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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 June 6, 2016 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, Wilfred Hughson, David Slater, David Biren, Robert Yakin, Alternate, Bette Jean Gettel, Code Enforcement Officer, Jacqueline Ricianni, Attorney, Jannetta MacArthur, Recording Secretary, Daniel Sturm, Supervisor, Vicky Vassmer-Simpson, Liaison, Lillian Hendrickson, Town Board member, and Glenn Smith, Engineer.

Pledge to the flag

Full board present

Alternate does not need to be seated.

Motion to approve the May 2, 2016 minutes by Steve Simpson, second by David Slater

All in favor - 7

Opposed - 0

Agreed and carried

- 1) Application for a Non-Transient Campground with Outdoor Recreation Facilities 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: Mr. Illing, we spoke before the meeting. I think it is best, since your map does not match ours exactly, that you and Glenn speak about Glenn's review of your original map, what the changes are, and how you addressed Glenn's comments. Glenn, if you would just come up.

Wes Illing: Basically, the site plan is identical with the exception that I incorporated Glenn's comments that he made today. Comment #1, with regard to parking....

Glenn Smith: Hold on a minute. This summarizes what Wes gave me a couple of weeks ago, and the EAF. One change, the Phase 1 camping expanded from the original plan of 218 camp sites, and 27 RV sites, to 272 campsites and 27 RV sites, and the future Phase 2 camping jumped from the original 150 sites plus or minus to 200 sites, for a total of 472 campsites, and 27 RV sites, that equals 499 sites total. I just commented that the project's water supply, which has to be approved by the Health Department, still consists of a single well which exists on the hill behind the barn. And the wastewater disposal system for Phase 1 will remain the pump and haul option, subject to approval from the Health Department.

Daniel Gettel: Which for the record you have indicated would be difficult to get a permit for.

Wes Illing: I don't want to jinx it. We have done some extraordinary things, which the Department of Health has approved. What we have outlined is, what we will provide will far exceed the requirements the DOH imposed, so we have safeguards in our trailers to avoid.....others, they keep adding water, and sewer just dumps out on the ground, or when you flush the toilet it just comes out of the toilet and it runs all over the place. We have put special implementations in these trailers so when the waste tank is full, you can't overflow. This is something new and it helps mitigate the health and safety risks that DOH is always concerned about with any pump and haul operation.

Daniel Gettel: Will you be able to get something in writing from the Health Department on that?

Wes Illing: I emailed them the other day, Dan, and they have started the review.

Daniel Gettel: Because you realize it is a big part of....

Wes Illing: It's huge, I know, that is exactly right. I expect that I will get comments or questions over the next couple of weeks from them regarding this.

Glenn Smith: I spoke to the Health Department also about the pump and haul.

Daniel Gettel: That holds up a lot of our review.

Wes Illing: The notes here, one of the things we added last time, is, these notes that makes this entire approval conditional on DOH.

Daniel Gettel: And your thoughts on a negative declaration?

Wes Illing: It is certainly a negative declaration.

Daniel Gettel: Without a way to treat the sewer, without an answer to how to treat the sewer, how do we do a negative declaration? I can't do a conditioned negative declaration on a Type I Action.

Wes Illing: The approval is conditional on DOH. If we don't get a permit from DOH, there is no approval.

Daniel Gettel: But it's not a conditioned negative declaration.

Glenn Smith: Going back to the pump and haul in the Phase 1 system, proposed are temporary mobile restrooms, with sinks and no showers. The Phase 2 section will not proceed until a municipal sewer is installed along 17B. On the second page comments, the zoning and parking, I made a comment that plus or minus 500 feet from 17B it is in the R-17B zone which doesn't permit non-transient campgrounds, anything beyond that in the Agriculture zone, the Ag zone, which does permit campgrounds. I made the comment that much of the proposed parking is in the R-17B zone, as opposed to the Ag zone, and kind of left that to the Planning Board to discuss. Do you want to touch on any of these as we go along?

Daniel Gettel: Yes.

Wes Illing: Can I please go over this, Glenn? What we did, you made a comment about the increased number of sites. We have more information about this area back here....

Daniel Gettel: Is that Phase 2 for the record?

Wes Illing: What we defined on this site plan, there is a spring up here that we found, and this spring is feeding this wetland, and discharging over here, so what we did, this is a nice camping area, lets just make Phase 1 everything below this stream, south of this wetland and south of the rest room, and we have notes on the drawing that identifies the site numbers by number, and it is saying everything from here down is Phase 1, and everything from here is Phase 2.

Daniel Gettel: One second Wes. Jannetta just for the record, we are talking that there is a wetland roughly in the center of the camping area. He is pointing out everything southerly of that as Phase 1, and everything northerly of that is Phase 2.

Wes Illing: The parking concept, so Glenn is correct. We looked that up the zoning codes. When I first read the bulk zoning code I saw recreational facility, and then a comma and we said recreational facility is fine, but when you read it and read it, and read it, I really think what it is intended to mean is that for only occasional and temporary commercial and recreational facilities. Not for just the commercial recreational facilities defined in the code. So what we looked at was, okay, we can't use that. That is a note we made in the plan. This is a change we made today. We looked in the code, and we saw that the professional and business office uses is a permitted use in the district, and parking of course. In the bulk table it is an assessory use to the business and office use. Then we looked up the definition for what the business and office use was, and basically it was to carry out administrative and clerical functions. It is very clearly defined in the code, so we put in a little ticket booth here, just inside the setback line, and that ticket booth, the whole purpose of that ticket booth is when people come in, it will sell onsite tickets to people that didn't buy one online, or it will collect tickets, for people that have already purchased them online, and they will receive parking for the crew that is out here telling people where to park. So this little ticket booth serves as an administrative function, and it is a building in accordance with the letters in your zoning code. That is a permitted use, and the parking would then be an assessory use to that.

Daniel Gettel: So you are suggesting to this board that you agree with Glenn that the parking for the campground is not permitted in the district, but you are claiming that since the ticket booth is there, we should allow 700 parking spaces in the district that it isn't allowed in?

Wes Illing: If you read your code. . . .it doesn't talk about....

Daniel Gettel: We will have to discuss that further. I do not agree with that.

Wes Illing: I understand....

Susan Brown Otto: Just for the record, what document are you looking at? What is the date on that because I don't see that?

Wes Illing: I just made the change today as per Glenn's letter. When I received Glenn's letter I made minor changes to this and that was one of the minor changes I made this afternoon based on his input.

Daniel Gettel: You realize we have no prior knowledge of that.

Wes Illing: I understand that, yes. We have other options, we could push these parking areas around, push them up a little bit if we wanted to. But I with all the screening that is put in here, per Glenn's recommendations, I don't really see itwhat was recommended for this use per the zoning code....

Glenn Smith: As per town regulations Section 120-6 (D) the parking requires one parking space per campsite. The current Phase 1 parking field shows a total of 450 parking spaces, versus 272 campsites, which are 178 more parking spaces than needed. And similar to the Phase 1 parking area, Phase 2 indicates 300 spaces, versus 200 proposed campsites. So there is an overage of 100 spaces more than required. I spoke to Wes, granted it is an open space, I just want to point out there is a lot more spaces than allowed by code. And, in #3, town zoning code section 348-18 – b-4, d, stipulates “parking lot layout, landscaping and buffering shall prevent direct views of parked vehicles from streets” in this case when situated in the Route 17B corridor zoning district, I just made a comment that Wes' last plan had shown about a 300' long row of double trees along the Route 17B frontage on the easterly side of the property. I had gone out there last week and marked up an aerial photo which showed coming from the west side from Russell Farm and there is about 600 feet there where you can see the proposed parking area, so my suggestion was that some screening should be provided there. Wes said he would address that in his current map.

