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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 March 6, 2017 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 was the following:

In attendance: Daniel Gettel Chairman, Steve Simpson, Vice Chairman, Michael Cassaro, Susan Brown Otto, David Biren, Wilfred Hughson, David Slater, Robert Yakin, Alternate, Jacqueline Ricianni, Attorney, Jannetta MacArthur, Recording Secretary, and Vicky Vassmer-Simpson, Town Board Liaison.

Full board in attendance

Excused: Bette Jean Gettel, Code Enforcement Officer

Pledge to the flag.

***Motion to approve the minutes from the February 6, 2017 Planning Board meeting by Steve Simpson, second by Susan Brown Otto***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***

- 1) Public Hearing for license renewal with Site Plan review to operate a transient campground with an occasional or temporary commercial outdoor recreational facility, August 11, 2017 through August 13, 2017 located on Yasgur Road, known as Bethel Tax Map #: 25-1-14.1 & 15, proposed by Jeryl Abramson Howard.***

Daniel Gettel: Let the record show that proof of mailings were received and that the return receipts hard copies will be dropped off to BJ's office, I believe.

*No one from the public in attendance*

Daniel Gettel: Tonight we have a public hearing for a non transient campground with outdoor recreation. In a moment I will open up the meeting for public comment. I will ask the applicant to make a brief presentation, and I may make a comment at that time also. It is not meant to be a public debate, it is just meant to get some information, and answer some concerns raised at the past meeting.

Susan Brown Otto: Dan, was this meeting published for 7:45 or 7:30?

Daniel Gettel: I don't know. We will be here at 7:45.

***Motion to open the meeting up for a public hearing by Susan Brown Otto, second by David Slater***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: Jeryl do you have anything to add while we are in the public hearing? There is clearly no one here to speak to.

Jeryl Abramson: If anyone has any questions, I am happy to answer them. I don't have anything to add to it.

Daniel Gettel: Does the board have any questions for Jeryl? Jeryl, the only question that I have is... I do want to let you know that we did hear back from the County, on the 239, which you probably haven't heard of. They came back local determination. They did raise a couple of concerns in their letter about things that are either set on the plan or in your management plan. They really are not material things. I am glad to give you a copy of that if you want a copy. I can email it to you, I can't make copies tonight. Just for the record, the County M239 has come back with a number of comments pointing out notes that either appear on the map or are in the management plan. There are a number of discrepancies between the two, but I don't believe they are material conflicts. They are only recommendations on their part. I believe the County concerns will be addressed in our approval, if we approve it tonight, as a local determination. The State M239, as Jeryl knows, came back with the same concerns as in other years, but this time their letter did raise a possibility that a special use permit from the State might be required. I think this was driven by the fact that 1,000 car parking was on the plan that was submitted to the State. The applicant did clarify that at our last meeting, and the local State DOT did resolve it. We do have a letter on file that does state that a special use permit is not required from the State. The Ag data statement came back with concerns about the impact this project may have

on the neighboring farm operation. I also believe was driven by the fact the parking was moved from the open field along 17B to immediately adjacent to the farm, with no buffer zones. This can be addressed as a condition of approval as it has been done in the past. I think a lot of the comments that we got back were driven by Mr. Illing's plan that was submitted.

Jacqueline Ricciani: What was that last comment?

Daniel Gettel: On the Ag data?

Jacqueline Ricciani: I didn't know we got the Ag data.

Daniel Gettel: Yes, the Ag data came back stating they have concerns with the impact it may have on the neighboring farm operations, and again, this was driven by the fact that the parking was moved from the open field along 17B to the area immediately adjacent to the farm with no buffer zone along the property of Harold Russell. In the past one of the conditions of approval has been that that has to be maintained as a clear buffer zone, no vehicles, no nothing. I think we can address that as one of our conditions.

Jeryl Abramson: Did you say there is no buffer zone between....

Daniel Gettel: Not shown on the map. If you look at Mr. Illing's plan it shows parking right up against Harold's fence.

Jeryl Abramson: That's not correct. I didn't even realize that. We keep a buffer.

Daniel Gettel: I know that, and as one of our conditions... I'll read you the condition that would cover it, I believe in our approval, the same condition from last year.

