



845-583-4350 Ext 15

845-583-4710 (F)

Town of Bethel

Planning Board

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

The Town of Bethel Planning Board held a Regular Meeting on May 2, 2016 at 7:00 PM at the Dr. Duggan Community Center, 3460 State Route 55, White Lake, New York. On the agenda at this time were the following;

In attendance: Daniel Gettel, Chairman, Steve Simpson, Vice Chairman, Michael Cassaro, Susan Brown Otto, Wilfred Hughson, David Biren, Robert Yakin, Alternate, Bette Jean Gettel, Code Enforcement Officer, Jacqueline Ricianni, Attorney, Jannetta MacArthur, Recording Secretary, Glenn Smith, Engineer.

Absent: David Slater

Seating: Robert Yakin, Alternate

Pledge to the flag

Motion to approve the April 4, 2016 minutes by Steve Simpson, second by Wilfred Hughson

All in favor – 7

Opposed - 0

Agreed and carried

Daniel Gettel: Just so the board is aware, and the public is aware, submission number one was received five days after the filing date and for the record I did agree to give it the work session section of our agenda, just to accommodate the applicant as he stated he just wanted to update the board on the submission. The agreement was that the applicant would take approximately a thirty-minute time slot typically allocated for the work session to update us. As far as I am concerned this is an informative presentation and I indicated to the applicant representative since the application was not received by the deadline that I didn't feel it proper to ask the board to vote on any items since the board didn't have the full time to review it and neither did Glenn (Smith). Jacy, we do have email correspondence back and forth about the scheduling, should we receive and file for the record? It is up to you.

Jacqueline Ricciani: It doesn't go to the matter of the application. I think it is more municipal.

Daniel Gettel: Wes, I think we are all on the same page with that anyway, so I don't think I need to receive and file that information.

Wes Illing: I lost you Dan.

Daniel Gettel: I'm trying to go fast, you told me to go fast.

- 1) ***Application for a non-transient campground to be located at 34 Yasgur Road, known as Bethel Tax Map #: 25-1-14.1, 14.3, 14.4, 15, & 16.1, proposed by Yasgur Road Production. (Wes Illing)***

Daniel Gettel: Wes, if you don't mind updating the board on where you are with the application, especially the Health Department.

Wes Illing. On the recommendation of the Department of Health I did some preliminary soils on site to see if we can do onsite septic. That was important to find out. Bottom line is, yes we could. Then I did a cost estimate of how much it would cost, and the soils are crap. They have maybe 22 inches of useable soil. It is a raised bed system. It takes a big area. The bottom line is, and I was talking to Jeryl, we could do Phase 1 with onsite septic, she can never do Phase 2 without municipal sewer. Rather than spend all of that money on the Phase 1 septic, she would rather just get a sewer line extension and put in a sewer line, through the town, and hook up to the Alan Gerry site. It would be a little more expensive, but in the long run it will actually cheaper, and far superior. The Department of Health would love to see that sewer line. It would be a boost to the Town of Bethel, because then all the property values along that new sewer line will have a boost in value, the businesses' that needed a sewer connection will be able to hook into the municipal sewer. We met with DOH today, in regard to the pump and haul issue. In the memo here, we have no facilities shown or illustrated for sewer. That is intentional. The plan was to rent restrooms, and we asked for showers, DOH nixed those. Basically we want to rent rest rooms with full water facilities. We want toilets that flush. We want sinks that you can wash your hands in. We want sanitary restrooms. We can rent those in a trailer, kind of like Mysteryland does. There is an upgraded version of those we are going to impose on the supplier. We talked to DOH today, and we offered an interlock. Because one of the issues DOH has is sewer going on the ground. They over fill them, they keep water in, they keep using them, and then they overflow. It is a disaster environmentally and health wise, so I recommended that we do an interlock system so that when the tank is full, they have them with alarms, and the alarm shuts down the water supply valve, and when the tank is full, there is no water until the tank is pumped out. So the DOH liked that, we still have a long way to go with DOH. We have to submit a whole bunch of submittals. We haven't gotten approved from them to do this. They want us to submit a proposal with more detail and they will review it, and if it all looks reasonable, then maybe they will give us a permit to pump. And they understand that this is a two-year roll out essentially for a sewer line. We will do all the design, do the bids, and get it installed. It will be two years before the sewer is actually in place. The other thing that was changed was the water treatment plant. We had initially conceived this little tiny water treatment plant, but when we did all the calculations for the DOH requirements for the water supply, it wasn't big enough. We need a bigger storage tank for it to meet the daily demands. So we had shown one of the sheds, that we were going to put the water treatment plants in one of the sheds, and I didn't have time to get it on this plan. We will certainly have it in for next month. We are