Wes Illing: Glenn, take a look at this. When I look at your site triangles, it looks to me like this L....

Glenn Smith: Is that a double row?

Wes Illing: Yes, the same as over here.

Daniel Gettel: Jannetta, for the record we are talking 600 additional cars were added to the field adjoining Russell farms.

Wes Illing: For Phase 2. This is Phase 2 parking over here.

Glenn Smith: #4, there are two Federal Army Corp of Engineers wetlands on the property. I know Wes said he had a certified delineator come out to the site a couple of week's back. My comment is that it should be properly located. To show updated on the map. So there is no question. There are no buffers for this wetland.

Wes Illing: That's right, so what we did, also on this map, I just received the survey map this morning from George Fulton. This green on this map, is the actual, this line is really close to what we have, we had it going a little farther this way, and the delineator had it going this direction. It didn't impact anything.

Daniel Gettel: Can you explain that for the record? Is it purple on your map? Southerly of the purple area is an expanded green area.

Wes Illing: I think the difference is, the new regulations for the wetlands, now it also includes the areas, and it meets all the criteria. The water can be a foot below grade, and it is still a wetland. The wetlands are getting bigger.

Daniel Gettel: And you relocated a couple of camping spots, because of that?

Wes Illing: You don't have to...

Daniel Gettel: But it looks like you did...

Wes Illing: Well, no, we did not. We left them right where they are. What you will see when we went out there, this campground here for example; which is shown overlapping the green here on the map, that campground is on dry land.

Daniel Gettel: I think ours shows two campsites on that green area.

David Biren: It's the same sites.

Wes Illing: Those are the same ones, yeah.

Glenn Smith: They are encroaching here.

Wes Illing: If you zoom in on that, here is the delineated wetland that was surveyed. You can see the one campsite is technically on the wetland, but that is all dry ground.

Daniel Gettel: I still think there is a difference between the two Wes, but I am not going to argue. I think there is a difference with our original first sheet, and your second sheet. I believe there is a change.

Wes Illing: You know Dan, I don't think so. I will ask Kyle.

Daniel Gettel: It looks like a change. I can't see very well, but I believe there is a change.

Wes Illing: He may have moved them a couple of feet, but I can't answer that. But I don't think it is a significant difference.

Daniel Gettel: But they might have been adjusted for the wetland.

Wes Illing: They might have been, very slightly. It won't affect the overall number. What I wanted to find out was would these wetlands make a significant difference. No, there is no significant change in the site plan. The wetland that was delineated down here, we are still waiting for George Fulton. He has the delineation of this wetland here, this has been delineated also, but he hasn't given us a survey map.

Daniel Gettel: Jannetta that is the wetland I referenced earlier in Phase I.

Wes Illing: I don't expect that there will be a significant change. It will have the same impact, and this is a small wetland over here.

Daniel Gettel: When do you expect we will have that?

Wes Illing: In a few days you should have it.

Daniel Gettel: So we will have it at the next meeting.

Wes Illing: Oh yeah, you will have it well before the next meeting.

Glenn Smith: So #5, wastewater. We kind of touched on it. The applicant should update the Planning Board on the status of the Health Department review of the proposed pump and haul. Section 120-6G (1)h of the town code indicates that the sanitary facilities for campgrounds should include toilets, urinals, and showers provided in separate buildings located between 100 and 500 feet from the camp sites. Showers are not being proposed for the Phase 1 camping. Number 6, stages....

Wes Illing: You mentioned something about waivers or something. We requested a waiver on April 4th, and I restated tonight for a waiver because DOH doesn't request showers. With the separation differences, what we did, we have them on the site plan with the separation distances that are required by the town.

Daniel Gettel: If I can jump in on that, I think the proper way to handle the waivers that you have requested, and I did go through it, I have a list of my own concerns about your waivers, there are quite a few waivers, I do think that should be done as part of the public hearing night, that is typically how it's done. You get the public input first, that way it is all-open. Jacy, do you agree with that, that any waivers

Jacqueline Ricciani: That is what we have done in the past. Yes.

Daniel Gettel: If you can come up with a basic list, it would probably be beneficial.

Wes Illing: I will do that for you.

Daniel Gettel: There are quite a few. And they have changed.

Wes Illing: Yeah, and that is exactly right.

Daniel Gettel: Some of them are not relevant.

Wes Illing: That is correct.

Glenn Smith: Number #6, stages. It appears that at least half of the larger stage, on the 17B side, the stage structure itself is located within the R17B zoning district, at a distance between 450 and 550 feet back from the Route 17B bounds. That district does permit recreational facility, occasional or temporary, commercial outdoors, subject to Planning Board approval, although that cannot exceed 60 cumulative hours in a year, which obviously would not apply to a permanent non-transient campground, I think Wes has some

Wes Illing: I looked through your code, and looked and looked and looked, and I couldn't find it, normally the town defines a district like 17B corridor for example, normally the town code defines the meets and bounds. What they will do is give you a distance from the center line of the road, this is the property line, 300 feet, so basically the town code defines what the depth of the district is, and I can't find anywhere in the code any number that defines how deep that zone is. I can't find it in your code.

Daniel Gettel: It does appear on the zoning map.

Wes Illing: The zoning map doesn't count. The zoning map is not a legal document.

Daniel Gettel: I'm not going to argue legality with you. I am just saying it does appear on the zoning map, and the zoning map is part of the zoning. That is all I'm saying. I am not going to argue legalities with you.

Wes Illing: Are you saying the depth is on the zoning map?

Daniel Gettel: 550 feet.

Wes Illing: On the zoning map?

Glenn Smith: Yes.

Wes Illing: Good. I didn't see that. Perfect. We measured, in my letter... the closest part of this stage here is 560 feet from the centerline of Route 17B.

Jacqueline Ricciani: I'm sorry, what part of the stage?

Wes Illing: The closest part of the stage is 560 feet, from the centerline of the road. Now, this seating area we can trim it back so it complies with the 550 feet from the centerline of the road.

Daniel Gettel: As long as it works for you, we aren't going to argue legalities.

Wes Illing: Yeah, that's fine then. I didn't know you had it defined. I'm glad you have it defined in the code.

Jacqueline Ricciani: Is that temporary or occasional? That is all that is permitted.

Wes Illing: No, we are going to keep this use in the Ag district, outside the 17B district.

Jacqueline Ricciani: So some of the seating will have to be moved. You know you are going to need a special use permit.

Daniel Gettel: It will run concurrently with the one we are working on.

Jacqueline Ricciani: We are going to need more information on it.

Wes Illing: It is all defined right here. This is what is being requested right here, that is how it is defined.

Jacqueline Ricciani: We don't have that yet.

Wes Illing: Yes you do, it's on the site plan. It's an application for a special use permit.

Daniel Gettel: She is saying we haven't gotten the site plan, Wes. We don't have that site plan.

Wes Illing: Oh, okay. Thank you. I didn't understand that, that's fine. Yes of course.

Glenn Smith: Shall we jump to the EAF?

Daniel Gettel: Whatever you like.

Glenn Smith: Mr. Chairman, has the board declared lead agency?

Daniel Gettel: It is in our best interest to act as lead agency. We have not declared that, but we do have to declare that at some time.

Glenn Smith: Wes had submitted a Part 1 EAF with his original submittal a few weeks ago. I marked some comments and notes, I emailed that to everyone.

