



Town of Bethel
Zoning Board of Appeals

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

The Town of Bethel Zoning Board of Appeals held its monthly meeting on July 20, 2015. The meeting was held at the Duggan School, 3460 State Route 55, Kauneonga Lake, at 7:30 PM. On the agenda at this time are the following:

In attendance: Steve Morey, Chairman, Jim Crowley Vice Chairman, Richard Conroy, Dan Brey, Cirino Bruno, BJ Gettel, Code Enforcement Officer, Dawn Ryder, Liaison, Jacqueline Ricciani, Attorney, and Jannetta MacArthur

Excused: Jesse Komatz

Absent: Victor Kask, Alternate

5 members present - Quorum

Pledge to the flag

Also in attendance: Daniel Gettel, Planning Board Chairman, David Biren, Susan Brown Otto, Planning Board Members, Lillian Hendrickson, Bernie Cohen, Vicky Vassmer-Simpson, Town of Bethel Board Members.

Motion to approve minutes from the June 15, 2015 meeting by Richard Conroy, second by Jim Crowley

All in favor –5

Opposed- 0

Agreed and carried

- 1) Application for a Use Variance for a Conservation Subdivision to be located on Route 55 next to Daytop, known as Bethel Tax Map #: 13-1-9.2 & 10, proposed by Forest River Estates, LLC. (Wasson)***

Steve Morey – recusing himself.

Jim Crowley is chairman.

Randy Wasson: Good evening. This project is located on a 45-acre site on the east side of Rt 55. On the north is the former Daytop Village property. We are proposing a cluster sub division development, 58 units, it meets the density requirements, it does not meet the use requirements, this is in the RS zone, and it does not allow conservation subdivisions. However, we think this is a good site for it because it has quite a bit of frontage on the river; it is set well back from the highway. It also conforms with the intent of the Town's comprehensive plan, which talks extensively in various sections about conservation subdivisions where they may be appropriate, what natural resources you might be trying to use, ecology, that sort of thing. I gave you a list previously and I read it at the last meeting, so I'm not going to go



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through that again. The 58 units came about; we did a conventional subdivision plan that meets the Town code, a conventional plan with onsite water and sewer systems. We do have an area for a well site, right here, it is about 4 acres, and also here. (Showing on map) And a sewer treatment plant in the lower left hand corner, I realize the Town Board,...

Jim Crowley: Randy, which one do you want to do?

Randy Wasson: We would like to do this one first. The cluster conservation plan.

Richard Conroy: The regular site plan, how many units do you have?

Randy Wasson: 58. We did this to come up with a number, and then cluster, basically.

Richard Conroy: And that is with a private sewer plant.

Randy Wasson: Yes, both of them would have a sewer plan. That is about it. The same number of units. You can see the disturbance is substantially less, for maintaining, a much larger buffer to the river.

Jim Crowley: Where is the communal land? Usually when you do a conservation subdivision, there are areas that become communal property, parks, and recreation. Where is that, Randy? That is a pretty vague sketch. You know what can happen. You get a cluster subdivision, now all of sudden, and then later they add more. Is there going to be something that says that isn't going to happen, 58 is the maximum, density isn't going to increase?

Randy Wasson: We are limited by the code to 58. We certainly would without a doubt; this is set-aside because of the well protection zone. This is a 400 diameter; all of this would be a protected easement. That is all we can do.

Richard Conroy: Who would administer the Conservation Subdivision?

Randy Wasson: The HOH would own all the common land. The proposal would be individuals own the individual homes privately; all the common land and facilities will be Homeowners Association.

Jim Crowley: Do you have wet lands along that property?

Randy Wasson: We have some along side the river; we have a fringe, showing on map, a little right here. The wetlands are south of the proposed entrance road.

Jim Crowley: BJ, we got engineering back. Do we have a topography map?



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Randy Wasson: Yes. The maps that you have have the topo on it. You just can't see it because of the visuals here.