*The applicant shall take affirmative steps to mitigate any impact on agricultural uses by:*

*10 B. Monitoring the natural 150-foot-wide buffer zones along any adjoining farmland to ensure that they are unoccupied by persons, vehicles, or debris of any kind. On-site parking shall be limited to a maximum of 600 vehicles, as the applicant has indicated have proven to be adequate.*

Daniel Gettel: We can add a note to that, a natural 150 foot wide buffer zone. We will add that to our note, and that will cover the plan. We have to go with the plan that was submitted. There is only so much I can do with that.

Jeryl Abramson: I understand. It is obviously a mistake that is a carry over from the campground.

Daniel Gettel: And we discussed at the last meeting that a 1,000 parking spaces is a violation of the State SEQRA law, so it is not 1,000 parking, even though he calls for a 1,000 spaces.

Jeryl Abramson: That is for the campground. For this he just...

Daniel Gettel: Jeryl, this is what it shows. That is what the problem is. I can only use reality to try to solve the problem. We know there are not 1,000 parking spaces. All I can say is don't park within 150 feet of Harold Russell, and we will limit the parking to 400 or 600, whatever number you want, but this is the plan that Mr. Illing submitted. I can't help that.

Jacqueline Ricciani: I can't hear you with this thing (room heater) on.

Daniel Gettel: Can you move down?

Jacqueline Ricciani: So no parking within 150 feet of Harold Russell's farm?

Daniel Gettel: Item # 10B of the conditions will be edited to state that monitoring the natural 150 foot wide buffer zone along the adjoining farm land to ensure that they are unoccupied from persons, vehicle, or debris of any kind. On-site parking shall be limited to a maximum of 600 vehicles. That should be enough for you?

Jeryl Abramson: Yes.

Daniel Gettel: As the applicant has indicated, that has proven to be adequate.

Jeryl Abramson: Is this the buffer (showing on map)?

Daniel Gettel: Jeryl, this side is the buffer zone, and this is the parking. His general notes offer 1,000 parking spots. We know it can't be possible, but I can't ignore the fact that is how he drew it. We are going to abolish the number that is on the plan under #5, parking spaces, one per campsite. We are going to knock down the 1,000 to 600, which is more than adequate. If something comes up later we will have to address it at that time. Are there any comments from the board? I know there were a lot of comments during the work session. Now is your chance if you have a concern.

David Slater: My concern is numbers. What do you anticipate? You are talking 235 camping spots, 600 spaces... that's a lot of parking spots.

Jeryl Abramson: About 1,000 people a day.

David Slater: Are you talking about 1000 campers, or 1000 people per day? Is there a difference between camping and day people, day traffic? One time you said you are going to have people coming to listen to music and leave and other times you have said, I believe, that the music is just for the campers.

Jeryl Abramson: It sounds like you are a little bit confused. This happens to me all the time between the seasonal campground and the special event. For the special event we would have more people. For the campground it would be less people. For the special event we do have day passes for people coming in and leaving.

David Slater: What do you anticipate for a number of actual campers, and what do you

anticipate for day visitors?

Jeryl Abramson: I think I have answered you several times.

David Slater: You have never given us a full number.

Jeryl Abramson: It could be 1,000 to 1,200 people. That is our capacity. We have numbered wristbands, and when we are out of parking, we are out of parking.

David Biren: Now you are saying 1,200 people.

Jeryl Abramson: It could be a 1,000 to 1,200 people. It could be 800 or 1,000.

David Slater: What is the cutoff? If there were 2,000 people you would have them if there is parking?

Jeryl Abramson: I don't know that we have ever had a cutoff number.

David Slater: Well they said that at Woodstock how many years ago, and look what happened there.

Daniel Gettel: Jeryl, what is driving this conversation is the discussion we had last month about the number of porta-johns. The number of porta-johns will be adequate for the campers. That is why we are asking about the day people, because that is really on top of the campers.

Zack Howard: They all have access to the same porta johns. They are on the same grounds.

Jeryl Abramson: Wait a second. You are not answering their question.

