1998 State Route 17B with the above mentioned conditions by Mike Cassaro, second by Susan Brown Otto.

Roll Call vote:

Mike Cassaro – Y

Robert Yakin, Jr. – Y

Daniel Gettel - Y

Susan Brown Otto – Y

Wilfred Hughson - Y

Steve Simpson – Y

David Slater – Y

Motion passed 7 - 0

- 2) Application for a major subdivision to be located off of Mountain Laurel Trail, known as Bethel Tax Map # 55-1-9.3 & 13.1, proposed by The Preserve at Chapin Estate – Phase 5B. (Smith)***

Susan Brown Otto - recusing herself as she has an interest in one of the adjoining properties.

Glenn Smith: Mr. Chairman, I am Glenn Smith. Terresa Bakner and Steve Dubrovsky are here tonight on this as well. Just to reiterate what I said at the last meeting, this is a 19 lot subdivision on the Chapin Estates Preserve property at the lower southwest corner of Toronto Reservoir. It is an area of about 235 acres. This orange outline is the property we are talking about. This is Toronto Reservoir at the top of the drawing here. These are all lots that were approved at the prior Preserve approved by your board back in 2007 for Lots 1 through 180. It was 180 lots. There was a dispute going on between Chapin and the adjacent Iroquois Hunting Club property, which has now since been resolved, and that property line changed a bit here. That has been taken care of and we are back before the board with a proposal of 18 lots. All of the lots are larger than 5 acres. They are all roughly 5 to 7.5 acres each. The 19th lot is the balance of the property here, which has a lot of wetlands. It is not the most desirable piece. That is about 56 acres in size. That would be Lot 198. Access to the 18 lots would be an extension of Mountain Laurel Trail, which was previously approved. It is actually constructed now. Coming from the old Pine Grove Road to the property to where Mountain Laurel Trail originally ended in a cul-de-sac. That will be extended to about 5,000 feet to another cul-de-sac at the end of road, just south of Toronto Reservoir. That road will serve those 18 lots in there, as well as the 19th lot. Since the last meeting we have completed perc tests in there, the plans now have septic system designs. We are looking for one or two waivers, one being the length of Mountain Laurel Trail as it exceeds 2,500 feet, so we are asking the board to approve the extension of the road.

Daniel Gettel: It's not actually a waiver.

Glenn Smith: To approve the extension of the road to more than 2,500 feet long we have mitigated that actually where Mountain Laurel Trail leaves Pine Grove Road over here (showing on map). We have three intermediate cul-de-sacs as well as the end cul-de-sacs. So there are four pull-offs and four cul-de-sacs actually on that length of Mountain Laurel Trail. The other waiver we had discussed was that the town regulations require that private roads, this would be, meet town highway specifications, which include pavement. We do ask for a waiver on not requiring pavement on the road. It is going to be compacted gravel, crusher run, like all the other roads are in Chapin Estates. It has proven to work quite well.

Daniel Gettel: That is a Town Board waiver. We have to be aware if we approve this, we have to be aware that they will be going to the Town Board after we approve looking for a waiver of that. That would conform to every other street in Chapin Estates.

Glenn Smith: We originally got a set of comments from Michael Weeks, which I responded to a couple of weeks ago regarding roads, septic, and wells. One thing Michael Weeks had asked for is evidence that we had drilled wells and have water there. We have six well logs from adjoining lots, all showing adequate water. There is evidence that all the wells in this area have water. That is not problem. Now Randy Wasson is reviewing the plans. I received comments from him today. He brought up some technical things about the driveways. We are finishing up profiles of all of the driveways in the steep section. The westerly part of the property is quite high. To keep under 11% to 12% will be no problem.

Daniel Gettel: That is typical for property in Chapin Estates.

Glenn Smith: Yes, especially on the Swinging Bridge side. You have driveways that kind of switch back, and from what I've heard, the property owners have no problem with it. The other comments Randy had were nothing out of the ordinary. I will respond to them. They are technical in nature. Randy brought up on the EAF there will be some excavation on the site. There is a small shale mining area on the property, which has been used to produce shale for the road base for the roads in the part of the property that was approved ten years ago. That shale will be used for extending Mountain Laurel Trail up to here. It is on the approved part of the property. We have had the DEC to the site. They have looked at the shale mine. Joe Murray the permit administrator for this region as well as the regional biologist were there. We took some pictures. They didn't see a problem and they took it back to the mining office in New Paltz. She (the biologist) said maybe she will come down sometime and take a look and that was two months ago, so we are not overly concerned with the shale. That essentially is it, Mr. Chairman.

Daniel Gettel: The procedure, just so the public is aware, it is considered a major subdivision in the Town of Bethel, so it is subject to two public hearings, which we have not scheduled any yet. In order to do a public hearing we have to run through the environmental first. Our next step would be to run through the environmental. Since you were here last, we did declare our intent to be Lead Agency in the past. Jacy, if you would touch on.... this property has been subject to an environmental review in the past as part of the 180 lot subdivision.