Jacqueline Ricciani: The engineer makes comment that he did not do a technical review to determine whether the conservation subdivision meets the town code because he said when he looked at the conventional subdivision, and saw that the 200 ft radius, that didn't meet code, so it was his impression that in order for the conventional one to meet code, they might have to loose some houses, and he also felt that they could potentially need a second well to service that many homes. What Mr. Weeks explained to me is that it didn't seem like a good idea to do a technical review when the conventional subdivision didn't meet code, because you need to have that so you know the number of homes that you can then put in the conservation. This is for conceptual purposes.

Jim Crowley: Randy, did you read this?

Randy Wasson: I read his comments, but what Jacy is saying I'm not aware of.

Jim Crowley: Has the rest of the board read his comments?

Jacqueline Ricciani: I'm just expanding on it.

Randy Wasson: Since his comments are verbal, let me just give you a verbal response.

Jim Crowley: These are verbal comments? Do we have a letter?

Jacqueline Ricciani: Yes

Jim Crowley: Can I see it?

Jacqueline Ricciani: Sure.

Richard Conroy: Are you talking about paragraph 5?

Jacqueline Ricciani: Yes, these are from July 14th.

Richard Conroy: Is he going to follow-up on this?

Jacqueline Ricciani: I spoke to Michael when I saw that comment to find out why he didn't do the technical review. He explained that to me. He was on vacation last week, so that is why he didn't have a chance to update this, because he rushed to get this done before he was going on vacation last week, he



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was going to be out of the office. I told him since the meeting was on Monday, I would just convey to the board his comments.

Richard Conroy: If you have to loose units on that plan.....

Jacqueline Ricciani: His feeling was that because of the way the well radius infringed on some of the homes that they would have to redesign the conventional ones; he was also concerned they would need a second well which would further limit the number of homes.

Randy Wasson: Let me just respond to that, okay. The answer about the second well is without a doubt, we need at least two. But there is nothing that says that they can't be 10 or 20 ft apart. We just need different wells. They can be tapped into the same aquifer. They can have the same source, but they have to be separate holes in the ground, 20 ft away. This drawing is 100 ft to the inch. There is two requirements with central wells, central water supplies. One is that there be 100 ft of ownership of a well, in this case 100 ft of ownership by the Home Owners Association, and 200 ft of control. Control can be by deed restriction, the road can be outside the 100, but inside the 200, which it is in this case. So there are parameters there that are under our control with this layout. The second well may be 10 ft away; you would barely see on this drawing, or 20 ft away, it is less than one quarter of an inch. You have about 175 ft to this lot line, (showing on map). If I need to move something 25 ft, rest assured I can find that for the numbers.

Jim Crowley: You may hit one well and get 100 gallons a minute, or you may have 70, you may have to drill four wells. You don't know.

Randy Wasson: You are correct. At this time we are not drilling wells. We have our 100 ft of ownership, and we have 200 ft in all three directions, and it may be its realistic, and I think we met the requirements.

Jim Crowley: Do you have any other comment?

Jacqueline Ricciani: That was it.

Jim Crowley: Does the board have any questions?

Richard Conroy: The sewer plant bothers me. I know it is not our thing. A private sewer plant, according to the definitions of sewer plants, in the Town Code, a public sewer is controlled by a government agency, or public utility. That is going to be a private sewer. If it were a private sewer then you would have to have fewer units in there.

Jim Crowley: They need Town Board approval.



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BJ Gettel: Yes, they need Town Board approval and need a licensed operator. There are very few in Sullivan County.

Richard Conroy: I know with Rock Hill, the town had to take it over. I don't know if there are any other private sewers in the Town of Bethel.

BJ Gettel: You have two others. You have Daytop, and the Swan and Swan Lake.

Richard Conroy: If it is a private sewer plant, it seems to me, it is going against the regulations for the setbacks.

Randy Wasson: Usually, I'm not sure in Bethel, but frequently public sewer and central sewer, and common sewer, those terms are frequently used, I am not saying that is your case, frequently they are used interchangeably.

Richard Conroy: I am taking the definition out of our code.

Randy Wasson: Is there a definition in your code for public sewer?

Richard Conroy: I just read it, and it doesn't seem to meet the criteria. On a regular subdivision, you would need one half-acre lots.