Daniel Gettel: Yes, I think he has the answer we are looking for. The problem that comes is if you are clearly meeting the requirements for 235 camping spaces with 36 porta-johns, now you add another "x" number of people you can't justify, on paper, and that it is enough porta-johns.

Jeryl Abramson: What I have experienced, and researched, for 1,000 people we have enough porta-johns. I'll know from my presales. I will be able to get a feel for it if we are going over that number by a few hundred, I can't go too far over because I won't be able to accommodate them, but if I have a few extra sales, I will get additional porta-johns. We will be within code. We will maintain the code.

Zach Howard: As somebody that has worked the property my entire life, and the company that comes out to service our porta-johns over the weekend, we have never had a problem with porta-johns overflowing or being unsanitary.

Daniel Gettel: It is more of a matter of people standing in line.

Jeryl Abramson: I understand, and from experience its clean, there aren't lines.

Daniel Gettel: This is what we look at (showing plan). This is the limit. When you leave here tonight we are going to hand you one plan, one SEQRA, and one application, and ask you to give them to your son. Next year that is what you would submit.

Jeryl Abramson: That is exactly what I would love to do.

Daniel Gettel: In order to renew a license, we have to base it on a plan that was approved. We can't look at a brand new plan especially, no offense to Mr. Illing who is not here to defend himself.

Jeryl Abramson: What I was told, why we needed a new plan was because we submitted changes, because of the campground.

Daniel Gettel: I don't know about your discussion with Mr. Illing.

Jeryl Abramson: No that was my discussion with BJ. The new plan was required because we had new information because of the campground.

Daniel Gettel: I agree if you have specific locations for campsites they should be as accurate as possible. We can accept you updating a plan, but there is too much misinformation, lets call it.

Jeryl Abramson: We have to straighten this out. I spoke to Dan Sturm and I asked for a meeting. We have to straighten out the difference between what we are doing for the seasonal campground and then what we do when we have a special event. I think that there is a lot of ambiguity and crossover between those two things. I think we are going to straighten it from here on.

Daniel Gettel: For example, and I am not disagreeing with that, the plan submitted is for temporary camping but a lot of the Management Plan is for year-round camping.

Jeryl Abramson: This is a problem that we come up against. I think there is an overlap.

Daniel Gettel: But we are not making the submissions.

Jeryl Abramson: I understand that Dan, I'm trying as hard as I can to get you everything you want.

Daniel Gettel: That's why we are going to give your son a packet when he leaves.

Jeryl Abramson: Thank you.

Daniel Gettel: Since you are here, what is your position at the site?

Zach Howard: General Management.

Daniel Gettel: What can you tell us about the medical incident that happened last year?

Zach Howard: With Christopher? I was sitting on my porch at approximately 1:30 am and I see two local police and a sheriff's car coming up the driveway. Obviously I don't know what is going on so I go down to the front gate, right by 27 Yasgur Road, the first house there. I meet with them. They say they received a call from 911 from a person in distress. They did not have a description of him, only he was in a black SUV with the hazards on. That was our entire description that we had to go on. At that time I, and one of the local officers, went on the golf cart, one that we have on site for our use, scanned the entire parking lot and found the vehicle. He was not in the vehicle, which he told 911 he was. We found some people near the vehicle who gave us a description of him, which was then the next thing we had to go off. I immediately sent that information out to our entire security team. We had 12 people on staff at night. At that time the officer asked me to go back up to the front gate because we had also received a call from 911 that he was on his way up to the front gate on his own. That didn't happen. He apparently made that call but never showed up. Within 10 minutes of us finding his vehicle and getting back up to the front, one of my other security team found him at the vendors booth, put him in the golf cart and brought him up to the front gate where he met with the local officers. They checked him out, went through the ambulance call. I had to speak to his mother and the police officers via Massachusetts. From there we called Mobil Medic. They were not available because they were on another call. We called the Bethel EMS. There was one person on duty at that time of night. He was not licensed or qualified to drive an ambulance, so he came out to the farm in one of the suburban vans, did a basic check up on him, cleared him saying that his vitals were fine, that he was good to go but because he had called 911, and obviously his parents were concerned, he was welcome to go to the hospital if he chose. We all agreed that was probably the best thing to do. We then called Mobil Medic back, waited until they were available, maybe 15 to 20 minutes. They arrived, loaded him in the back at about 2:30 am. At 7:30 am he was at my front porch, clear headed, ready for his day.