Jacqueline Ricciani: Right. In 2007 it was subject to a very thorough and comprehensive review by the Planning Board. A binding statement was adopted by the Planning Board, and this finding statement 40 plus pages, did also include the 200 plus acres that are before you now. The environmental impact, for this type of a residential subdivision, wildlife, wetlands, all of that stuff was already reviewed but now they are back, so now you need to take a another look.

Daniel Gettel: Since our last meeting, we did get a habitat report. We did get a revised storm water prevention plan, wetlands permit report, or application.

Glenn Smith: We flagged one of the small DEC wetlands on the property where the future road will cross it. That was delineated earlier in the summer. So now where that road crosses, it is not a wetland anymore, it's just not wet. We had a DEC biologist walk that property with us back in November. He signed off on it, so they are fine with that.

Jacqueline Ricciani: You're not going to need a permit?

Glenn Smith: Not for there, no. There are two wetlands. We are crossing the first wetland.

Daniel Gettel: There is also a stream crossing I believe?

Glenn Smith: The stream crossing is not a classified stream, so no permit is required.

Daniel Gettel: Glenn did touch on the fact that we have pecculation and deep test pits on the lots. We also discussed that typically in a project such as this with the larger lots, the people usually choose where they want to build a house, and then BJ requires final sewer plans based on the house location and where the people actually install the sewer. We have the percolation that proves that the lots are buildable which is what we need to do, but we will require that BJ keep continuing requiring sewer plans for each individual lot, based on house size, number of bedrooms.

Glenn Smith: That was one of Randy Wasson's comments, there is a note on the plans that the proposed septic system location showed on these sheets may change in accordance with final house location determined by the future lot owner, a minimum of one deep test pit and two pecculation tests shown in the proposed in the leach field area and submitted to the Town of Bethel Building Department indicating satisfactory soils conditions prior to issuance of building permits. Like you said, their final house location will probably be different from what I am showing.

Daniel Gettel: We did have a County 239M because it is next to adjoining town. It came back as local determination. Jacy, I should touch on the code that talks about cul-de-sacs. I'll put that on the record.

Section 300-22(c) – Cul-de-sac streets.

Cul-de-sac streets, permanently designed as such, shall not exceed 2,500 feet in length unless measures such as boulevard designs, wider shoulders, additional turnarounds or emergency-

only accesses are incorporated in the design to ensure reasonable access in the event of an emergency. Cul-de-sac streets shall also furnish access to not more than 50 dwelling units. Cul-de-sac streets shall have, at the closed end, a turnaround with a right-of-way having an outside diameter of not less than 135 feet and pavement to a diameter of not less than 120 feet so as to accommodate the turnaround of emergency and road maintenance equipment. The Planning Board shall have authority to require the use of loop streets and other alternatives to cul-de-sacs where such alternatives are available and preferable as a means of providing safe access to lots, making street connections or limiting environmental impacts. Culverts, bridges and other similar features constructed in connection with any cul-de-sac or other subdivision road shall be designed to industry specifications regarding weight limits.

Daniel Gettel: Clearly Glenn with the boulevard design that you have and with the cul-de-sac's we can approve it through the Planning Board because you did take the mitigating steps to allow us to permit that. There is a note on the map that the road does not serve more than 50 lots. Is that correct?

Glenn Smith: Yes, it does say it doesn't exceed the 50 lots.

Daniel Gettel: You addressed Randy's comments. Jacy do you have any comments, or should we go on to the Environmental. Did you want me to read Part 1? Part 1 is the portion that is completed by the applicant which describes the property. Our requirement is to do Part 2 and Part 3. Most of the time...the problem with this form, we talked about this before, is it is either a no or a small impact, the same check box so it is a little hard to follow. I'll read some of the items we know trigger yes answers.

1. Impact on Land - Proposed action may involve construction on, or physical alteration of the land surface of the proposed site.

a. The proposed action may involve construction on land where depth to water table is less than 3 feet.

Yes, Small Impact. That is a typical for Sullivan County, Town of Bethel.

b. The proposed action may involve construction on slopes of 15% or greater.

Yes, Small Impact.

c. The proposed action may involve construction on land where bedrock is exposed or generally within 5 feet of existing ground surface.

Yes, Small Impact. We typically have shallower bedrock in the town.

Daniel Gettel: Those are the three under Section 1 Part 1 that are a potential for a small impact that may occur. The other ones are:

d. The proposed action may involve the excavation and removal of more than 1000 tons of

natural material.

No.

- e. The proposed action may involve construction that continues for more than one year or in multiple phases*

No. Because road construction will be built.

- f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicide)*

No. There will not be a substantial amount. Erosion control is covered by the SWPPP.

- g. The proposed action is, or may be located within a Coastal Erosion hazard area.*

No. There is no other impact under that.

- 2. Impact on Geological Features - The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves).*

No.

- 3. Impacts on Surface Water*

Yes, the proposed action may affect one or more wetlands or other surface water.

- a. The proposed action may create a new water body.*

No

- b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.*

No

- c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.*

No

- d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.*

That is a small impact that Glenn has indicated that one of the wetlands has to be crossed with the DEC permit. That is what triggers the yes on impacts on surface water.

- e. *The proposed action may create turbidity in waterbody, either from upland erosion, runoff or by disturbing bottom sediments.*

Daniel Gettel: f, g, h, I, j and k are all no's. There is no trigger for that. Not for this project.