Daniel Gettel: Are there any that you dispute?

Wes Illing: No, there is only one.

Daniel Gettel: And that would be?

Wes Illing: I made a new EAF and incorporated all of Glenn's comments. The only thing and maybe I am wrong about this, Glenn commented on question Ba. He was saying we needed noise permits from the Town Board. And we needed Town Board approval, but according to the Town code I don't think the recreational use that we have defined in accordance with your town code, I don't believe that requires noise permits. I believe that if we had a concert venue, then a noise permit might be appropriate but since the sound levels, we are talking 17,000 watts for

Daniel Gettel: Wes, you said question 8?

Wes Illing: A.

Daniel Gettel: Oh, a, that makes more sense.

Wes Illing: I don't think that is a requirement for recreational facility.

Daniel Gettel: We don't have... I don't believe we have enough information to actually make that determination, and that is something at the Town Board level, because we don't control noise permits.

Wes Illing: Hold on a second, the information that was submitted tonight, those submittals I gave you, basically what we defined on the site plan that you have before you, is the sound is only going to be 17,000 watts. If you go to a concert at Bethel Woods, they have bands there that crank out 250,000 watts.

Daniel Gettel: And they have a noise permit.

Wes Illing: Of course they have a noise permit. It is more than ten times the power that is coming out. We have put this back in the forest, the other aspect is, the owner doesn't want, and the sound engineers, they don't want sounds feeding to the other stage areas. They don't want to hear this stage, the other band. The noise level is low enough so that you can't hear any cross talk between the two areas. I'm not talking about a significant amount of noise to begin with. You can tell that by the fact of the power level. It is more than what Bethel uses at a concert venue.

Daniel Gettel: Wes, you spoke about this at the last meeting also. Can you get something from the sound engineers to back this up? I don't think it is unreasonable. If that is what your claim is, that you don't need to meet it, I think we need some documents to support that. You say you don't need a noise permit,

Wes Illing: Okay, I like your noise code...

Daniel Gettel: You have said that before too.

Wes Illing: Your code it is intentionally vague, and that is good. It is basically the noise ordinance that you have in your code, it is very subjective, and so it is difficult because of the subjective nature.

Glenn Smith: Wes, isn't it related to decibels of a certain distance from the stage?

Wes Illing: I can get a letter from the sound engineer.

Daniel Gettel: That is what I just said.

Wes Illing: Okay, we can do that for you.

Susan Brown Otto: You said 17,000 per stage, if you wanted to, you should have a sound system from both stages, playing the same music, such it would be really 34,000.

Wes Illing: That would be correct. They would be going in opposite directions. They can't do that. It is not wired that way. The way it is wired, there is no communications between the two stages, the way it is called out on the site plan, there is an electrical feed at this stage here, and then there is a separate electrical feed to this stage over here. The sound engineers would shout at each other. You can't do that with this site.

Glenn Smith: I filled out Part 2 of the EAF, which is the responsibility of the lead agency, which are you guys. I checked a few items, no environmental impact, and minor environmental or moderate to large environmental impact, I checked possible large with the agriculture aesthetics and noise which should be addressed in the Part 3 EAF, which is the applicants, actually the lead agents responsibility but Wes had generated part 3, and I emailed it to BJ this afternoon.

Wes Illing: I drafted Part 3 as a starting point for the board, and emailed back to BJ late this afternoon, hope you guys...

Daniel Gettel: Was that emailed this afternoon?

Bette Jean Gettel: At 5:30.

Daniel Gettel: Glenn, we actually have a SEQRA document that we agree, pretty much is complete at this time. Did you mention we are also reviewing Phase 2? We have to review it together.

Glenn Smith: Right.

Daniel Gettel: The sewer for Phase 2 is in here as...

Glenn Smith: Strictly town connection, municipal.

Daniel Gettel: And you spoke to the Town about this?

Wes Illing: I spoke to Dan Sturm about it. The bottom line is, there are a couple of caveats here, Number 1, if DOH turns us down for the pump and haul, they are going to let us do it on a temporary basis, assuming we are moving forward with the Town Board. If the Town Board turns us down on the pump and haul permit, what we are going to end up doing....

Daniel Gettel: Do you mean the DOH?

Wes Illing: I'm sorry, the DOH, we will then 86 (nix) Phase 2, and put on onsite septic and using this parking area over here, and we will spend about \$500,000 to do that. We can do onsite septic. It is just very expensive to get to Phase 2. It made sense to put in a sewer line with the town, it made sense financially, it made sense for the town, and made the whole operation more viable.

Daniel Gettel: Moving forward, I would suggest that you approach the Town Board, not just Dan Sturm. It was established at the last Town Board meeting that Dan Sturm cannot speak for the Town Board, by your applicant. I would suggest you approach the Town Board. The majority of them are here tonight. Perhaps you can get on their agenda. You can't have it both ways. Either he speaks for you or he doesn't. Glenn, what are your thoughts on the EAF? That is one of the things on my list that is something that we need to do.

Glenn Smith: Technically if the board is in agreement with my comments on Part 2, which there was an agricultural issue, and noise comment, I believe we can't make a determination until Part 3 is done.

Daniel Gettel: It should be forwarded to all of the involved agencies.

Glenn Smith: That is a good point. You have the Unlisted Action of Part 1.

Daniel Gettel: It is a Type 1 Action. It should be sent to all of the involved agencies. It is twenty five percent the requirement of an Unlisted Action.

Glenn Smith: The threshold for Type 1, so if it is a 1000 parking spots, down to 250 parking spaces.

Daniel Gettel: So it is a Type 1 Action, which involves a coordinated review, which is 30 days. If we do Lead Agency, we have to do the 30-day wait anyway I believe. We also haven't seen the site plan. Wes, you can't ask us really to act too much on a site plan we haven't seen. Am I wrong about the EAF? Let's not argue about it because it has to be....

Wes Illing: I don't disagree with the Type 1 Action. I think what Glenn is calling a significant impact is a very conservative approach.

Daniel Gettel: Did you call it significant? You are talking about Part 2. We didn't get to Part 2 yet. We are just talking about the threshold in 614.

Glenn Smith: It is clearly a Type 1 Action.

Daniel Gettel: We can't waive a Type 1 Action. Do you normally do a narrative when you do a submission? If you like, you are welcome to. If you would like it submitted with this application to all the involved agencies, a narrative would be beneficial. There is an extra week between this meeting and next one, so the 30 days isn't an issue. Our meeting will be July 11th, thirty seven days or so away.

Glenn Smith: The location map with a narrative...

Daniel Gettel: It is only going to benefit you.

Wes Illing: The Town of Bethel follows that judge's decision, so you will have a Public Hearing after a Negative Declaration?

Daniel Gettel: That is for subdivisions, not site plans.

Wes Illing: So that doesn't apply to SEQRA?

Daniel Gettel: Only subdivisions. That is because of the case in Liberty.

Wes Illing. Okay, so interesting. So can we schedule a Public Hearing for next meeting?

Daniel Gettel: That is up to the board.

David Slater: Do we have enough time to review everything? I don't think we have enough time.

Wes Illing: There are just minor changes that were done here tonight. The changes are insignificant. The only issue is the legality of the use.

Daniel Gettel: Wes we still have to do a County 239 and State 239.

Bette Jean Gettel: I have a lot of paperwork to get done and with Mysteryland...

Daniel Gettel: Don't even talk about Mysteryland because that has nothing to do with this application. But, what ever you can do, as far as the County goes, do you want to blindly submit a plan to the County that we haven't reviewed either? That is basically what you are asking of us. I can't waive that one either.