Daniel Gettel: And very apologetic. I heard that part of it.

Zach Howard: Thanking me and my staff for helping him out and taking care of him.

Daniel Gettel: Is there a... I don't know about the idea that they shouldn't call 911, they should call... I don't know if you guys have a number that you recommend people call if there is a problem at your site or how you run it.

Zach Howard: If they can find somebody in a red shirt that is security. If not, 911 is...

Daniel Gettel: I don't know the answer to this but is there a specific tent or structure, or tree, etc that people should go if there is a medical emergency, or security problem? I assume there is but I just don't know the answer.

Zach Howard: It is the front gate where they buy their wristbands when they first come in. Everyone is told if they have issues, lost and found is there, everything is at the front gate.

Daniel Gettel: And your mother has mentioned that you make announcements of that during the shows if there is a problem.

Zach Howard: Absolutely. We take that very seriously.

Daniel Gettel: David, your concern on camping. I think we can provide them with the code on camping and advise them. As far as getting actual numbers I don't know how we can actually accomplish that.

David Slater: I understand that. I would like, for the future, to keep a little bit of track. It is easier for you to plan. It would be nice for you to say hey last year we had 1,285 people and not a problem instead of it could be this, or it could be that....

Zach Howard: The reason there is a variation is that there is a limitation on parking. If there are a set number of cars we are allowed to have in, we can't go over that number and that is it. How many people can fit into those cars is a different story. If four people show up in one car, or one person shows up in one car, that doesn't mean our vendors aren't going to have enough food for those extra three people or that our bathrooms aren't going to be able to accommodate those extra three people. So if there is a set number of cars we can cut that off as soon as we hit that number. We have separate parking for day campers, we track that, and they are in and out by a certain time. That is all taken care of. As far as the exact number of people, it is almost impossible to put a number on. It's not like a stadium that has a certain amount of seats. We don't have that. With parking we can put a number on. At least 600, that is the number.

Daniel Gettel: You are going to see how the tickets are trending I assume. I think you should be able to adjust from that.

Zach Howard: We track presales pretty well.

Daniel Gettel: I don't know that we are going to require it, but in other concert venues in this town, I won't call it by name, we get an update every Friday of how many tickets were sold, how things are trending, this goes on sale on such and such a date, the camping tickets are selling like this, this is Saturday's, and Sunday's, we have a very good accounting of that. You must have numbers. We never really have firm numbers.

Zach Howard: I gladly will give you approximations.

Jeryl Abramson: I know two years ago it was about 800 people.

Zach Howard: I can let you know through the sales on the website, the ball park number of tickets that we are selling, whether they are day passes, weekend, whatever it may be, it is going to be ballpark.

Daniel Gettel: Can you ballpark that 30 days in advance? When do you get those numbers?

Zach Howard: Once we start advertising, I can let you know when our prices go public.

Jeryl Abramson: It goes in waves. Let's say it is tomorrow that I make the announcement. That is the first rush. Then I will announce who will be playing, then that is another rush. Then it

may die down, I may not sell any more tickets for a month.

Daniel Gettel: How close to the event do you think you will have a good feel of how many people you are going to have as far as campers, and day trippers then we can at least look at that number for porta-johns.

Zach Howard: The Wednesday of, but then we sell tickets at the gate, then that is a variable. I can get you last year's numbers.

Susan Brown Otto: Does the weather affect the sales?

Jeryl Abramson: Oh yeah. We are not going to have a good idea until the Wednesday or Thursday before. You don't know what is going to make the people come or not at the last minute. You take the presales, and then guestimate to add another third. That is the best guestimate I can give you. I'm not trying to be evasive. The sales go in waves. It is a real high-risk business.

Daniel Gettel: Would it be fair to say, to add to one of the conditions that you would provide the Town of Bethel with ticket sales information prior to the event so we can verify that the porta-john numbers...

Zach Howard: Really the easiest thing to do, and I understand, is there a set number of porta-john number per people?