- 4. *Impact on groundwater - The proposed action may result in new or additional use of ground water.*

Yes.

- a. *The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.*

Yes. I guess you could argue there was an impact because if you approve 19 lots, you should expect wells.

Daniel Gettel: b, c, d, e, f and g are all nos.

- 5. *Impact on Flooding*

No.

- 6. *Impacts on Air*

No.

- 7. *Impacts on Plants and Animals*

Daniel Gettel: Glenn, I think that is a no, because it is not in the scope of the examples. Is that correct?

Glenn Smith: I checked yes on my copy. It should be no, or small or moderate.

Daniel Gettel: Yes.

- a. *The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.*

That is covered by the habitat that is a no.

- b. *The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.*

That is also a no. It is covered under the same study.

- c. *The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government that use the site, or are found on, over, or near the site.*

That is also a no.

- d. *The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal Government.*

No.

- e. *The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.*

No.

- f. *The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community.*

No.

- g. *The proposed action may substantially interfere with nesting/breeding, foraging, or overwintering habitat for the predominant species that occupy or use the project site*

No.

- h. *The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat*

No.

- i. *Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.*

No.

- j. *Other Impacts.*

Would you say that the other impact is just the fact is just the removing fauna, flora or fauna?

Terresa Bakner: It's just so you could disturb anything during construction.

Daniel Gettel: So that would be other impacts. We will check that as a small impact.

Terresa Bakner: For the disturbance of bats. We are staying more than 2,000 feet away by from the eagle's nests. In the SEQRA finding statements from 2007 we had mitigation measures we have been implementing with respect to the eagles to make sure that people don't disturb them. All of our projects are frankly pretty much in proximity to eagles. We have no indication of any adverse effect.

8. *Impact on Agricultural Resources – The proposed action may impact agricultural resources.*

No. There are no agricultural uses there.

9. *Impact on Aesthetic Resources. The land use of the proposed action are obviously different from or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource.*

No.

10. *Impact on Historic and Archeological Resources - The proposed action may occur in or adjacent to a historic or archaeological resource.*

No.

11. *Impact on Open Space and Recreation - The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan*

No.

12. *Impact on Critical Environmental Areas - The proposed action may be located within or adjacent to a critical environmental area (CEA).*

No. There are none in the Town of Bethel.

13. *Impact on Transportation - The proposed action may result in a change to existing transportation systems.*

a. *Projected traffic increase may exceed capacity of existing road network.*

No. 18 lots doesn't.

Jacqueline Ricciani: One thing that is interesting in the prior finding statement, one of the things that was noted was the intersection of 17B and Pine Grove Road was going to be monitored to see if a regulated traffic light was necessary. We all know there is a traffic light there now. So that has already been mitigated.

b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.

We're not talking about parking 500 vehicles.

c. The proposed action will degrade existing transit access.

We are not talking about degrading the existing transient access.

d. The proposed action will degrade existing pedestrian or bicycle accommodations.

We are not talking about degrading pedestrian bicycle accommodations. I don't know if you can get a bicycle back in there.

e. The proposed action may alter the present pattern of movement of people or goods.

No.

14. Impact on Energy - The proposed action may cause an increase in the use of any form of energy

No. Glenn, I don't know, what is your thought on that. We are not actually building houses we are proposing a subdivision.

Glenn Smith: I checked no also. I think it is for commercial or industrial

15. Impact on Noise, Odor and Light – The proposed action may result in an increase in noise, odors, or outdoor lighting.

No.

16. Impact on Human Health - The proposed action may have an impact on human health from exposure to new or existing sources of contaminants.

No.

17. Consistency with Community Plans - The proposed action is not consistent with adopted land use plans.

No. It is consistent with adopted plans.

18. Consistency with Community Character - The proposed project is inconsistent with the existing community character.

No. It is an extension of the community.

Daniel Gettel: That is the end of Part 2.

Daniel Gettel: Typically I do Part 3. Since none of the impacts were found to be moderate to large, I don't have to complete Part 3, but I usually summarize in Part 3 what I did in Part 2. So I write in Part 3, no impacts were identified as seen as potentially moderate to large but the following address the potential of small impacts, because you can't use the form to identify them.

Daniel Gettel: Under impact on the land, I talked about the proposed action may involve construction on slopes of 15% or greater. The proposed action may involve construction where bedrock is exposed within 5 feet. I also have the impacts on surface water. The proposed action may involve construction within adjoining fresh water wetlands. We have impact on ground water which we identified. The proposed action may require new water supply wells, or create additional demand supply on existing wells. Like we said, we should anticipate 18 new houses. I am also going to add 7j to that, about disturbance during construction. I usually put that here because there is no other place to really put it.

Terresa Bakner: Also, we are designing a culvert to be oversized and installed for the flow of water. You may want to indicate that.

Daniel Gettel: Okay. Jacy it is an Unlisted Action. It doesn't meet any high point thresholds. We have identified portions of the EAF Parts 1, 2 and 3. Upon review of the information recorded on the EAF as noted, plus the informational support, we have looked at the subdivision map, the topographic maps, roadway sections, modified SWPPP plan, the wildlife habitat assessment report, wetlands delineation reports, soil percolation and deep test pit results, and the fact the parcel was subject to environmental assessment as part of the original subdivision in which the parent parcel could not be subdivided at that time. We note that the Town of Bethel declared our intent to be Lead Agency.