going to end up putting the water treatment plant up behind the barn, up by the well. It will be small. The equipment will be housed in a little lockable shed that will be about 8' x 10'. Behind that shed will be two storage tanks. They will be outdoors. One storage tank will be a 5,000 gallon storage tank, one a 850 gallon contact tank per DOH requirements. From there, by locating it up there, we can gravity feed all of the campsites. We can achieve the minimum pressure requirements. In fact, we will have about 30 psi for the showerheads, by gravity feed. We will have a simple reliable system for the water feed for the campground. The one area we don't have enough elevation available is the RV spot. We are going to relocate some of the RV spots. Even after we do the relocation we still will not have enough gravity feed. We found a nice little pump, that we shared with DOH today, that will give the RV spots a nice pressure between 30 to 50 psi all the time and satisfy all their water demands. The sewer disposal for the RV spots is an issue with DOH. Most likely they are going to propose a dumping station, we proposed to have someone come by every day and clean them out, which would be one approach, so we are going to have a couple of different approaches. We don't care, so that was another development that has occurred. Also since last time, we have all this 2 foot topography now, so for the first time we can really lay out all the campgrounds and campsites. What we found was the original circle concept wasn't working real well for us so we went to a seven-sided polygon, which meets the minimum requirements that Glenn had outlined for each campsite. It satisfies the minimum area requirement for each campsite, and everybody shares a common fire rim. We also went out to look at the fire rims that were out there, and they are too small. If you want to have a fire rim shared by 5 to 7 people, it needs to have a four-foot inner diameter. There are some details on the back, where we show they are made out of precast concrete retaining wall pieces. You can make a nice circular fire rim. They would have a stone bottom and it is much more robust for protecting the forest from any potential fires and it is a bigger fire rim.

Daniel Gettel: Wes, are you going to lay them out, because last time you said you were going to locate them?

Wes Illing: Yes, basically we went in, and we located all of these campsites. George Fulton was out there staking the location of every one of these proposed fire pits.

Daniel Gettel: Okay that was my question.

Wes Illing: We are going to have to tweak this out a little bit, because if one of these happens to be where a tree is, then he has to adjust the location.

Daniel Gettel: No, no, I get that.

Wes Illing: We are going to have to adjust it. We are not going to change the number; we are just going to have to tweak things a little bit.

Daniel Gettel: I'm just saying that on the record last time you said you were going to locate them all, and reuse them.

Wes Illing: We located all 70 fire rims, that are there right now, but when we looked at them

some are really small, some were at the root ball of a tree, and there were issues with a lot of them. The forest is the biggest asset this campsite has. It is a really cool place to go out and camp out in the woods and so we have to protect that forest at all costs. I was talking to Jeryl about this, for about 20 years there have been a number of campsites on the east coast, that have done well with a musical theme and they are very successful. And if you think back on Woodstock, what was Woodstock but a bunch of campers going to listen to music. It is consistent with the original theme of Woodstock. You can see there are about 300 parking spots, in this area here. We have plenty of room for parking. Over here, we have plenty of room here, these aren't on your plans, and I just added them tonight before we came in. We have lots and lots of room for parking. I want to talk about the vegetative screening here tonight. This RV spot, we will redo before for the next meeting. To make it a nicer area, it will be friendlier for the campers. This is the Phase 1 campground area right here, one of the things we did, this area what we call stage number two, one of my concerns, and Jeryl's concern, we have a neighbor over here. When they had this stage up here, outside of the woods up here, broadcasting across the field, it caused a noise issue with the neighbor. What I have suggested is if they move this stage down here, which is down hill of this tree line down here, the topography is convex right here, so what is going to happen is the sound waves come out, they hit convex topography, it will make it spread out basically, as opposed to ricocheting and come together which will attenuate the sound as it moves outside of this triangle. Also with all the trees in here, it is fully wooded, the foliage of the forest, the canopy, it will absorb a tremendous amount of sound. So, this is going to be acoustically far better than they have ever done before, it is going to be quiet, and it should not be a noise issue for any of the neighbors. We left the stage area up here where it was. This whole area is fully forested. The vegetation is just wonderful for deadening sound.

Daniel Gettel: How many campsites in Phase 1?

Wes Illing: Phase 1 is 246 campsites, 27 of those are RV spots.

Jacqueline Ricciani: The map says 221.

Wes Illing: That is a mistake in the numbers, I'll fix it.

Daniel Gettel: What is the right number?

Wes Illing: Its 246, 221 campsites, plus 27 (RV sites). I'll look into that and get to the bottom of that, and straighten those numbers out. If there are one or two discrepancies, we will get that straightened out. I just don't want to lose any because of the relocation from George Fulton. Some of these numbers may change slightly, but not significantly. Inside this loop right here, there is an existing road right here that comes down like this, and runs around like this, and this little teardrop area. This is where we are going to have the vendors. There are going to be some food vendors in there, they are totally self-contained. The honey dipper will come by every day and the rest rooms will also be in this area. We have to run electric down to this area. The showers that we had shown here for Phase 1, DOH said no, only for Phase 2. We can't have showers for Phase 1. So the showers here are now only here for Phase 2. We still want to have the same number of rest rooms where you can wash your hands. We are going to set up electric, we are going to run power down here and set up electric, around this loop here for the vendors,