Daniel Gettel: Yes, it is regulated by the Department of Health.

Zach Howard: What's that number? What I am saying is we can track our presales, and I can let you know up to the Thursday night, yes we have enough porta-johns to cover our presales plus a third, so we will more than accommodate on the porta-johns. Again, it is a local business. We have gotten porta-johns in the middle of the weekend if we are short. If we need an extra handicap porta-john, they will show up in the middle of the show and drop it off.

Jeryl Abramson: They will also come in and clean.

Daniel Gettel: It doesn't matter how many times it is cleaned, it is the bulk number.

Jeryl Abramson: Cleaning does make a difference, because each cleaning, it refreshes the whole thing...

Daniel Gettel: We look at the Health Department requirement, which is based on population.

Jeryl Abramson: I'm saying above and beyond that number the bottom line is they will be cleaned constantly.

Zach Howard: We are not saying that cleaning is in place of having that number.

Jeryl Abramson: We have that number if we need more we will get more. The bottom line is they will be cleaned constantly so they are not going to be overflowing, they are not going to have lines, and it isn't going to get ugly.

David Slater: You have 235 campsites. You know how many toilets you need.

Daniel Gettel: That is based on the number of campsites.

David Slater: As you get the day campers in, and say 500 day campers on Thursday....you need so many extra toilets.

Zach Howard: I wish we got that many day campers.

Daniel Gettel: You can't even make that prediction because you sell them the day of the event.

Zach Howard: I can tell you from last year the most amount of day tickets we sold in one day was approximately 35.

Jeryl Abramson: Let's just get to the agreement that we will certainly have enough to meet code.

David Biren: How many RV's?

Jeryl Abramson: I think we can fit 27.

David Biren: It's not on the map.

Zach Howard: We will get it on the map (showing on map). We have 1 handicap porta-john at the RV spot, which is required.

Susan Brown Otto: How does Mobil Medic and the Bethel Ambulance Corp work? Last year you called Mobil Medic. I don't know what time you called Mobil Medic.

Zach Howard: Approximately 2:00 am.

Susan Brown Otto: I don't know how many people work for Mobil Medic work at 2 am.

Zach Brown: A lot more than Bethel.

Susan Brown Otto: Right, they are County wide. So you call for an ambulance, the person calls 911 and the call goes out to Mobil Medic. Mobil Medic then tells you we are sorry we don't have an ambulance. You then have to go to Bethel. Bethel is on standby, there is one person on standby there who isn't licensed, whatever. They don't go to like the Jeff Ambulance Corp?

Zach Howard: At that time Bethel had the option to send us the van to at least keep him stable.

Jeryl Abramson: That is 911. We don't call the ambulance individually. We call 911. It is up

to them to get a responder.

Susan Brown Otto: Right, from a general protocol standpoint. If they know you are having this event on this weekend do they budget that they need an extra... I don't know.

Jacqueline Ricciani: Mobil Medic should hire more people if they know they are on call for your weekend. If they are going to provide you with a contract, provide you with services, they need to provide a service.

Daniel Gettel: If they provide a contract, they are obligated to give you a service.

Zach Howard: I can tell you at that particular event, it was more of a hassle at Bethel to have someone on staff that couldn't operate an ambulance rather than Mobil Medic needing an extra 15 minutes to get there. Bethel had the equipment. They just didn't have anyone to operate it. I understand it is a little late at night but Bethel is well aware we are doing this event. If we have a contract with Mobil Medic they will be prepared for that, however...

David Biren: Was Mobil Medic under a service contract?

Daniel Gettel: They don't have the number of people that requires a contract.

Jeryl Abramson: It's just an ambulance call. We are not required to have a Card 18. And I am going to get to that farther along. That is the 5,000 or over.

Daniel Gettel: It is a County wide problem.

Jeryl Abramson: It is a busy time of year. I don't know if I can address their business.

Jacqueline Ricciani: You indicate you have a contract with them.

Jeryl Abramson: I don't have anything yet. I'm not required to do that yet. As we go through this, we will work on this.

Daniel Gettel: It's a problem County wide, Susan, especially with volunteers.

David Biren: Don't you have an EMT working that weekend?