Motion to grant this application a negative declaration by Mike Cassaro, second by Steve Simpson.

All in favor – 6

Opposed – 0

Agreed and carried

Daniel Gettel: What that allows us to do is to move forward with the project for a public hearing. We have a negative declaration on the table now. It would be good to get some public comment on that.

Motion to grant this application a public hearing on February 5th by Robert Yakin, second by Mike Cassaro

All in favor – 6

Opposed – 0

Agreed and carried

Daniel Gettel: I'm assuming a February public hearing is acceptable. BJ will provide the list for the mailings. Return receipts are requested for all neighbors within 500 feet.

3) Application for a Solar Farm to be located on Horseshoe Lake Road, known as Bethel Tax Map 23-1-52.1, proposed by Horseshoe Lake Solar, LLC. (Reagan)

Susan Brown Otto – returned to the table.

Daniel Gettel: If you could just mention the changes since we saw this last.

John Reagan – Cyprus Creek Renewables. Our application is for our proposed Horseshoe Lake Solar Farm. A two megawatt ac, community solar farm. For Special Use Permit approval, our initial application last year, we came to a meeting two months ago, in November. Mr. Smith made some comments. We responded to those comments. We submitted another package towards the end of the November. Then the company made a design change, which I will describe to you, and resubmitted an application or updated drawings to update the application on December 22nd. Mr. Smith provided a comment letter on January 4th. The primary changes, we changed the project from a fixed tilt panel configuration to a single access tracker configuration. I will describe what that means. These long bars represent a row of solar array. In our initial drawing those rows were configured east to west. The solar panel would be fixed at a tilt facing towards the south at a certain angle to capture the sunlight. Single access tracker, our arrays are now oriented north south, and this panel would track as the sun moves. The reason we do that it won't change the maximum electric output, two megawatts ac, it will allow us to produce more megawatt hours during the course of the day. The technology becomes more affordable, so it makes this project more financially viable for us to use that method. So the primary change to the site plan is the rearranging of the arrays, from east west to north south. The entrance road was changed as well. In the former site plan it came up here, a little bit more north, and there was another section that came to the south. Our total area of disturbance decreased very slightly from 28 to 29 acres. The site coverage decreased from about 25% was the max. We are down to 17%. I will stop there.

Daniel Gettel: Can you address the buffer zone?

Jacqueline Ricciani: Did you say the lot coverage is now down to 17%?

John Reagan: Correct. When we had our sketch meeting last year, we agreed the area covered by the solar panel and the entrance road and the equipment pads would be used to calculate the

site coverage. Most of this space between the arrays is open space.

Glenn Smith: I checked that, and that is correct.

Daniel Gettel: Was there another plan that showed heavier buffer zones?

John Reagan: I believe there is one comment still open. I believe the comment was along the County Road here. There is a... in addition to the setback there is a 20 foot vegetative buffer that would be left in place, a little wider here to the north. I think the comment was the vegetation is thin in there, and so there was a recommendation....

Glenn Smith: It is kind of sparse.

John Reagan: To mitigate that we are willing to do take a look at that.

Daniel Gettel: Glenn did you want to address your comments before we take board comments? You are going to have to come up.

Glenn Smith: In my last comment of January 4th, actually my prior letter, I had reviewed the revisions of the plan that were made based on my first letter back in October, November, whenever it was. They were all addressed satisfactory. On my most recent comment of January 4th I merely addressed the change that was discussed about the change in orientation from the fixed panels to the moving panels. As I said, when I reviewed the new SWPPP report that seemed satisfactory. My last comment was that the, in my November 28th letter, I mentioned the buffer along the frontage of Horseshoe Lake Road. Along the south side of the property is about 20 feet wide, although there is a 100 foot setback to the panels from the property line. The front and the sides, and the rear also, I think I was under the mistaken assumption that most of that is a buffer of 100 foot. It would be vegetative, that is what I thought originally. I don't know if the board thought that. It was only supposed to be 20feet wide. And 20 feet especially along the frontage for screening, that is kind of sparse. Subject to the board's approval, it should be supplemented by additional trees. You may want to go for a wider buffer; it is up to you guys. The other change is that the road now goes through the center of the property, instead of the north. That is really the only difference. And the poles, the aerial lines, I know you discussed at the last meeting are still there also. I know there was talk about putting them underground. That is probably not economically feasible.

John Reagan: The issue is, this utility, NYSEG wouldn't allow us to place some of the equipment on pads, rather than on the six poles. That is our understanding. Orange and Rockland allows us to do that, it is our understanding that NYSEG will not allow us to configure it that way. I believe what happened is when we submitted on the November 20th update, we had response to those comments. We pulled the site plan, so you may not have seen the comments. We will resend that to you so you have it in writing.

Daniel Gettel: He had addressed the comments, he pulled the application.