so people can charge their I phones. And there might be a pizza vendor there or whatever, all different service vendors in here for food, and trinkets and whatever. The stage over here needs power also. The stage down here needs power, so we are running power down here. We run power down here, and then we will be able to have power for the restrooms. I envision these restrooms to come with some down lighting so the doors are illuminated at night, so you can see where the door is and you have light. So we will have 120-volt power, and water, they will have whatever they need for utilities. Here is the wetland here in this area. You can see we have located the campgrounds around that wetland. The people seem to really like the wetlands. They are kind of neat. They are mossy to look at. Here is the low spot, and a bit of a plateau up here. These other things are just trails through the woods. We are going to put down some red wood chips or something on top of the existing forest cover to delineate the trails themselves so people know where the trails are. This is the Phase 2 campground area. There is a restroom up here. You will see these funny circles on the restrooms. One is the fire...? Basically every campsite has to be within a 500 foot radius of a restroom. We have a funny shape, and town code says you have to be at least 100 ft away. You will see an inner radius that we can't have any campsites within, and an outside radius that DOH says we can't have any campsites outside. So we have a restroom up here, and one down here, and between the two of these they cover the area for all the campsites. The same is true on the Phase 1 development. We are probably going to change some of these trails. I'm not real happy with the layout here. Let me back up one page, to Phase 1. You will see these little blue dots on here, essentially the water lines, will be going along these paths, along the foot paths. We laid them out basically so the water lines all kind of go downhill and we have a couple of drainage points where at the end of the season they can drain the water and the whole system just gradually drains, and there isn't any more water, so it is dry for the winter. That is how we can get away with water lines 18 inches to 2 feet deep. The topography worked really well for the water distribution system. Every one of these little outlets here there is going to be a spigot. The spigot will be about 2 feet off the ground. We will get you detail on the spigots. So that is the water distribution system. We easily met the 20 psi minimum by DOH. There is a footbridge back here right now. It is an old log bridge back here, made by loggers. I don't know how many decades ago. Great big solid trees laid down. You can walk across, I don't want vehicles crossing. In Phase 2 we will put a culvert in and then you can cross it. Right now it is a footbridge only. We have a restroom down here. That is why we have this turnaround down here, this little hammerhead so the honey dipper can get to the restroom and then do a K turn, and then come back out on the shale road. This shale road here is a new road, and that is part of our disturbance area. There is a wetland up here. There is a wetland right here, so this little blue line is a stream, it is about 1.5 feet wide. It varies and is not a steep grade there. This last sheet is just some details. One of the things I want to talk about, the last time we talked about vegetative screening down in this lower corner. If you look at sheet one and we were talking about putting some vegetative screening down in this corner right here. Here is the tree line, the existing tree line; some white pines we discussed last time. I was putting about 30 feet on center. Finally, we got to a point where the topography is so steep from the road here that you really can't see over the bank anymore. That may change over here, and we will have to address that for Phase 2. I was looking at this and thinking about what we were doing, and I'm looking at this in detail and I went back and looked at your code, and one of the things that your code mentioned was when you do vegetative screening, it says you are supposed to be able to have a peek a boo view through, or you are supposed to look through it a little bit. It is not supposed to be a total blockage. It says in your code you are supposed to exceed the use.

So, I was thinking well, you can see kind of how these are laid out. It would be nice to have some additional color. And I am open for suggestions for color. One of the things I am thinking, what if we on this front row, depict every one of these trees out, every other tree out, and do some plantings with some color. Because the pines are going to be green and it would be nice to have some color in a vegetative area here with some shrubs and flowers or whatever, to get some color in this spot here, then behind that spot have a tree. To have a tree here, vegetative, a planting bed basically, and then another tree, and then a tree right here, and then you have your screening and then you also have some color, which I think aesthetically is superior to just having a bunch of pine trees. I think it adds a little character to the roadside. We can leave it like this, or if you like that concept I am open up to... What kind of plants would you like to put there for color? I'm not a plant guy. I don't know all the different plants with different colors. I would love some ideas of what to put in that planting bed to add color, if you guys are open to that concept. We have the detail of the white pine over here, and detail of the fire pits on sheet 5. We are going to change the electric trench detail. We are going to go another foot down, 3 foot down for all electrical utilities. I want to make sure that all the electric utilities are a foot below all of the water lines. If they cross over each other, the electric lines are a foot deeper, and there won't be any issues with that. You can see the areas here, the widths of the campground themselves. Here is a little spigot detail. DOH said today when they looked at our water spigot detail, they want a gravel pit under the spigot so when people open and close their faucet, and it is dripping and running periodically, the area doesn't get all muddy underneath the spigot. They want gravel, and they have specs for that to follow, so the water will soak in around the surrounding soils. You have my long form EAF?

Daniel Gettel: We do.