Jeryl Abramson: We are not required to.

David Biren: I understand it is not a requirement.

Zach Howard: Most of our security staff is EMT trained. We have equipment on site to at least mitigate a situation. We have more than the minimal.

Jeryl Abramson: There is a limit of what we are allowed to do.

Susan Brown Otto: I have some other questions. The emergency access point here on 17B, how does an ambulance or fire truck operator know which road to go down?

Zach Brown: It is on Yasgur Road (showing on map).

Susan Brown Otto: It's not marked on 17B?

Zach Howard: No, but if we are waiting for an ambulance, someone will be on the road to help.

Jacqueline Ricciani: The gate is not shown on the plan

Zach Howard: I will show you.

Daniel Gettel: One of the plans we approved previously, there was a concern raised about the condition with some of the interior roads, with the rain. Your mother had mentioned all the rain from last year. It may happen again this year, we don't know. All I can think to do is to have someone, one of our engineers, come up and walk the site with one of you and look at the specific roads, if it needs more shale, you add more shale. I need somebody to come up to look at it, Glenn (Smith) said he would be okay to go up.

Zach Howard: I will be in town until March 15<sup>th</sup>. I will walk the entire property with him. Have him come up.

Daniel Gettel: I will contact Glenn.

Zach Howard: The roads are all at 15 feet or more. One is 10 feet but we will widen it.

Daniel Gettel: In order to address the idea that people may have gotten stuck in the roads, your plan says that the roads will only be used for...

Zach Howard: For the record, I would like to say is that the only time that someone has been stuck is when they go off the road and go into the field. The roads themselves are red shale and packed.

Daniel Gettel: Your plan says they are only supposed to be used for emergency vehicles and should be maintained...

Zach Howard: The roads themselves are mainly shale. Getting stuck is not really an issue.

Daniel Gettel: Glenn has been in there before. He said you have the materials there. At least we can say that we looked at it and we did address it. I don't have that specific plan. It was on the plan that was approved in 2014, 2015 and 2016. All trails shall be 12 ft wide, as per town code. It says:

*All trails shown will provide one way access throughout the camping area due to the design parking areas, and other areas on the property emergency vehicles will be the*

*only vehicles used on the trails shown.*

Daniel Gettel: We can expand that to say service vehicles only. You have the vendors, the people maintaining the porta-johns. That is what is carried over from the plan we have approved in the past. I would suggest we just carry a note over that someone from our side, not that we are picking sides, but one of our engineers will meet you to go over the project.

Zach Howard: Absolutely. And as of right now, going back through here, the roads that were discussed for the actual campground, the seasonal campground, they are not at that level yet, but they will be and right now the roads that are being used for the temporary use event, the special use permit, those are all maintained and 12 feet wide.

Daniel Gettel: Are they the roads that are shown in red. For the record they are the red color, I will ask Glenn to come out and look at them. The County suggested mats that you could rent if it is a problem. I can't see you going through that expense. I don't think it is really a solution. It should be limited to people on the road.

Zach Howard: With the rain issue, the road was fine, the area in front of the stage was mud, and we got hay, and it was fine.

Daniel Gettel: You realize it could rain again, so you have to be prepared. Is there anything else from the board?

Susan Brown Otto: The floating lanterns?

Zach Howard: I don't know where that came from.

Daniel Gettel: We are going to put in here that you can't have them.

Jeryl Abramson: The way they operate, the heat the flame that makes them rise, when they come down, it's because the heat went out, there is no heat.

Susan Brown Otto: My concern is Harold Russell's hay.

Zach Howard: I'm not going to say it's not going to happen, but we will stop it. No fire works, it doesn't happen. I saw someone last year ready to light something, and I took it away.

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

***Motion to close this public hearing and go back to our regular meeting by Steve Simpson, second by David Biren***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: We do have a Short EAF. Due to the fact it is an Unlisted Action we don't have to declare our intent to act as Lead Agency in advance. Part 1 has been on file for a number of weeks, so as with other applications I won't be running through Part 1. I will only do Parts 2 and 3, which are our portions. The Board has to keep in mind that this is a three-day event, which weighs heavily on the environmental impacts.