John Reagan: So anyway, in most cases there are 6 poles, and they have certain safety devices

and switches on them. Three of the poles would be owned by Cypress Creek, the solar facility, and three of the poles would be owned by the utility. So the comment at the last meeting was, can we eliminate some of the poles and use like a pad mount, install some of the equipment on pads. We checked with NYSEG the utility. NYSEG does not allow us to configure the system that way. So we have to utilize the poles. Orange and Rockland allows that configuration.

Steve Simpson: I have a couple of questions for you. The pole line coming in, since the last meeting we had, I saw your portfolio picture from a South Carolina installation. It is very similar to what we have here in your plans. C200. The site down there had no buffer whatsoever. It looked horrendous. The pole line coming in, you mentioned that three of these poles are NYSEG, and three belong to the customer.

John Reagan: There might be five.

Steve Simpson: I'm curious, is three meaning they are the closer and the prime meter cluster. The remaining poles are cluster poles. Where is the third one? Is that on the street on 141? Is that the junction pole?

John Reagan: Our comment indicated five to six poles. I stated it wrong. Two or three of the poles would be owned by us and two or three of the poles would be owned by NYSEG.

Steve Simpson: The poles are on your side of the road. It is not showing on the drawing.

John Reagan: The point of interconnect?

Steve Simpson: So that would be a junction pole coming into the site. Then you are getting your closer pole, so that would be it. Then the remaining four poles are owned by the solar company.

John Reagan: I am counting three. Is there a fourth?

Steve Simpson: Those four poles I am concerned about. I know the utility has to have a closer in place. Honestly, the closer could be the point of interconnect as well. There is no real need for that meter pole, that cluster pole. I would prefer to see a maximum total of two poles. You actually showed it in your photos, the ones you provided. There is that utility H frame right beside the site. That is unsightly as it is. It is like a mini substation on poles. My concern if you have six poles coming into the site, with the seventh which is going to be your interconnect out on distribution, the interconnect pole, the closer pole, the primary meter pole, and then the remaining equipment underground from that point. They are providing the transformer, the disconnect. I would like to get a letter from NYSEG saying that you must have to pole mount that equipment.

John Reagan: Sure.

Steve Simpson: That is your equipment, of course it is your prerogative as long as you are satisfying.... I don't understand their request to have.... it is only because of the visual.

John Reagan: I understand. It is our understanding, and I was not the person in direct contact with NYSEG, but I will...

Steve Simpson: I am not beating you up. It is a project you have to work with the utility, and us, and you have to get the project done in a costly manner. I know there are options. They have pad monitoring closers, metering that can be installed in the disconnect. It would be a utility side...you can use your own metering in your own disconnect. Separate from the three poles from the utility. That really makes the aesthetics much more pleasing. The one in South Carolina was not pleasing. I have to protect the characteristics of this area. This is a vacation area. I know we talked about it before but the tree buffer that is there, the one that is in existence, those are deciduous trees. If you go up there now and take a look at the site, I can see in there, a lot further than 105 feet, where the panels are going to be located. That is my concern. If it was supplemented with conifers or something, so you have some greenery there year round. The public hearing.... there are going to be a lot of concerns, I can assure you that. There are residential homes in that area right across the street. Not directly across from your driveway, but on the corners. That is the entrance way into Kauneonga Lake. It looks terrible now in the wintertime. This is a vacation area in the summer. A second home community. People don't want to see that.

John Reagan: I hear your point, and I think we can propose some plantings in here. We need open space to prevent shading of the panels.

Steve Simpson: Now you can move with the sun, away from the shading. That's a good point. I'm glad you went that route. It won't only help you to increase your productivity, but you will be able to avoid the shade. That is the concern there. To make it pleasing aesthetically, in that area. If you could look at that. After the utility cluster pole, if you could go underground. It would make it a lot neater. The trees we talked about. One thing I am wondering if you could, could you put the interconnect pole on the drawing?

John Reagan: Sure.

Steve Simpson: Then we have drawing C502 details three of three, is that in lieu of the one line?

Christopher Baralus: The one line is part of the electrical package. This is the civil set.

Steve Simpson: If you could make those changes. Talk to Cypress Creek, let them know that is my concern. If you do show the poles here, the utility closer, various disconnects, meters poles, go adds, again, they can be handled underground. That is all I am asking. I don't think that is too much to ask for, as long as it is done in a neat manner. When you are gone, and the job is up and running, and the sun is out, and when we have people walking back and forth on the road, into Kauneonga Lake, we will get a lot of hate mail. It is a good thing, but it could look good too. My last question, when you implemented the tracking, did you reduce the amount of acreage?

John Reagan: No, very minimal.

Steve Simpson: The road is dead center on the site. That takes up a lot of space. Then you have that stream that runs through there. Is that why because of the stream?

John Reagan: Our former design had the entrance a little more to the north. It had another turn around the area to the south, so we have reduced the footprint of the entrance road. With the stream, we do have to obtain a permit from the Army Corp of Engineers to cross that.

Steve Simpson: Would you consider moving that driveway and running it parallel to the road?

John Reagan: I'm not following you.

Steve Simpson: The way it is setup now, along the road, this driveway is perpendicular (showing on map). Can you place the road either here or here, perpendicular, rather than this, just to shorten the driveway? Run it along the road, to see if you could reduce some of the.....