Wes Illing: I assume that meets and exceeds the requirements. It didn't state in your code which EAF we were to follow. I assume that is a Planning Board...

Daniel Gettel: We would require the Long EAF. We have in the past.

BJ Gettel: The 246, we had 219 campsites.

Wes Illing: The water system is designed for the 6 number. We will change that.

Daniel Gettel: My question going forward is really for Jacy and Glenn. How far do we go ahead without any indication from the Health Department? We have absolutely no correspondence from the Health Department. I don't doubt that you have been there, don't get me wrong, but we have absolutely nothing from them.

Jacqueline Ricciani: So much of this is contingent on them.

Daniel Gettel: And your request for a waiver is contingent on them.

Wes Illing: That is what is wonderful about a special use permit. You can review our submittals and approve the plan with conditions, because this special use permit and one of the conditions should clearly be DOH approval. It should not be an issue at all.

Jacqueline Ricciani: However, depending on what DOH says, it may require some modifications to the plan. If we had something preliminary from the DOH that is one thing, but you are presenting us with this plan, and DOH might.... I don't know what they might do.

Daniel Gettel: We don't have an indication that they are willing to go along the utilities you are proposing. How do I do the EAF if I don't know how you are getting rid of the wastewater?

Wes Illing: It is contingent on it.

Daniel Gettel: I can't do a contingent EAF.

Jacqueline Ricciani: There are a lot of contingencies.

Wes Illing: The whole approval is contingent.

Daniel Gettel: I can't give you a negative declaration, assuming there is a negative declaration, if I don't know how you are treating the sewerage. Glenn, am I wrong?

Glenn Smith: No, you would never be able to do a negative declaration without knowing if the sewer is going to the municipal plant, or onsite, or pump and haul. You can go a ways on site plan review and comments, stuff like we are doing now.

Daniel Gettel: But you can't get to a conclusion. There are certain things we can't make a condition. That's something to think about Wes.

Wes Illing: I don't think that is correct Dan. I don't think that is a proper interpretation of the SEQRA process.

Daniel Gettel: That is something we will look into.

Wes Illing: The SEQRA process is supposed to be the environmental impact of this project. It has nothing to do with approval at all, or disapproval of a project. It only evaluates the environmental impact.

Daniel Gettel: Not knowing how the sewer is going to be treated I think is going to trigger a possible question about the environmental impact the project will have on the environment.

Wes Illing: Not if your approval says.....

Daniel Gettel: Glenn will you look at it? We will take Glenn's advice on that.

Glenn Smith: For example if the flows are going to the Town Sewer Plant, the question that comes up does the sewer plant have capacity for it.

Daniel Gettel: Nobody has approached the Town Board about extending the sewer line.

Wes Illing: I talked to Dan Sturm about it in our first preapplication meeting.

Daniel Gettel: That is news to me then. I don't have anything on that.

Wes Illing: And I did speak to the Sewer Department to find out what issues they had with DEC.

Daniel Gettel: Glenn, I think you have wetlands in your list, so we will come back to that one if you don't mind when you do yours. Just so the record is clear, Glenn, one of the reasons I wanted you to go out there to look at the site and to look at specifically how much screening would be required to screen this from the cars that go by. I know that the lower area there is very visible, but when you are closer to Cocheton, coming down, you can see most of that field also. The question really was how much of that... what could be done to screen that, and is it feasible to screen that. That was something that we wanted you to do in the field visit, and the field visit was never done. We would want a meeting before we decide on the landscaping on what we need. Wes, I disagree with some of your landscape assumptions. Section 126-B, which is one you asked us for a waiver for, says that "All non-transient campgrounds and RV parks shall provide and maintain a screening strip of planted natural materials along all property boundary lines. Such screening shall have a depth of no less than 20 feet, to effectively screen the area in a reasonable time period, mature 5 to 10 years, and specify types..." We discussed it at the last meeting, and you had kind of inferred that you only thought it only had to do with the campsites, and only had to do with screening that from residences. I don't see that in the code. The parking lot, I think, is part of the campsite. Screening the parking lot, I think, is going to be a big part of this project.

Wes Illing: That is why we put the screening down here.

Daniel Gettel: But you have a neighbor to the west that has a perfect view of every parking space, I believe. I don't know because I haven't been in the field. It doesn't say may, it says you shall provide.

Wes Illing: And we asked for a waiver from that.

Daniel Gettel: Jacy, what is the waiver process for the Planning Board? Do we have to do that as part of a public hearing and actually list out all of the waivers? I will come back to you. Wes, in the past we have had a management plan on the operation of this site. We haven't seen that for this project. That is part of the application.

Wes Illing: I completely forget. I'm sorry.

Daniel Gettel: If you can get that to Glenn. We can't call this a complete application until we get all of the submissions. Glenn, do you want to run through your letter while Jacy is looking up the waiver requirements?

Jacqueline Ricciani: Before we get to that, BJ raised a good point. I didn't look at my notes yet. Did we declare lead agency?