1. *Will the proposed action create a material conflict with an adopted land use plan or zoning regulation?*

No, temporary camping is allowed in both zoning districts on this parcel.

2. *Will the proposed action result in a change in the use or intensity of use of land?*

No, this is a temporary operation happening only over a long weekend.

3. *Will the proposed action impair the character or quality of the existing community?*

No, this event is to happen over a long weekend.

4. *Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?*

No, there are none in the Town of Bethel.

5. *Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?*

No, this event has been held in the past with little to no negative impact on traffic. There are no bike routes or walkways in the area.

While we are on this we have to point out, the County pointed out that REO Speedwagon is playing on that Friday, so we have to watch that that doesn't become a problem. So watch that your people will be coming in the same time as Bethel Woods people. They probably start around 4pm. I want you to be aware of it.

6. *Will the proposed action cause an increase in the use of energy and it fails to incorporate available energy conservation or renewable energy opportunities?*

No, there shall be no increase in energy usage.

7. *Will the proposed action impact existing:*

*7a. public/private water supplies?*

No, there is no public water and private water supplies will be affected.

*7b. public/private wastewater treatment utilities?*

No, wastewater shall be handled by porta-johns installed for the event.

8. *Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?*

No, there are no designated historic, archaeological, architectural, or aesthetic resources on this site.

9. *Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora or fauna)?*

Wetlands shall not be affected and this is an event set to occur over a long weekend.

10. *Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?*

No, there shall be no site disturbances made as part of this application.

11. *Will the proposed action create a hazard to environmental resources or human health?*

No, there is no action proposed that would create a hazard to environmental resources or human health.

None of the questions in our review of Part 2 resulted in the response of either a moderate or large impact so we do not have to complete a Part 3 of the EAF. I did, however, note that there are no large impacts on the Part 3 of the form, and I did sign off on that part of the form.

***Motion to grant this application a negative declaration by Steve Simpson, second by Susan Brown Otto***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***

Susan Brown Otto: In addition to REO Speedwagon, STYX is coming that night as well.

Daniel Gettel: Moving on, as in the past Jeryl, there are a number of conditions we always attach to your license as well as other licenses. The only thing I would ask at that time is, I always sign

off on our side but nobody ever signs off on your side. We are going to require that someone from your side sign off on this resolution when it is published. I will read the conditions into record and I will let you know if it is a change from last year. We did change the dates clearly. When the contracts are due we are asking for them six weeks in advance. If you don't have the contracts six weeks in advance let us know. I do want the contracts to be delivered. If you have any medical contracts, whatever contracts you have, we need them on file.

*Reading Conditions:*

1. This license shall be valid for one concert series with camping to be held on specific dates, August 11, 12 and 13, 2017.
2. The applicant shall maintain liability insurance covering the event and camping. The applicant shall provide the Town of Bethel with a Certificate of Insurance naming the Town of Bethel as a co-insured party no later than July 28, 2017 (two weeks prior to the event). The amount of said insurance shall be no less than \$1,000,000, as referenced in the Management Plan.
3. The contract information regarding security services, trash disposal and collection, sanitary services, potable water, EMTs and other service providers listed in the Management Plan shall be provided to the Town of Bethel no later than June 30, 2017 (six weeks prior to the event).
4. The applicant shall obtain, no later than June 30, 2017, all required Town, County, State and other Governmental Agency permits and approvals. This shall include, but may not be limited to, the New York State Department of Health, the New York State Department of Transportation, and the Town of Bethel Town Board. Prior to operating on this site all vendors shall have the proper licenses and/or permits.
5. The applicant shall, no later than June 30, 2017, provide the Town of Bethel with copies of, or e-mail links to, all ticket sales literature or sites which shall clearly indicate that paper lanterns, fireworks, glass containers, illegal drugs, and pets shall not be permitted on the site. The applicant is to provide the Town of Bethel with ticket sales information prior to the event.
6. The applicant shall otherwise comply with all other requirements previously imposed by the Town of Bethel and the courts.
7. The applicant shall, as necessary, act to ensure that traffic movements on NYS Route 17B are not impaired by enacting the traffic control procedures outlined in the Management Plan. The applicant shall also insure that interior roadways within the bounds of the camping area are sound, are a minimum of twelve feet clear in width and are kept clear of non-essential service vehicles as indicated on past approved site plans for this facility. This shall be verified in the field by one of the Town of Bethel Planning Board engineers prior to the issuance of a license.