John Reagan: I'm trying to understand what you mean. We have wetlands up here. For access we have to have a road.

Steve Simpson: Maybe you can shorten it some, less disturbance of the trees.

Daniel Gettel: The question we get quite a bit is why so much disturbance for the project. It is hard to answer that. Can you consolidate it down anyway so it is not so much of a disturbance? Is there any meeting in the middle? You always have a minimum lot size. Do you need a 30 acre lot in order to put in two megawatts of solar?

John Reagan: There are wetland features on the site that we have to work around. Our rule of thumb is 20 acres, this site is 34 acres.

Daniel Gettel: So you're rule of thumb is 20?

John Reagan: Right. But there is always some feature we have to work around. If we try to minimize that.... it would be insignificant I think.

Christopher Baralus: By switching of the tracker we have reduced overall coverage of that ground.

Steve Simpson: I want it to be a success.

Christopher Baralus: We don't disagree with the concept of consolidating that lineup into one big mounted solution. Often times it is dictated by the utility. I think going to them with that letter, and requesting a response.

Steve Simpson: Yes, I have never heard of that.

John Reagan: If they don't have a good answer for you, we will bring our utility person here.

David Slater: You are now moving to a motor that is going to turn it? What is the volume of that? If you have 300 motors all turning at the same time, nobody never mentioned years ago when they put up windmills until 10 years later all of sudden everyone is complaining about the windmill noise all the time.

John Reagan: I'm glad you asked. There will be one motor for each row. The motor is a simple electric motor powered by a small solar panel. That's what that small solar panel in the picture is. It should be very little noise, very little impact to the site.

Daniel Gettel: Every track has a motor?

John Reagan: Every row, every array, yes.

Steve Simpson: What size motor is that?

Christopher Baralus: I'm not sure, at the borders of the array it is less than 35 decibels, if you look it up on a decibel chart it says a library is fewer than 40 decibels, so it is near silent.

David Slater: Will there be any type of extra glare given off that somebody would notice when the sun hits it?

Christopher Baralus: They are designed to absorb light. We had a study that the FAA uses to quantify that, and it quantifies well below any FAA criteria for glare. Again that is subjective. We are confident that there will not be a glare that a person will notice.

Susan Brown Otto: Where can we find the information of the decommissioning plan?

John Reagan: We submitted it originally. It probably wasn't copied into the most recent package we sent you. We can provide another copy if you need it.

Jacqueline Ricciani: It is a little brief. It is going to need tweaking. It talks about clearing six acres.

John Reagan: Again, the only real disturbance will be the entrance road of course, the racks are installed, poles are driven into the ground, so each pole is very little disturbance. Add all of that together, and then some underground. That is how we came up with 6 acres. When we construct, all the space between these rows is going to be vegetative. So when decommissioned, where the poles were, it will be reseeded, the pads would be removed, and the entrance road restored. It is less seeding....

Jacqueline Ricciani: The decommissioning plan seemed very brief. It is like ten sentences.

John Reagan: It is simple we included a cost estimate with that. We understand we have to provide financial assurance, which we are certainly willing to do. The Town Board is the body that approves that?

Jacqueline Ricciani: The town attorney approves the amount. It is between the engineer and the town board. The form of the security. That will be a Town Board function.

Susan Brown Otto: The airport, they always talk about distractions. Is it in the flight path of the Sullivan County International Airport?

Chris Baralus: When a solar array is within 5 miles of an airport, it requires an FAA reflectivity study.

Susan Brown Otto: You are pretty close to 5 miles, aren't you? As the crow flies, you are within 5 miles.

John Reagan: It is very possible. I don't know the answer. I will have to get back to you.

Susan Brown Otto: The FAA has to weigh in on the plan then?

Chris Baralus: If you are within 5 miles, yes. I worked on a project for example, at Newark Liberty International Airport, for FedEx. FedEx has their own strip at Liberty International, and we installed solar on three of FedEx's buildings, for a total of 3 megawatts, which is about this systems size, right on the airport property.

Jacqueline Ricciani: That is in New Jersey.

Chris Baralus: It is still a federal application.

Jacqueline Ricciani: I understand.

Chris Baralus: So the airport is definitely taken into consideration.

Susan Brown Otto: The airport will be contacted?

Chris Baralus: Only if it is within that certain distance. Which we will check into.

Jacqueline Ricciani: When do you plan to find out?

John Reagan: Tomorrow morning. Back to decommissioning, I understand your comment, but what can we provide as additional detail, what types of details are you looking for?

Jacqueline Ricciani: I will speak to the engineer and get back to you. From my initial review of it, it just seems very brief.

John Reagan: I understand. I have one more question on decommissioning. I know the code specifies we have to have financial assurance in place prior to the building permits being issued, and I think the engineers comment was that the Town Board would have to approve the amount prior to the site plan being approved?

Jacqueline Ricciani: A condition of your Special Use Permit would be ...

Daniel Gettel: If we approve it as a Special Use you have to go to the Town Board. You would have to go to the Town Board before our Special Use would take effect. You would have to meet the condition.

John Reagan: Sure. I just wanted to understand the timing.