Wes Illing: I can email them tomorrow morning. You can have these tonight, which gives you an official copy in your files for the site plan. The difference between this plan and what you have in front of you is very insignificant. The number of campsites has changed by 1%, 2%.

Daniel Gettel: The numbers change every time we see the plan.

Wes Illing: It is a very small change in terms of the overall number, Dan. When you are talking 500 campsites you change it by three campsites that is less than 1%.

Daniel Gettel: I don't think it has changed by one or two campsites, Wes. I think there is a substantial change.

Wes Illing: Yes, you're right, since last time, but now that we dialed this in, with this wetland we may lose one campsite. Based on where we are at today, we are going to have this number of campsites, within under 1%. There will not be a significant change. The overall layout hasn't changed significantly. The public is not going to be reviewing....

Daniel Gettel: That has been a problem in the past. We have to make sure that the plan that is submitted at the meeting is the plan that the public reviews. That has been a problem. I get the fact that you want to do the right thing for your client by addressing Glenn's comments as soon as you get them.

Wes Illing: Which we did tonight.

Daniel Gettel: But, you see what the problem is? If it is a Public Hearing, the public is invited to go to town hall to review the application ten days prior to the meeting. You can't come to the Public Hearing with a different plan.

Wes Illing: Okay, but I can certainly have a plan that incorporates any input that you have tonight for changes, and have that in before the public comes to review those files.

Daniel Gettel: That is what the two-week deadline is before the meeting.

Wes Illing: What I am saying is if there are some changes you guys want tonight for this site plan, we have this.....

Daniel Gettel: Wes, what I am asking you is to make sure this plan gets in on time, especially for the Public Hearing.

Wes Illing: We did this month.

Daniel Gettel: You were lucky because Town Hall closed late that day. Town Hall closes at 4:00 pm. You were there at almost 5pm. You happened to catch a clerk that was still there. That was kind of an unusual occurrence. You wouldn't have been on time. We would have still put you on the agenda because I am not going to beat you down but let's not talk about submitting things on time. I do think it is logical for us to act as Lead Agency. We had talked about the Department of Health. Wouldn't they want to be Lead Agency? I can't answer for them. We have always, as the approving agency....

Glenn Smith: I have never seen them take on Lead Agency, normally they don't.

Wes Illing: They don't want to get into the politics of it.

Daniel Gettel: We do have a full EAF that is now accurate. I don't have an issue at this time requesting a motion that we declare our intent to act as Lead Agency for this Type 1 Action.

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

All in favor – 7

Opposed - 0

Agreed and carried

Daniel Gettel: BJ, we will act as Lead Agency. The clock will be ticking. Wes will get you a narrative. You have a pdf already of the updated EAF? Just make sure you attach the correct EAF.

Wes Illing: I will.

Bette Jean Gettel: The problem is I will need printed copies because most of the agencies do not have email.

Wes Illing: With my signature?

Bette Jean Gettel: Yes.

Daniel Gettel: Can't he email that to you?

Wes Illing: I will get you the printed ones with my signature.

Daniel Gettel: Please make sure BJ sends the right one. BJ, make sure it is the one with the signature.

Jacqueline Ricciani: The most recent?

Daniel Gettel: The one that was submitted tonight. The one based on Glenn's comments. BJ, you can distribute that to the board. Wes, Part 2 and Part 3 we will address as that comes up, I think. Whatever you can do between now and then to wrap up some of the items like the town sewer, things like that, I would appreciate.

Wes Illing: I can ask to be on the agenda of the Town Board. I don't know why that is an issue, because it is a condition of our approval, and it is only pertinent for Phase 2.

Daniel Gettel: I think it is proper to ask the Town Board if they want to extend sewer along that portion of 17B. We had this discussion before. It has the possibility of drastically changing the appearance of that whole section of 17B, when you bring town sewer another mile down the road. That was your argument too, I didn't make it up. That is not for us to decide. We can't make that decision. We just regulate....

David Slater: I am looking at the noise ordinance. It says any equipment or sound amplified in such a way outside of any building between 9 pm of any day and 7:30 am the following day such persons shall secure a permit pursuant to... You said you don't think you need a noise permit. From what I am reading here I would argue that you do.

Wes Illing: There are other sections that talk about the nuisance of it.

David Slater: I am reading that right now. But it says outside any building between 9 pm and 7:30 am. I am trying to save you from going back and forth. I have read through some of the other ones too. In my opinion you are going to need a permit.

Wes Illing: I will go back and read that section again. If that is the case, then that could be a condition of approval.

Daniel Gettel: The current license that this site has does have a condition.

Wes Illing: So there you go, so we can just add a condition. It doesn't fall under any normal approval of a recreational facility.

Daniel Gettel: If the Town Board says it is not required, that addresses' that. I shouldn't have said it that way because it has a section about amplified music. It is safer to get a noise permit.

Wes Illing: I will double check, and reread that.

Daniel Gettel: Do you want to email us on that?

Wes Illing: Yes.

Daniel Gettel: Email it to BJ, and she can forward that. Better to give us the heads up.

Susan Brown Otto: The Town Board meets Wednesday.

Daniel Gettel: If they can't get on the agenda this week the Town Board does meet in two more weeks also. There are two meetings before our meeting.

Daniel Sturm: There is a meeting two weeks after this Wednesday.

Daniel Gettel: And on July 6th?

Daniel Sturm: If you get us a letter of your concerns, by Wednesday, tomorrow would be good.

Daniel Gettel: Wes, I'm not sure that is going to get picked up on the record. Mr. Sturm did state that....

Daniel Sturm: 7:30 pm is our regularly scheduled meeting.

Daniel Gettel: Time for submission is?

Daniel Sturm: We try to get everything by tomorrow, 24 hours ahead of time. We try not to go later than that. There are a couple of items you want to discuss.

Wes Illing: I can make that meeting.

Daniel Gettel: Does the board have any questions before Glenn takes a seat?

Susan Brown Otto: When is the date everything has to be in?

Daniel Gettel: The Planning Board requires two weeks prior. The date would be, BJ?

Bette Jean Gettel: June 27th at 4 pm.

Daniel Gettel: Wes, one of our sections, and I am going to read through some of the comments that I have. Part of our code calls for you providing us a list of any waivers you requested from the DOH. Do you have something?

Wes Illing: I submitted that before.

Daniel Gettel: That is part of the original submission?

Wes Illing: Yup.

Daniel Gettel: I don't believe the 60 hours is included in that.

Wes Illing: What 60 hours?

Daniel Gettel: If you have a permit camping, you don't have to ask for a waiver for the 60 hours. The only waiver you requested from them is going to be the pump and haul?

Wes Illing: That is all we need from them at this point. The water treatment system has to be approved. We are not going to need waivers on that. All that is really needed is a waiver to have a pump and haul.

Daniel Gettel: The DOH is reviewing what number of campsites?

Wes Illing: In Phase 1, 272 campsites, plus 27 RV, total 299.

Daniel Gettel: 499 is the magic number, total campsites.

David Slater: That is what Glenn has on his memo, 499 total.

Wes Illing: 272 plus 27 for Phase 1.

Daniel Gettel: Wes you spoke at the last meeting perhaps approaching Sullivan Renaissance in reference to what to plant for buffers. Was that taken care of?

Wes Illing: No, I didn't because I didn't get any direction from the board. I was hoping to get direction from the board so I left it with the white pines.

Daniel Gettel: So you are not considering anything but white pines at this time?

Wes Illing: Unless the board has some suggestions. I opened the door the last time about different types of screening but the board did not provide any guidance so there wasn't any point wasting their time.