Daniel Gettel: We have not, we just got SEQRA. Glenn if you would.

Glenn Smith: This is my letter of April 29th. My first comment was just naming the two phases of camping. It says SEQRA review must include the total project plan, even if the proposed development would be phased. In other words, Phase 2 has to be incorporated in the SEQR as well as Phase 1.

Wes Illing: It was.

Glenn Smith: I'm not saying it wasn't. The current Wastewater Plan does not include any on-site septic systems for the reasons Wes mentioned. I kind of summarized that. The intent is to go to the municipal system with a couple of pump stations and a main down 17B, and again DOH authorization to use the pump and haul has to be verified for the application to be considered complete, in my opinion. I mentioned, I thought the restrooms in Phase 2 were pump and haul also. I guess that would be strictly based upon....

Wes Illing: When we get to Phase 2, it has to be municipal sewer. That is the agreement with DOH. On phase 1 they will allow us to pump and haul, assuming we make good progress when we have municipal sewer in a couple of years, but you can't do Phase 2 unless you have municipal sewer.

Glenn Smith: Number 3, the proposed water supply system indicates a single water supply well, that has to undergo DOH Water Quality and Yield Testing. I think the intent, Wes, is to have one primary well. I suggest the board may want to require a second well because if the well goes bad, you evict the campers.

Wes Illing: We talked to DOH about that in fact today, because that was an issue they raised. Essentially the water treatment system we have proposed is gravity fed system. If something happened, the well dried up, the well pump failed, they asked us, we proposed that we be able to buy municipal water, and truck it in 10,000 gallon truck loads. That is one tank. We can fill the 5,000 gallon reservoirs, we can just fill that from a tanker in an emergency situation and the rationale behind that, we can put in a day of storage, because that is the first thing they asked for. Then we talked about stale water. A campsite like this, you have big flows over the weekend, then when you get to Tuesday, Wednesday, Thursday, usually the crowd is small, then you end up with stale water, and the DOH is very well aware of the issues associated with stale water. I proposed a smaller storage tank, only 5,000 gallon, it only has a 4,000 gallon working volume, so we can work through that volume, even on slow days, we will get through a hefty percentage of it so we won't have stale water issues, that are plaguing some of the sites in Sullivan County today because they have an oversize storage tank. They haven't agreed to the ability to bring in purchased water and 10,000 gallon tankers in the case of an emergency when, if, something goes wrong. They said to propose it, and they would consider it.

Glenn Smith: DOH didn't push for a second well at this point?

Wes Illing: Well, what I proposed to them in the water treatment system report that I submitted to them today was that basically we are proposing a 16,000-gallon per day water treatment

system. According to DEC regulations, 55 gallons per campsite, Phase 1 is supposed to consume just under 14,000 gallons per day. If you look at the regulations they are pretty conservative, and I suspect the actual water consumption for those Phase 1 campsites, they will go to half of that, or about 7,500 gallons per day, or maybe 7,000 gallons per day. We won't know until we start operating and start monitoring the water consumption, because then we will have daily flows and we will see what the water rates are. Then we would use Phase 1 to figure out what we are going to do for Phase 2. If we need a water plant, an additional water treatment plant or well for Phase 2, then it is going to go up in this area here back in the woods. If we find out we have more than enough water from the first well or maybe we increase the storage tank a little bit or something, if we have both phases, then that is what we will do. We won't know until we have real data for actual usage for the clients that are coming. DOH gets all those monthly reports. They see all the data, so you don't hide anything from DOH. All that data gets submitted. It gets logged every single day on site. We will work with DOH on that.

Daniel Gettel: Helen, are you okay going on a little late? I know I told you 7:30.

Helen Budrock: No, that's fine.

Glenn Smith: On number 4, I mentioned the Army Corp/Federal Wetlands. There are two federal wetlands shown on the property which are fairly close, the surveyor located them. DEC recommends they be delineated by someone who is certified to do it. The bounds may change, they should be done right, instead of approximated in there.

Daniel Gettel: Wes, if you look at the records, the wetlands on the property have been a DEC concern in the past.

Wes Illing: Yeah, but there is no DEC wetlands.

Daniel Gettel: They have pointed out wetlands in the past, if you look through the records.

Glenn Smith: We do have a DEC wetlands in the right...

Daniel Gettel: I'm just pointing it out, check the file. There is information on people infringing into the buffer zone.

Wes Illing: Who's file?

Daniel Gettel: Jeryl's file, the DEC wetlands. We have correspondence from the DEC on that.

Wes Illing: Okay, I will. We can have the wetlands, our use, there are zero setbacks from federal wetlands.

Glenn Smith: There is no buffer, no.

Wes Illing: There is no buffer zone. So, there is no issue with the wetlands.

Glenn Smith: Number 5, about the tree screening, we talked about that already.

Daniel Gettel: I still think you need to go out there.

Glenn Smith: Yes.