Daniel Gettel: I think that is how it is. It would be a condition of approval.

Jacqueline Ricciani: Without taking the time to read through the codes to find out exactly where it is, generally when you get your Special Use approval here, it usually has some conditions. One would be to get whatever approvals from the Town Board including the financial security.

Daniel Gettel: The DEC crossings. We would make it a condition, but you wouldn't have to address that to the Town Board. Glenn, our next step would be to act Lead Agent tonight? We have a long EAF. I don't know that anything discussed here tonight would affect the EAF negatively if you did end up consolidating that would be a plus not a negative. I think we are the most logical to act as Lead Agency.

Bette Jean Gettel: We have to do a County 239M.

Motion to declare our intent to act as Lead Agency by Steve Simpson, second by Susan Brown Otto.

All in favor – 7

Opposed - 0

Agreed and carried

Daniel Gettel: We do need to have a public hearing, but I would like to try to address some of these outstanding questions and maybe get the packet more centralized. Regardless, I want to make sure before we do have a public hearing that we have the information available in the file.

John Reagan: When we make any revisions to this, we will include a complete package. I know you have it all, but it is in different places.

Bette Jean Gettel: Once you have revised it, when I was getting it ready, you said wait, you were submitting a whole new plan.

David Slater: I would like to see what it looks like. What did the site look like before, what will it look like when it is finished. A lot of us don't really know what it will look like on the land. How big it actually is, how much disturbance. A lot of us see this big panel out there.... if we saw an actual.... saw what it looked like before you started and then after.

Susan Brown Otto: It won't be sprayed so there is nothing growing underneath?

John Reagan: We need vegetation under the panels to manage the storm water.

Bette Jean Gettel: Did you just install panels in the Town of Wawarsing?

John Reagan: We have one near Watertown, one in Ulster County near Kingston. It is the Town of Kingston. I can provide information on it.

Bette Jean Gettel: One that is completed?

John Reagan: I can provide you information.

Daniel Gettel: What is logical now is we will do Lead Agency. We will get that process started. You guys consolidate your application, provide whatever is missing. Maybe address the comments from tonight. We can hopefully schedule a public hearing at the next meeting. We can't schedule a public hearing until all the information is submitted.

Glenn Smith: Mr. Chairman, I think that the airport is about 2.5 miles.

Daniel Gettel: That is something we need identified.

Jacqueline Ricciani: We need some kind of proposal to beef up the vegetation and screening.

John Reagan: When we revise this we will provide a planting schedule.

Bette Jean Gettel: We need the letter from NYSEG.

John Reagan: I'm not sure if NYSEG writes such letters, but we will certainly get something from them.

Jacqueline Ricciani: We need the letter one way or another.

John Reagan: Did you say you would send to the County for their review?

Daniel Gettel: We have to do a 239M review because you are on a County road. You are going to have to submit additional maps for that. If you want us to hold off until we do the County until we have an updated map.

Jacqueline Ricciani: Yes, because the County is going to come back with screening in the front.

Daniel Gettel: If you can address these, then we can submit to the County when we have the revised maps and the EAF's can go out.

4) ***Modification to an approved Site Plan/Special Use Permit located on 300 Segar Rosenberg Road, known as Bethel Tax Map #: 17-1-27.2, proposed by Camp Mayin Tohar. (Wasson)***

Maria Zeno, Attorney: Mr. Wasson is quite ill, so he asked if I would attend. These are updated maps. I think there was an issue with the proposed occupancy schedule. I think there are some corrections that may be needed.

Daniel Gettel: This is the first we are seeing it.

Maria Zeno: This was originally approved in November of 2015. I believe what Mr. Wasson is seeking is the increase in the size of dormitories, an increase of the occupancy at the premises. There are new teacher staff houses proposed here. There is a staff trailer at the left of the kitchen dining area. I don't think that was added by looking at the occupancy schedule. I will bring that to Mr. Wasson's attention. That is also new. That was not approved in the prior plan.

Daniel Gettel: When we approved this years ago we took quite a look at the population and how that would impact this road. At the time, we kind of locked in to the 132 that was the maximum. Now you want to go to 303, which is a substantial increase? That would be reopening up the project for public hearings, and site plan review and special use permit. We are opening up a process.

Susan Brown Otto: Weren't there water issues?

Maria Zeno: Yes. That is one thing Mr. Wasson is going to address. We wanted to conceptually get an idea of what the board thinks. There will have to be a new water plant treatment system.

Daniel Gettel: When I reviewed this we questioned a number of items, like why was the shule built so big that it could accommodate 300 people. They said don't worry, we just want to have room. Now it kind of makes me feel.... that goes for the kitchen too. We questioned why is the kitchen so big if it is only 100 kids? We were again told we just want to have the room. We are not going to open up to the public. It is just going to be for the camp. Now we are hearing the kitchen is going to have 300 kids. It is also a little odd to me that all of the buildings that are built are the ones that can accommodate 300 kids. None of the other buildings were built. The dormitories don't exist, but the kitchen, dining room and the shule, as far as I know are under construction or pretty close to getting completed. That kind of lends to my.... what was the ultimate plan years ago? I'm not saying they were dishonest with us, but did they mislead us? I don't know the answer to that. That is my gut. We took a lot of heat from the neighbors, it is a quiet road. There is not a lot of traffic.