Daniel Gettel: Fair enough. Lot sizing is not a waiver Wes needs any longer. Again, if you get me a list of these, I would appreciate that. Moving forward Glenn, what was your comment about streets? For non-transient campgrounds or RV parks the residential street design standards under Chapter 30 shall apply. That states the standards under the subdivision of land chapter shall apply to streets within a nontransient campgrounds and RV parks. Wes states they are not streets, they are access drives. In Section 345-18(4)a, which part of it is in, the parking and loading in the Gateway guidelines, which basically says they can remain unpaved except the handicap spaces.

Wes Illing: It is not required for a campsite. Jeryl would like to have some ADA areas. People have come there in wheelchairs in the campground right now, and they get around that campsite in wheel chairs.

Daniel Gettel: You don't know if you are going to get the younger crowd in wheelchairs because this campground is open to the public. You don't know if you are going to get a 4-year old kid in a wheelchair. As part of the submission of the EAF, BJ, does it go to the Ambulance Corp.?

Bette Jean Gettel: I have a huge list.

Daniel Gettel: Wes what are your thoughts on EMS accessing the site? I know you talked about it in the past. Can you include that in your.....

Wes Illing: The plan is, once they call the ambulance it takes 10, 20 minutes for the ambulance to get there, maybe 30 minutes. So they are going to have plenty of time to get the person from wherever they are on the site with the vehicles they have on site. They will be able to navigate down right by the emergency exit area, so when that ambulance shows up they can put them right in the ambulance.

Daniel Gettel: Is that something that is in your management plan, or is that something you can add to your narrative because that is going to go to the ambulance....

Wes Illing: Would you like that added to the management plan?

Daniel Gettel: They are going to get the EAF, so I think it is beneficial to you to address their concerns before they raise the concern. The Planning Board has to consider a waiver of the showers, because the Health Department doesn't require showers, and the zoning regulations do.

David Biren: Wes, I would like to ask you a question. You just said something that boggles me. You are going to carry someone down by the time EMS gets there, so if someone breaks their

neck, you are going to bring them down? What are you talking about? That doesn't work.

Jeryl Abramson: Let me explain to you. If somebody is seriously injured, and we can't move them, we will not move them. We will get the ambulance in there as close as possible, get the EMS in there. There is access to every area. Yes, the equipment can get in there. The ambulance can get close enough to the areas and then the rest of it would have to be...

David Biren: My question is can an ambulance can get to every area within your site?

Jeryl Abramson: No.

David Biren: Okay.

Daniel Gettel: I think that is what the code calls for.

David Biren: That is why I am asking that question.

Daniel Gettel: I'm not going to swear to that Wes, I am just asking the question.

Wes Illing: See this road going up here to Phase 2, to take care of Phase 2, Phase 1 has this service loop in here, they can drive in and around here, and there they can hand carry anyone on a stretcher for the short distance.

David Biren: Sometimes you can't carry someone, you cannot hand carry everyone in every instance. You cannot. I have been in the health care field most of my life.

Jeryl Abramson: We can bring a truck very close to every campsite. Can we get right up to the campsite, no, but you can't get right up to someone's house either. The distances that someone would have to be carried to where the vehicle can drive in, is really not that far, and will not be that difficult to navigate. We will have not paved, but we will have footpaths.

David Biren: How wide is this red road?

Wes Illing: That is 14 feet wide.

David Biren: So an ambulance can get down that?

Jeryl Abramson: Yes.

David Biren: And this red road here?

Wes Illing: The footpaths are in red.

Daniel Gettel: Jannetta, for the record, the footpaths are shown in red but there are no borders on them.

David Biren: Right that is why I can't tell distances.

Daniel Gettel: On the plan it is shown as a red line, but no black borders. Those are your paths.

David Biren: Footpaths you can't get an ambulance up?

Wes Illing: They are drawn to scale. They are 6 feet.

Daniel Gettel: He didn't answer my question. Is that how they are shown on your plan? It is a red line with no borders?

Wes Illing: Yes. They are drawn to scale, you can see these narrow red lines, and they are 6 feet wide, drawn to scale. I have walked through this site. One of the things that is really unique about this campground is how open the forest is. You walk into the woods and there is a beautiful canopy and there is a pretty good distance between all these trees. One of the things I was worried about in the beginning before I had really walked the site was we had all these camp fires located by the surveyor and I was worried about being able to move them around and get the camp fires on the site plan here, so they are not under a tree, under a root ball of a tree, to be fire hazards and other issues. And what I learned when we started moving these, the forest is so open that you can move these all over the place. And there is lots of room, and they drive vehicles all through here, because of the openness of the forest floor. It is not a typical forest you see in Sullivan County where there are the big trees and all these little saplings all over the place where you can't drive through. In this you can see a little ways. It is more open.

Jeryl Abramson: Can I point out something? We will be grooming all those paths as we go along. We are going to be grooming everything out, pulling up the stumps, rocks.

Daniel Gettel: Wes, I do think it would be beneficial as I said to include that as a narrative, and it will become part of the record, and if that is acceptable to the Ambulance Corp, and it meets our code, I'm not going to....

Steve Simpson: On the road going in, the 14foot wide road, it is a radial feed into the site, with no room to come back out. I know these campsites, when and if they are all populated, is there a turnabout or something?

Wes Illing: A turnabout up here?

Steve Simpson: Yes.

Wes Illing: If you go up here we would put a hammerhead up here so they can turnaround on page 3 of 9. You can see it up here.

Susan Brown Otto: I think one of the things we should do is ask people from the Fire Department to look at this as well.

Daniel Gettel: They are one of the agencies on BJ's list.

Susan Brown Otto: This is an issue I have brought up over the years regarding action with fire companies. There was a house that burnt down next to the family farm, and all the fire trucks on a wide open road, we're not talking campsites here, a number of fire trucks, a number of times they have to access a pond to pump water as well, that is another issue, there is really no place for them to pump water in, get additional water in here, not only the access of getting jammed up, but also accessing additional water, heaven forbid if there was a fire. We have had a dry... the month of May, this year was very dry, last year when the fire started next to the family farm, and you can't believe how fast on a dry day that fire was just off to the races.

Jeryl Abramson: Susan, we have great respect for the burn ban. We will not be burning or have any campfires until the burn ban is lifted.

Susan Brown: It's lifted.

Jeryl Abramson: Or whatever. Last year it was extended, whenever it ends. No fires before then. The other thing is that I believe we have water throughout.

Wes Illing: The DOH requires that we have water throughout; we have to have water spigots available for the DOH requirements. We have water spigots...

Susan Brown Otto: Dave (Slater), you're a fireman.

Wes Illing: When a house burns, there is a lot of fire. Where is the fuel? There are no houses out here. There is no grass. This forest is her biggest asset. We are going to protect that forest because that is what makes this campground unique. The forest is what draws the people in. It is where the people stay when they go there. They are not interested in being out here. They are not interested in going to the campgrounds that have these wide-open spaces.

Susan Brown Otto: No one is going to intentionally set the forest on fire. It is just accidentally in windy dry conditions.

Jeryl Abramson: We won't be burning then.

Wes Illing: One of the reasons they put the spigots near all the campsites, is because we want them to use the water when they finish with their campfire. They would put the fire out, water at the end, so you couldn't have a fire. The rationale behind the DOH requirement was also to enable the campers to use water to put out, to rewet the bottom of the fire pit so it prevents any potential fires. So we are really taking extra measures here to mitigate those risks, because those risks are very real to her. She can't afford to lose her forest, because then she has nothing. That isn't an option for her to lose the forest. It's not like the house, it burnt down, so what, insurance covers it, and you buy a brand new one. I can't build a new forest. It would take a 100 years to get that back. So no, I've got one shot at this. We are going to be very careful to protect that forest and not have any fires.