Susan Brown Otto: May I raise a point about the screening? With regard to the suggestion about having something colorful in between on the screening, one of the concerns is provide something that the deer don't eat. Otherwise we wind up like the sewer plant facility on the corner of Happy Avenue, and 17B, where we have trees around and the deer have eaten all the lower parts of the tree. So anyway, that should be a consideration. I don't know if there is something colorful that the deer don't eat.

Wes Illing: That is why I was open for suggestions. Honeysuckle, I don't think they like, but that is not that colorful. It smells nice.

Susan Brown Otto: Pine, they won't eat hemlock unless they are desperate.

Wes Illing: We are fine with the trees the way they are. I wanted to throw that out in case the Planning Board has an interest in adding a little color.

Daniel Gettel: I believe the contacts at Sullivan Renaissance would be able to help you out with that. They can give you an idea of low maintenance plants that would survive. I don't want you to put flower beds in that you have to water every three days if it doesn't rain. So if you contact Sullivan Renaissance, they can help you out with that.

Glenn Smith: Number 6, I mentioned the small stage, number one, with the limited seating capacity. I don't know if you mentioned that Wes. That goes with the largest stage you discussed with the board briefly, the one kind of located in the woods, which takes them out of the open fields. Number 7, again all of the camping areas consist between 5 and 7 individual triangle shaped campsites in a circular orientation around a central fire pit. I need to know roughly the number of fire pits. The site size seems to meet the requirement of 1,250 square foot area. Number 8, a center court area that has been shown in Phase 1 that will include several vendor stalls, you touched on that, which I guess would be food and possible crafts?

Wes Illing: Yeah, some food and crafts, things that people normally like to do.

Glenn Smith: Number 9 all access throughout Phase 1 and Phase 2 camping areas will be along either 12 foot wide red shale drives or narrower paths, all accessed by golf carts or ATV's, if the board is okay with golf carts, if they want emergency vehicle access, that is something to think about I guess at some point. Number 10, no camping is proposed on the plan within the Route 17B Gateway Zone frontage, which does not permit non-transient camping in that zone. Number 11, Sullivan County Planning 239 Review is required once the application is complete and plans have been submitted, prior to Planning Board taking action on the application. Number 12, I didn't see any refuse dumpster.

Wes Illing: No, I didn't put them on the plan. Basically what they have done in the past, and it worked very well they have trash cans out there with liners in them, and they go out, they pull the liner out, and tie it up, and remove it, and put a new liner in the trash can. They do that every single day, so the trash is removed on a daily basis.

Susan Brown Otto: There are bears in the neighborhood.

Wes Illing: I know, so if you don't clean it up, you are going to have a mess, a big mess.

Daniel Gettel: I think that is what the attorney was getting at when he said airtight containers because of the bears and trying to keep them....

Glenn Smith: Last two, a management plan for camping operation is required, as per the town code before the application is considered complete, and the last one, number 14, regarding lighting, I guess limited lighting is proposed now for the restroom facilities, I believe. I don't know if the board wants to discuss at some point to require lighting along the trails and the drives. As Wes said, most campers probably have flashlights anyway, but it is something to keep in mind. I wouldn't consider this a final plan at this point.

Daniel Gettel: Wes, one of your main points that you were arguing at the last meeting, you don't want to go through the expense of adding landscape, as you want to maintain the open fields and rolling hills, the character of the area. But then you also propose bringing municipal sewers to the property and all the properties along 17B. Don't you think all the commercial uses are all going to follow the commercial sewer? So there goes your pastures and there goes your woodlands.

Wes Illing: I understand that. But you know, what is good for the Town of Bethel would be businesses along 17B, who will hook up to the sewer.

Daniel Gettel: That works totally opposite to your argument, your argument about landscaping. You bring town sewer in, you loose your argument about landscaping, because it is no longer rolling hills.

Wes Illing: Okay, in the long run that's true.

Daniel Gettel: I am going to stick to my statement I made at the last meeting. Even if we give this application a special use permit for camping, it may not give you what you want. I still feel that Section 126(J) addresses noise and states that the camping may not produce noise nuisances that exceed the limits of Chapter 220, which is a noise ordinance. Chapter 220 addresses amplified music and by definition amplified music is almost considered a nuisance. So that is something we have to look into further. Jacy, if you would please.

Jacqueline Ricciani: The noise?

Daniel Gettel: The noise ordinance and the amplified music. I do think that even if we were to vote on giving you a ... At the last meeting we were given a plan that just showed camping. The

plan that comes in now has stages. It has concert information, more parking. I don't agree with you that Woodstock started out as camping and music kind of developed out of Woodstock. I think the people came for the music, and then they ended up camping. I think that is exactly what is going to happen. I would like to think that is the same thing with this. You are going to propose music and the people are going to come for the music. They are not going to come to camp.

Wes Illing: That is correct, Dan.

Daniel Gettel: If we vote on this application, I am only going to be giving you the right to sleep on the property. I will not be giving you the right to have concerts.