8. The applicant shall permit the Town of Bethel Building Inspector, Code Enforcement Officer, and the Town of Bethel Constables to conduct site inspections to insure the conditions set forth in the Management Plan, the Site Plan, and this license are being honored and that all vendors possess appropriate licenses.
9. No open-air music events shall take place within 150 feet of any property line and shall be screened from adjoining dwelling uses. Any speakers shall face to the east, away from immediately adjoining homes and agricultural buildings and shall be angled down towards the ground. Amplified music shall not be permitted earlier than 10:00 am, nor later than 2:00 am.
10. The applicant shall take affirmative steps to mitigate any impact on agricultural uses by:
  - A. Ensuring that there is no trespassing onto adjoining properties.
  - B. Monitoring the natural 150-foot-wide buffer zones along any adjoining farmland to ensure that they are unoccupied by persons, vehicles, or debris of any kind. On-site parking shall be limited to a maximum of 600 vehicles, as the applicant has indicated have proven to be adequate.
  - C. Prohibiting the use of paper lanterns, fireworks, or creation of other similar noises likely to disturb farm animals and enforcing these restrictions at all times.
  - D. Erecting temporary fencing, only as required, to restrict entry to the site from adjoining properties and vice-versa. This shall be completed no later than August 4, 2017.
11. The site and surrounding properties shall be fully cleared of all events and camping related debris, equipment and temporary structures (including any stages) no later than August 20, 2017.
12. No temporary structures shall be constructed or installed within the bounds of the buffer zone for the wetland, which exists, on this property.
13. All fees shall be paid to the Town of Bethel prior to the issuance of this license.
14. The applicant shall not commence any site preparations for this event until such time as said applicant signs the resolution outlining these conditions, the conditions governing the issuance of the license.

Daniel Gettel: It is pretty straightforward.

Jeryl Abramson: You will let me know when the resolution is complete and I will come over

and sign.

Daniel Gettel: Jacy will prepare the resolution. I can email you a copy. You can sign it and bring it back. Are there any other comments from the board?

David Slater: Dan, this is a 60-hour event, not a three-day event?

Daniel Gettel: Yes, it is limited to 60 hours.

David Slater: Okay, because you mentioned three days, that is 72 hours.

Daniel Gettel: They come in and leave that Sunday.

Daniel Gettel: Yes.

***Motion to direct the Building Department to grant a renewal license for a transient campground with outdoor recreation with the previously fourteen conditions, by Susan Brown Otto, second David Slater***

***Roll call vote:***

***Michael Cassaro – Y***

***Wilfred Hughson - Y***

***Susan Brown Otto – Y***

***David Slater - Y***

***Steve Simpson- Y***

***Daniel Gettel - Y***

***David Biren - Y***

***Motion passed – 7-0***

Jacqueline Ricciani: A point of clarification. Is the motion to recommend the Building Department, not directing her to issue it?

Daniel Gettel: I guess we should. Jannetta, please change the motion. Good luck. We will be in touch when the resolution comes out. I will have Glenn (Smith) contact you.

***Dan giving paperwork to Zach Howard for next year's submission for renewal of license***

Daniel Gettel: I think everyone has gotten a copy of the training. It is SEQRA training on March 9<sup>th</sup> at the Government Center beginning at 5:30 pm. There is a class on the State Environmental Quality Review Act, 5:30 pm to 7:30 pm, and from 7:45 to 8:45 they will talk

specifically about Special Use Permits. If you want to go you have to sign up in advance. I can give you a phone number. Vicky, is there anything from the Town Board? I know we are going to see zoning changes at our next meeting. Local Law # 1 of 2017, which is coming in April.

Victoria Simpson: Yes.

*Motion to adjourn by David Slater, second by Mike Cassaro*

*All in favor – 7*

*Opposed - 0*

*Agreed and carried*

8:35 pm

Respectively submitted,

*Jannetta MacArthur*

Recording Secretary