Jeryl Abramson: Now he is scaring me.

David Slater: I am assuming the blue dots and the blue lines are the water lines.

Wes Illing: That is correct.

David Slater: What are the red dots?

Wes Illing: The red dots?

David Slater: You have red dots some places with some black lines....

Wes Illing: Those are the existing fire pits they have on site right now, we are going to remove them. We are going to take those apart. I used the red shale for the bottom of the new fire pits. George Fulton went out and marked every single one of the existing fire pits out there that are on site.

David Slater: Some you are going to move, some you are going to abandon? Some have lines, some don't. I'm wondering what the significance is.

Wes Illing: All those will be dismantled. We will not use any of those. The only fire pits that we are going to have are the fire pits that we designed that are shown on sheet 9, and is in the center of each one of these little camp areas, so that is the only fire pits we are going to allow.

David Slater: At one time you had proposed to use existing fire pits. One of your earlier plans...

Daniel Gettel: Some were going to be reused and some were going to be new.

Wes Illing: We looked at this, and we said you know, after we thought about it more we said you know, this bigger fire pit that we have ... the bigger fire pits are going to hang together a lot better, and they have a rock bottom in them so they are just safer.

David Slater: Is there a legend in one of your drawings that tells us what all these little cartoons are?

Wes Illing: No.

David Slater: So we have to guess?

Wes Illing: It shows what the delineations are.

David Slater: Okay.

Jacqueline Ricciani: I'm sorry; did you say all the fire rings are being replaced?

Wes Illing: We are not going to use any of the existing fire rims.

David Slater: He said all brand new.

Wes Illing: Basically what it boils down too, if you throw away the red shale, and you look at the rest of the good stone, field stone, we are going to use all that stone just to armor the bottom of the new fire pits. We are going to use all that material under the bottom to armor the fire pits.

Daniel Gettel: David, are we good?

David Slater: Good for now.

Daniel Gettel: Wes, clarify, in your report, 345-16, the landscape standards as “The Planning Board shall, to assure an acceptable buffer between adjacent residential and nonresidential uses and create a healthy, safe and aesthetically pleasing environment in the Town, require a landscape plan be prepared as part of any special use application. Such a plan shall also be required whenever any nonresidential use is proposed in any district, so as to buffer parking areas and buildings from the highway, each other and other uses.”

Daniel Gettel: Are you saying the new plan that you have in front of you addresses this? Glenn, it better address it, the plan we have doesn’t address that. I don’t believe you specifically ask for a waiver, but you did mention it.

Wes Illing: Okay. The last time we met I thought we had agreed that by incorporating...basically you wanted Glenn Smith to come and look at the site, #1, which he has now done. I was proposing screening down here, and Glenn Smith came and said hey, you need to screen this area too, because then you can’t see the parking, because of the topography you can’t see anything over this hill, but you can see in here, and you can see in here, so that screens it from the road, 17B. Over on this side of the property, you have the setback distance, you have 150 feet or whatever it is for the side yard setbacks, then you have 150 feet of forest basically, this entire property it is all forest, all the way back here. This open area, outside this magenta line, this is all woods. There is a field over here, the neighbor’s field back here, it is all forest.

Daniel Gettel: Wes, in the minutes from past meetings, and I don’t believe it has ever been resolved, E5 of the same sections says “A buffer screen at least 15 feet in width along any residential lot line should be provided. It should include, at a minimum, an opaque wooden stockade fence six feet in height and one evergreen tree for every 15 linear feet of property line. An additional row of evergreens meeting these standards and offset such that each row serves to place trees between the gaps of the other shall be permitted as a substitute for the stockade fence. No stockade or similar fence, however, should exceed eight feet in height or be placed in such a way as to purposely interfere with the views from or admission of light and air to an adjoining residential property. Other yards should be landscaped in accord with Subsection E(6) below.”

Daniel Gettel: You did mention that you don’t feel that should be required, but the Planning Board has to decide if Russell’s farm, your past argument, is a residence. That Russell farm is a farm, not a residence.

Wes Illing: No, this is a 100 acre parcel. It is not a little, one acre industrial.... and landscaping on the longest perimeter, and if you definitely want that, this is 100 plus acres of land, and you don’t put in these buffer strips, if you had a farm here and a farm here you wouldn’t put trees between the two farm lands, to buffer one from the other because the uses are different.

Daniel Gettel: It does actually state that you would do that. And you realize that our position is to regulate zoning. We are not making this up.

Wes Illing: Yes, I did ask a waiver from that.

Daniel Gettel: I don't believe that it is clear in your request that it is a waiver. Just make sure it is. There is also a subsection that you indicated that you are opposed to the subparagraph, but you didn't require a waiver. "A landscape strip at least 15 feet in width that includes at least one deciduous tree for every 35 linear feet of perimeter lot line should be required for any nonresidential use. Such deciduous trees should also be accompanied by smaller shrubs and ground cover..."

Daniel Gettel: I'm not going to read the whole thing into the record but it continues "The width of this buffer may be reduced along the rear and side lot lines for good cause, but not along the front lot line." If you want a waiver of that, make sure you include it in your list.

Wes Illing: What I would like to do, because your vegetative section, there is so many different sections that are... it would be nice if your vegetative section was a stand alone section because now it has a lot of redundancies and also there are contradictions, and it is difficult to follow. It would be nice if it was all in one stand-alone section but it's not. I would like to propose is to request a waiver from the vegetative requirements in code, in lieu of the vegetative screening we are proposing on our site plan.

Daniel Gettel: Your request is going to say you want to waive all of section 345-16?

Wes Illing: I think there are other sections in the code that also refers to screening.

David Slater: There is also one about 12 parking spaces.

Daniel Gettel: That is also in there.

Wes Illing: And there is contradiction there, it is what it is.

Daniel Gettel: You will include that in your narrative to us. Good luck with that, because I did mention on the record I am not going to vote for anything that doesn't shield at least Russell Farm from the parking lot. I am on the record for that, and I am going to stick to it. You are putting 600 cars next to the guy's house.

Wes Illing: This is Phase 2, number one....

Susan Brown Otto: From Harold Russell's living room, you are going to be able to see the cars. The house is not way up on the hill. The house is close to 17B.

Daniel Gettel: You are welcome to ask for a waiver.

Wes Illing: There is his barn, and the barnyard. The house is on the other side of the barn.

Daniel Gettel: You are welcome to ask for a waiver. Make sure you justify it in your narrative, but I do think it is going to be an uphill battle for that.

Wes Illing: Okay, let me ask a question. Can we do that screening in Phase 2, and that would use Phase 2 parking, and that would be a requirement for Phase 2?

Jacqueline Ricciani: What do we know about Phase 2 parking?

Wes Illing: It says on the plan.

Jacqueline Ricciani: On your plan?

Wes Illing: Yes it does, on your plan also.

Daniel Gettel: Then it would have to be shown on the plan as Phase 2. The landscaping would have to be shown on your plan as Phase 2.

Wes Illing: Okay, we can do that.