Wes Illing: And Dan that is understood. Jeryl, correct me if I am wrong, it is my understanding...

Daniel Gettel: And if Jeryl speaks she has to come up, because she has to be on record.

Wes Illing: Okay. Do you want to talk about the kind of people that will be there?

Jeryl Abramson: For the most part, Jeryl Abramson, the owner of the property. For the most part, the stages will be used for a limited number of hours in the evening. It's not going to be a big blow out, nowhere near what Bethel Woods does. These are small intimate stages with small sound systems. They won't project beyond the property. They will not project beyond the area, the perimeter of the stage area. From what you can see here, where they are laid out in the topography, the sound will go right into a small hill or some kind of a sound barrier from the natural... We have laid it out so that there are natural sound barriers that will contain the sound, which is not going to be anything over the top. It is going to be a small 20 x 20 stage, small speakers. We are not out to blow the doors off of anything.

Daniel Gettel: My point, and the reason I bring it up, is I want you to realize that I don't believe the route we are taking now with the application that you have for camping, I believe, that you are going to actually get what you want. I don't believe that we can give you the right to have concerts. We have no information on concerts. We have no information on dates.

Jeryl Abramson: Wait, wait

Daniel Gettel: Jeryl, don't interrupt me. We have no information on concerts, when you are going to have them, how often, just on weekends, on Wednesday nights, Thursday nights, what time, if you are going to get a noise permit or not, if BJ is going to have to approve it. I don't know what gives you the right in thinking that if you have camping, that you can just automatically have concerts.

Jeryl Abramson: Well I just thought that since this is a place that serves food and beverage, that the stages are ancillary to that.

Daniel Gettel: I disagree with that. The fact that you bring in a vendor, if you want to have a

concert it doesn't mean that you hire somebody to cater it, and all of a sudden you can have a concert. If it is reasonable that we expect that you are going to have less than 200 people, you can have a concert. You have parking on the record for 600 people. You have 210 camping spaces in the first phase. That is not reasonable for us to assume it is only going to be 200 people.

Jeryl Abramson: So no music?

Daniel Gettel: No music. That's what I'm telling you.

Jeryl Abramson: No music folks.

Daniel Gettel: I can't permit music with what is before us.

Jacqueline Ricciari: If I may, you are correct. However, this is in the Ag district, right? Outdoor recreational commercial facilities...

Daniel Gettel: Which is a special use permit?

Jacqueline Ricciari: Absolutely and are permitted in that district, so if they want to make an application for a special use permit for outdoor recreation, pursuant to section 345-17.

Daniel Gettel: That is the point I am trying to make. There is a permit that they need in order to have concerts, and we have no information.

Jacqueline Ricciari: If they want to make that application in conjunction with this one, they can have the board consider it.

Wes Illing: I think it is important to understand, you say concert. How many people have a concert?

Daniel Gettel: Let's not call it a concert. Let's call it-amplified music. We don't have the right to give you that without some kind of application with a schedule, with a time frame. Will you be getting noise permits from the Town Board? We don't have any of that information.

Wes Illing: Okay. We were thinking we were going to apply for noise permits as appropriate.

Jacqueline Ricciari: You don't have the underlying permission to make the noise.

Wes Illing: I don't understand. When you apply for a noise permit...

Daniel Gettel: Camping does not give you the permission to have noise. It cannot make noise. It cannot affect the neighbors and it cannot have amplified music, in general terms. You can argue it both ways.

Wes Illing: Be careful, your noise ordinance is pretty well written. Your noise ordinance is the

most difficult of all ordinances to write, it is also the most difficult to enforce, and it is the toughest ordinance any town ever has to deal with. It is an important issue that needs to be addressed carefully. That is why Jeryl is very responsibly proposing that these little concerts, little band stands, that are very small, that are nestled in the woods, tenuation to sound. They are not big amplifiers. One of the things they are concerned about, about interference with that stage, with this stage, they didn't want the music to be heard between here and here. They didn't want any cross talk between these two points on the property. When you are trying to eliminate the cross talk between two points they are what, 500 feet apart? So you don't hear the other band.

Jacqueline Ricciani: Mr. Illing, just put it in a separate application. That's all.

Daniel Gettel: I don't think you are going to get what you want with the application you have in front of us. Statements were made on the record at the last meeting that there have been thousands of people in there with music, and nobody even knew about it. That's great. The town never even knew about it? Jacy, how does that injunction on this come in? We have to specifically permit concerts, am I right? I don't know the answer to that.

Jacqueline Ricciani: Advertising for concerts and things like that is true. That's true.

Daniel Gettel: There is an injunction specific for this property, that there can't be concerts. Jeryl, I don't know the answer.

Jacqueline Ricciani: I don't know, I don't have it with me.

Jeryl Abramson: The injunction is lifted when you give me the permit.

Daniel Gettel: We have to have a permit for concerts though.

Jeryl Abramson: Right. Any permit I get lifts the injunction.