Maria Zeno: I can't speak to what the prior project was about. I wasn't involved with it at that time. I would say if we were in front of you, why wouldn't the original plan for the 300 kids in the dormitory be presented? I don't know if it was.

Daniel Gettel: It wasn't.

Maria Zeno: And then it was reduced. I don't know what the initial plan was. I can't speak to that. I can only speak to what we are presenting now. I can take your concerns back to Mr. Wasson. Which I am planning to do. Right now I would like to get an idea of how the board feels about this expansion.

Daniel Gettel: That is my impression. I can't speak for the board, but that is my gut.

Susan Brown Otto: We spent a lot of time, months.

Daniel Gettel: So the board is aware, this has been under construction since we approved it. It's not like they went away for years, they have been actively trying....

Bette Jean Gettel: They do have active permits out there.

Maria Zeno: The reason why it is going slowly, they are raising the money as they are building.

Jacqueline Ricciani: The dormitories are not built?

Maria Zeno: The dormitories are not built. The foundations I believe are poured.

Bette Jean Gettel: No, the foundations are not in.

Maria Zeno: 224 campers, 79 staff, 303 total. Just to make the record clear. It is not 303 campers, plus staff. It is 303 total.

Daniel Gettel: As far as the use of the existing bungalows that are on the property, originally a lot of those were going to be used just for staff, no campers, correct?

Maria Zeno: I believe that is still.... they are for the staff.

Jacqueline Ricciani: None of the renovations have been done to the bungalows yet?

Daniel Gettel: Not major.

Bette Jean Gettel: They were supposed to take permits out to take the kitchens out of the bungalows, and to do renovations. They haven't done that.

Daniel Gettel: Glenn, do you have anything? I know you just got this last minute. It wasn't really submitted to you.

Jacqueline Ricciani: Can I just ask a question. So before they even start building the dorms, they want to get approval for the additional campers? Where are they going to put them?

Maria Zeno: We haven't even begun building the dorms. They have not utilized as a summer camp as of yet.

Jacqueline Ricciani: I am pretty sure that it was already approved that a certain number of campers would be housed in these two dorms.

Maria Zeno: That is correct.

Jacqueline Ricciani: So now you want to increase the number of campers?

Daniel Gettel: The dorms are larger.

Jacqueline Ricciani: This is larger?

Maria Zeno: This is larger than what was approved, and the foundations have not been poured because there is such an interest in campers joining this camp. They have decided to come back to the board before they poured the foundations.

Jacqueline Ricciani: This hasn't been operating as a camp?

Maria Zeno: No, it has not been operating as a camp. They are raising money, and discussing the project.

Daniel Gettel: Glenn, did you have some comments on the utilities?

Glenn Smith: In the board approval the last time, the sand filter capacity was an issue.

Maria Zeno: Randy is already working on the increase of the sand filter.

Glenn Smith: A whole new system per DEC. The one that was there was old. They have to do a SPDES permit to current standards, as opposed to 1945 standards.

Susan Brown Otto: Wasn't there an issue how many recreational activities were available?

Daniel Gettel: That is why we requested they put in a basketball court in the back. Randy had proposed a trail. I don't know if anything has been removed. That was the reason for it. Now there are going to be more campers. We let them abandon the baseball field. If they don't have recreation here, they are going to have to find it elsewhere, and that overflows the town parks. It is going to be a long process. It is really up to you guys if you want to take it on. I have some concerns because I am stuck at the 132.

Maria Zeno: I took note of that. With respect to the plan?

Daniel Gettel: It is the same plan except you added the staff housing, and the trailer. The dormitories are in the same spot, just larger. I think Randy knows pretty well how our board is going to react. Randy did ask if they could save some money by putting the dormitories as two stories as opposed to building two dormitories. That was shot down by the Building Inspector.

Bette Jean Gettel: Your staff housing I can tell you right now will need emergency access. Yak

take a look at that. They don't have enough.

Daniel Gettel: BJ it is preliminary now.

Robert Yakin: We are going to want to have direct access to those buildings, as far as the fire districts go.

Maria Zeno: Emergency access to staff housing.

Daniel Gettel: It is your call. I have reservations. I think the neighbors are going to have a problem. It was not an easy one to approve.

Maria Zeno: If you notice here, the new staff building, 4,375 square feet, that does not include the staff trailers. It doesn't change the occupancy.

Daniel Gettel: Are there any comments from the board? I would speak to Randy. Randy can reach out to me. Glenn if you want to talk to Randy about it also.

Glenn Smith: Yes, I will pull out the previous file.

Daniel Gettel: With any submission to the Planning Board, a copy should go to Glenn as well. He didn't get it this time. Is there anything else from the board? I know it is conceptual.

None

Daniel Gettel: Vicky, do you have anything?

Vicky Vassmer Simpson: Everything you recommended to the Town Board passed. Your positions and the local law.

Motion to adjourn by David Slater, second by Wilfred Hughson

All in favor – 7

Opposed - 0

Agreed and carried

9:30 pm

Respectively submitted,

Jannetta MacArthur

Recording Secretary