Jeryl Abramson: By the time we get to Phase 2, my long range plan on that is to do something agricultural between the two properties. So that I have a buffer now, what I do now is I just don't mow 150 feet. I just let that overgrow right now to delineate the area, because I am not using that side anyway. The way Harold's house is, it is on the other side of the barn, and it is slightly downhill. I can see his house, but he can't see mine. I am up higher, okay. When we get to that part, I am going to be planting something agriculture, either some lilac bushes, or hydrangea, something that is marketable, and that will create the buffer. It will have a nice natural buffer that will have a market value that will be aesthetically nice, what is nicer than hydrangea? That will be Phase 2, okay Jacy? That should satisfy that.

Daniel Gettel: That will have to be on the plan. The plan doesn't show anything at this time. It is section of the code. Wes you are talking about a waiver for 345-16, in that section, pay attention to paragraph j. And it's not in your original report. "Notwithstanding anything contained herein to the contrary, the Planning Board may waive application of the requirements of this Section 345-16 to farm operations". You are asking us to expand on that, and also with commercial operations.

Wes Illing: Well this is a farm operation over here.

Daniel Gettel: But you are not a farm operation.

Jeryl Abramson: You have two different zones going on here. One is an Ag zone, and one is a Commercial zone.

Daniel Gettel: But your proposal is for a commercial development in the Ag zone. Just pay attention to the section.

Wes Illing: Read that number again?

Daniel Gettel: 345-17 J.

Wes Illing: Okay. I will take a look at that.

Daniel Gettel: Glenn, you went to the site. I don't think there is real issue for the parking. It's not conducive for sewage. Clearly we know that, but...

Glenn Smith: It is fine for parking, unless you have a monsoon, then you will have a problem.

Daniel Gettel: Wes, look at your requests for waivers under Section 345-18, parking and loading, because one of your arguments was that we set a precedent by not requiring the subparagraph be upheld specifically stating that the precedent was set in the review of the Dancing Cat Restaurant and Distillery. Not only did the Planning Board not review that use which we established, but both parking on that property is set either behind or immediately to the side of the associated structure, not in the front yard. So make sure if you are going to ask for a waiver of that, you can't justify that by the Dancing Cat, because we did not review that one. That is one I will not take credit for. Under lighting, adequate lighting which provides security and visual interest shall be provided in parking areas, while minimizing adverse impacts, such as overhead sky glow, this and that. You are not talking any lighting for the parking lots?

Wes Illing: That's correct.

Daniel Gettel: And if a family rents a campsite for the weekend, and goes out at night, how do they get back to the campsite from the parking lot?

Wes Illing: Just like Alan Gerry's property. When people leave that concert after dark, there is no lighting in any of the parking lots.

Daniel Gettel: The parking lots are lit.

Wes Illing: The grass parking lots?

Jeryl Abramson: I have a pole light.

Wes Illing: She has a pole light in the center.

Daniel Gettel: It's on the record that it is required. But it is on the record that it is not going to be provided.

Wes Illing: It's existing.

Daniel Gettel: Then it is different than what you stated on the record. If you want the section it's 345-18-5 A, B, C, I believe.

Jacqueline Ricciani: Is that just for the parking lot?

Daniel Gettel: Yes. Parking and loading. You addressed the parking and loading also has some sections on landscaping if you request a waiver on that. Let the Planning Board know that is the one that talks about the 12 vehicles in a row, and parking, planting beds meeting the above standards shall be required along the perimeter of all parking areas and between parking areas and buildings, the area shall be a minimum of 10 feet in width. David addressed unreasonable noise, granted it is part of the noise ordinance. David, Section 220-5, is that what you were looking at?

David Slater: Correct.

Daniel Gettel: That is the one that does specify unreasonable noise. A. The use of any sound-amplifying equipment, musical instrument outside a structure, which David is the one that read that. And by definition, amplified music is pretty much considered a nuisance in Bethel, whether that is right or not, that is in the code, in my opinion.

Wes Illing: I will review that.

Daniel Gettel: Whether it is right or wrong, that is the way it reads. That is really what I have on this application. You have copies for us of that plan?

Wes Illing: I'll leave this one.

Daniel Gettel: Just one copy?

Wes Illing: There are very little changes from the last plan. There is a little bit of screening over here that is it.

Daniel Gettel: That needs to be emailed to the town, oh we can't print them.

David Slater: He needs to give us 10 copies, right?

Daniel Gettel: You should have brought 10 copies. We could have claimed we had them.

Wes Illing: When I come in here into a meeting and I present this information, you have it.

Daniel Gettel: We can't take that home and look at it. That is what the issue is.

Wes Illing: That is not required by your code.

Daniel Gettel: I would disagree with that. I can't see it from my seat. Glenn, we addressed the conditional negative declaration. It is not actually conditioned. It is a conditional negative declaration. We have to talk about the parking along the roadway. We talked about the County and State review, we talked about lead agency. Wetlands you are going to get us information on the delineation of the additional wetlands. How does the board feel about a campsite without

showers? That is a waiver you are going to request?

Wes Billing: Yes.

Daniel Gettel: We should discuss that at the public hearing then.

Jeryl Abramson: Didn't the DOH say they wouldn't allow the showers?

Wes Iling: DOH would not allow them on Phase 1.

Daniel Gettel: Do you have that in writing?

Wes Iling: They told me that verbally.

Daniel Gettel: The problem with the DOH is they hardly ever act before the other agency acts. It is up to the board to discuss their thoughts at the public hearing. That is the only thing hanging out there.

Susan Brown Otto: If we have a public hearing, it can be held open how many days?

Daniel Gettel: 62 days, unless the applicant approves a longer time. I don't see why it would be kept open longer but....the reason for a public hearing is to....when we have a complete application, is to get the public input, as soon as we get a complete application. Would you agree with that Wes?

Wes Iling: Yes.

Daniel Gettel: Wes and I agree on that one. The question though is, is the Planning Board okay with getting information submitted the night of a meeting, and calling that a complete application? I am okay with it, but I think I am in the minority.

Wes Iling: The key is it is going to continue to be insignificant changes on the site plan. The bottom line is the significant changes are over. The application is sufficient to hold a public hearing and get input from the public.

Daniel Gettel: Can we agree that you will edit the plan to address the concerns about having the, even though it is minor, portion of the seating area is in the wrong district, and that you will not change the camping sites?

Wes Iling: I will lock that number in.

Daniel Gettel: I don't have an issue with that, but it is up to the board.

Wes Iling: Dan, when we go to Phase 2, DOH is going to monitor our water supply, they will be monitoring our consumption of water based on the water uses that we have for Phase 1. It is unknown, right now whether this water supply, which is pretty healthy in terms of the yield, and

it is pretty good water, whether it will suffice to use the single water treatment plant for the entire facility, or if it will not be adequate for the yield of the well. The DOH may make us put in another well, and another water treatment plant up here some place in Phase 2. And that would decrease the number of campsites. The number is not going to increase. I'm going to lock the numbers in, but I want to be clear in Phase 2 we could find out when we operate in Phase 1, the DOH says you don't have the area; we want a well and water treatment plant up there, and also with you guys. So I will lock them in for the public hearing, I will lock them in for this Phase 1 approval, but for Phase 2 the number of campsites will be changed slightly only because it impacts from DOH, and their approval.

Daniel Gettel: Wes, I understand that we are an untrained board of layman appointed by a board of assholes, I believe, so I wouldn't overrule the Health Department on that issue which is what I said to you at the first meeting. If the Health Department requires something above what we require, then I will absolutely go along with the Health Department.

Wes Illing: I will lock them for the approval process.

Daniel Gettel: And three of the assholes are here.

Wes Illing: Let's stay focused.

Daniel Gettel: I think I am pretty focused tonight, Wes.

Wes Illing: You are.