Daniel Gettel: If we give you a permit it only lifts camping.

Jeryl Abramson: Whatever you give me a permit for, I am unjoined about.

Jacqueline Ricciani: Correct.

Jeryl Abramson: So I am only unjoined from doing anything without a permit, like everyone else, except you took me to court over it. No one can do anything without a permit, right? Assuming the code says you need a permit to do something then we all need a permit, correct?

Jacqueline Ricciani: I think the point Mr. Gettel is making is that in this case you are actually going to need two, one for camping and one for music. BJ will direct you about making another application for a special use permit with the outdoor recreation and then you can give the board the information that you know they have been asking for, and then we can do them both at the same time.

Jeryl Abramson: Perfect.

Daniel Gettel: Wes will you schedule something with Glenn to go out there?

Wes Illing: The vegetative stuff, yeah. Do you want to tour the woods?

Glenn Smith: Yes. I want to see those fire pits I've heard so much about.

Daniel Gettel: I think we are pretty much up to date. Wes if you get any correspondence from the Health Department let us know.

Wes Illing: Okay, I wanted to ask for public hearing, I wanted input...

Daniel Gettel: You do not have a complete application. We can't grant a public hearing until we have a complete application.

Wes Illing: Okay. I think you want to read the code on that Dan. If you read the code, it very specifically states what has to be defined in your code in order to be granted a public hearing, and this map I submitted actually satisfies the letter of your code.

Jacqueline Ricciani: We don't have a management plan, and that is part of the application.

Wes Illing: It doesn't mention that.

Jacqueline Ricciani: It absolutely does.

Daniel Gettel: We need a management plan. The management plan is what outlines most of the use of the property.

Wes Illing: You have a management plan on file.

Daniel Gettel: We have a yearly management plan, for three days last year. I think it is premature, especially if you are going to ask for music, because that is going to be a separate public hearing.

Wes Illing: All I want is public input so that we can move forward. You should be getting public input as soon as possible.

Daniel Gettel: When we have a complete application, I will be happy to make a motion.

Wes Illing: Dan, tonight you said you weren't considering this application complete until DOH gives its approval.

Daniel Gettel: We need something from DOH. I don't know how you expect us to finish it. I don't know that we can vote on the final project, I think is what I am saying, because I can't give

you a negative declaration.

Wes Illing: I will get a legal opinion, and move forward that way if you want to make it a matter of law.

Daniel Gettel: It's not a matter of law, Wes. If you want to make it a matter of law, that is fine.

Wes Illing: That is exactly what you are talking about, following the law.

Daniel Gettel: You are asking the Town of Bethel Planning Board to give you a negative declaration when we have absolutely no idea where the sewer is going to go and you have no idea on the water supply, and if it is going to be adequate, and what the Health Department is going to require. I think it is premature.

Wes Illing: Actually, if you read the EAF, the EAF stands on its own, and you could do a negative declaration based on the EAF, after you have a public hearing. You put the public in accordance with the SEQRA process.

Daniel Gettel: I disagree with you. The press is here. Mr. Hust they did recommend that if we didn't go along with what they want it wouldn't come out nice in the press. Have a nice time with it. If you would like that in their email, I would be happy to give you that email. We don't play this out in the courts and in the press, Wes. We are going to vote on this application on the merits that you present. We have certain codes that say we need certain things. We can't give you a public hearing until we have a complete application. If you give us a complete application next meeting, I will give you a public hearing in July.

Wes Illing: If you read your code, it defines what a complete application contains.

Daniel Gettel: And it calls for a management plan.

Wes Illing: In that section of code? I don't recall it saying that in the section of code.

Jacqueline Ricciani: Would you like me to read it to you right now? (Reading code section 120-4B1) "Each application for a nontransient campground or RV park special use permit shall be in writing, signed by the applicant and accompanied by the required application fee. Each application shall contain the information required by section 120-5 of this chapter. Each application shall be accompanied by a management plan delineating how the nontransient campground or RV park will be operated. In addition, the application shall identify each waiver application or request that has been, or will be, made to the New York State Department of Health for relief from any of its regulations applicable to the subject matter of this chapter."

Wes Illing: Okay, the code that talks about what is required.

Daniel Gettel: Wes we are moving on.

Jacqueline Ricciani: The policy of this board....

Wes Illing: What the law says. Thanks guys, appreciate it. See you next month.

Daniel Gettel: Watch you deadlines please.

Wes Illing: I will. Sorry about that.

Daniel Gettel: Monday is the deadline.

Moving on in agenda Ms. Bedrock will make a presentation to the board after the meeting is adjourned concerning training opportunities.

Motion to adjourn by Susan Brown, second by Steve Simpson

All in favor – 7

Opposed - 0

Agreed and carried

2) *Guest Speaker – Helen Budrock, Community Planner, Sullivan Renaissance*

3) *Training Opportunity – Planning and Zoning*

Respectively submitted,

Jannetta MacArthur

Recording Secretary