Daniel Gettel: I don't have a motion on the floor for a public hearing.

Susan Brown Otto: Can we commit to a date when the information has to be received so the public can review it?

Daniel Gettel: Well, BJ gave him the date.

Susan Brown Otto: Has Wes agreed to that?

Wes Illing: I will make it happen; whatever date you guys give me I will make it happen.

Motion to grant a Public Hearing for July 11th at 7:30 pm by Steve Simpson, second by Susan Brown Otto

All in favor – 7

Opposed – 0

Agreed and carried

Steve Simpson: You have to get that paperwork in by June 27th @ 4pm.

Daniel Gettel: It would be nice if it came in a little early perhaps. How would that be?

Wes Illing: There was a lot of stuff we had to get together. This next time there isn't a lot of work to do between now and this next submittal.

Daniel Gettel: If you feel that is the application you want to go with to a Public Hearing I'm fine with that. Jacy, how do we...

Jacqueline Ricciani: How many copies?

Daniel Gettel: We need ten copies of these as part of the submission, because the public cannot remove it from Town Hall. BJ needs to do the EAF so there is going to be quite a few of that. Since you won't email it, you will have to provide it.

Wes Illing: She has a signed copy.

Daniel Gettel: They also go with the site plan, I believe, unless I am mistaken. You wanted to do a narrative and I believe the site plan goes along with that submission, correct? Make sure you coordinate with her, because that has to go out 30 days minimum before the meeting.

Wes Illing: I will get you a site plan tomorrow; I will give you 10 copies.

Bette Jean Gettel: Call me in the morning to see how many copies I need.

Wes Illing: I will get you whatever you need.

Daniel Gettel: What fire department is this?

Bette Jean Gettel: White Lake Fire District.

Robert Yakin: I am chairman of the board.

Daniel Gettel: I don't know if you should recuse yourself...

Robert Yakin: It would go to the chiefs. The district actually has no comment on it.

Daniel Gettel: 7:30, Wes. Make sure you are done before Jeryl leaves, because we are not really done. What are your thoughts on the State and County submissions? You are okay with the site plan as it stands now, and you will get a narrative to the town?

Wes Illing: Yup.

Daniel Gettel: Knock yourself out. BJ, you will take care of the mailings, Ag data, so there are additional copies. Coordinate with her please. I think it is beneficial to you to do a block narrative of the project. The document even goes to the Planning Board. I don't see why you wouldn't. It is up to you how to do it. I think it is beneficial to you to put everything in one

document.

Wes Illing: Okay. In particular to address safety and emergency safety measures.

Daniel Gettel: You know the agencies it is going to go to. Jeryl actually had a better management plan than you do.

Wes Illing: Before?

Daniel Gettel: Yes. You may want to take some from hers....

Jeryl Abramson: You didn't like his management plan?

Daniel Gettel: Yours is better.

Jacqueline Ricciani: Mr. Chairman, may I ask a few questions, even though I am not a member of the board? The EAF says you are building five structures?

Wes Illing: The water treatment building, a tiny building, it is less than 400 square feet, it doesn't require a foundation or anything, then we have some trailers constructed for the rest rooms.

Jacqueline Ricciani: You are considering all them?

Wes Illing: They are structures.

Daniel Gettel: Anything that is going to be built on site might require a building permit. That is a different agency that is building department.

Jacqueline Ricciani: I didn't know what the structures were. I didn't know you considered the water facility to be a structure to be built.

Wes Illing: Eventually when we get to Phase 2 they will become permanent structures.

Jacqueline Ricciani: Since there is a note on the plan that it is a special use, a special use permit is also being sought for a recreational facility. I don't know how much more information this board is going to want to know in terms of what is anticipated for

Daniel Gettel: We have no information on frequency, or what they are going to be, if they are going to be ticketed, or just incidental to camping.

Jacqueline Ricciani: Are you expecting people from outside to attend these shows or is it just for the campers, or for the public?

Wes Illing: I will talk to Jeryl about that. It is primarily intended for people in the campground.

Jacqueline Ricciani: There are so many extra parking spaces.

Wes Illing: Sometimes people come and there are two of them, they bring two cars. We know that in these grass-parking areas, you are not going to have the same parking density as in a paved parking lot. We have some margin there.

Daniel Gettel: Wes, you understand why that should be included in the plan, information on outdoor recreation.

Jacqueline Ricciani: Right now we have nothing.

Jeryl Abramson: It does change. We schedule the performances. It is not going to be every night.

Daniel Gettel: Jeryl, we don't have any information.

Wes Illing: We will work on that.

Daniel Gettel: Jacy, you are good?

Jacqueline Ricciani: Good for now.

Susan Brown Otto: We haven't talked about signage in awhile.

Daniel Gettel: There is no signage, only inside.

Susan Brown Otto: I just wanted to refresh myself that there is no signage.

Daniel Gettel: There is only signage in the campground.

Wes Illing: We talked about signage for the trails.

Susan Brown Otto: No, I mean signage for 17B.

Daniel Gettel: We don't review interior signage.

Wes Illing: However, based on the plan, if the board agrees with this use, and I would like a determination on this as soon as possible, because this is the key.

David Biren: What is it, I can't see it?

Wes Illing: Basically, the professional and business office use.

Daniel Gettel: I don't agree with that.

Wes Illing: That is what your code defines.

Daniel Gettel: You are asking us for it tonight, we haven't had time to consider it; we need time to consider it.

Wes Illing: How much time before we get an answer? I don't want to have to wait until next month, do I? Can I get some kind of feedback on that?

Daniel Gettel: We can't discuss this outside the meeting.

Jacqueline Ricciani: Open meetings law. We can't have a conversation outside this public forum.

Daniel Gettel: This is your timetable; you are setting this timetable.

Jacqueline Ricciani: I did have a question about lighting within the campsite?

Daniel Gettel: That is written in one of the documents.

Jacqueline Ricciani: I thought there was going to be no lighting that was addressed.

Wes Illing: We have one light out in the middle. It is an existing light. There are lights in the restrooms.

Jacqueline Ricciani: Other than that there is no lighting?

Wes Illing: If you are going camping, take a flashlight. The stages will have their own lighting. That is unique for each group that comes in.

Jacqueline Ricciani: Your management plan talks about performing arts, the arts with the camping experience. It leads us to believe that there is going to be a lot going on those stages. We don't really have any details on that.

Jeryl Abramson: They kind of do what they want. They come in wearing costumes. The whole place is a theatre. I don't organize. They come in and do what they want.

Jacqueline Ricciani: It seems it is something that you are going to be presenting as part of the experience because of the way it is written in your management plan.

Jeryl Abramson: I will reword that.

Wes Illing: Someone may be coming in with an electric guitar and whatever...

Jeryl Abramson: And just start dancing... it happens.

Jacqueline Ricciani: That might not be appropriate for the management plan. You are managing. This is what you are doing.

Jeryl Abramson: They come in and do what they do. They are having fun. They are camping. They may dress up in costumes, and they have different things. They do whatever they do.

Jacqueline Ricciani: It looks like you are providing the entertainment, not that the campers coming in doing it.

Jeryl Abramson: It's both.

Daniel Gettel: I want it in the management plan. Wes, you're good?

Wes Illing: I guess so, I have a long list here, and I will go through it.

Daniel Gettel: You told me it's not going to take you any time to get it together. You'll bill Jeryl no more than a couple of hours.

Motion to adjourn by David Biren, second Steve Simpson

All in favor – 7

Opposed - 0

Agreed and carried

9:10 pm

Respectively submitted,

Gannetta MacArthur

Recording Secretary