Randy Wasson: If it needs to be a public sewer, it needs to be owned and operated by the town, or municipality. Then what you are saying that dovetails with the requirement that the Town approve the sewer? Because there is a requirement that the town has to approve.

Richard Conroy: No. In my opinion it is not a public sewer, you need one-acre lots, and you need to take out units

Jim Crowley: Then take out the wetlands and the slopes, out of the 45 acres.

Randy Wasson: I just want to address the sewer issue first. What you are saying, there are no private sewers; they are all owned and operated by the town?

Richard Conroy: If you have a private sewer, you need an acre.

Jim Crowley: I tend to agree.

Jacqueline Ricciani: We have a sewer district in the town.



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Randy Wasson: I am aware of that. There are no private central sewer systems in the town?

BJ Gettel: There is one at Daytop and the Swan and Swan Lake, which has not been built yet. Those are the only two that have been approved. When he did his calculations, what you are saying he should have calculated one acre instead of half acre zoning.

Richard Conroy: It is a waste of time; you go through all of this work, and then what if the Town Board doesn't approve it. To me it would seem this should be done first.

Randy Wasson: If there is no variance, then there is no sense going to the Town Board. To have private sewer, you have to have one acre zoning. Basically we can go with wells and septic.

Jim Crowley: Then you wouldn't have to be here. Say you have communal water, then each having their own sewer that would change the density too.

Richard Conroy: The only thing they talk about here is sewer, the bulk ratio table.

Jim Crowley: BJ, is there any density or change if each unit has their own septic, and communal water?

BJ Gettel: Sewer yes, water no.

Randy Wasson: You asked about the wetlands? On this plan I don't think we have to deduct, the plant has to be reasonable, we can't develop on steep side slopes, or wetlands.

Jim Crowley: You have to take the slope acreage out, the wetlands acreage out, streets come out, and you take all that, you take out the site for the water, unless you are going to drill a well for each site.

Randy Wasson: What we have, I don't think we have to take steep slopes out of a lot, as long as we have a build able area.

Jim Crowley: I think they have to come out, the slopes, the wetlands; the roadways have to come out. You say 45 acres comes down to 30 houses, not you can figure how many units you can build.

Randy Wasson: I respectfully disagree. When you do a conventional, I don't think you have to take that out. When you do the cluster, you have to go with the lesser of the conventional or the total acres, less all of the things you mentioned, take out slopes, wetlands, roads, etc. We are just talking about some slopes and wetlands.

Jim Crowley: I agree with what Rich says. It is not run by a municipality, so then that changes it.



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Cirino Bruno: I think it is up to the engineer.

Jim Crowley: The engineer isn't going to figure that out, that is up to the Zoning Board. He can figure out the slopes and stuff. Does the board feel that it is half acre zoning and is considered a public sewer system? Rich, would you read the definition one more time please.

Richard Conroy: Reading definition.

Jim Crowley: Private sewer goes to one acre zoning.

Daniel Brey: Sounds like one acre to me.

Cirino Bruno: Sounds like one acre to me.

Jim Crowley: We are going to have to revise this again Randy.

Randy Wasson: I will go to my client and see what he wants to do.

Jim Crowley: Now that the Forest River Estate is done, I turn the meeting back to Steve Morey, chairman.

2) *Application for a Use Variance and Area Variance to expand a pre-existing non-conforming use located at 186 Lee Cole Road, known as Bethel Tax Map #: 9-1-6, proposed by JJ Enterprise USA, Inc. (Wasson)*

- a. Enlargement of 3 two story buildings***
- b. Demolish and reconstruct Casino Bldg***
- c. Decrease a 4 unit to a 2 unit***
- d. Construct 2 single-family units.***

Randy Wasson: Mr. Chairman, I need to make a correction on the list, letter a, it is not 3 two story buildings, it is 3 two family buildings. Six families.

Richard Conroy: Before you get started, did you see the report from the engineer?

Randy Wasson: Yes, I did. I already have my response.

Steve Morey: Has everyone seen the engineering report?



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Randy Wasson: This project is on the east side of Lee Cole Road; it is probably about a quarter to a half of mile south of the intersection of Old White Lake Turnpike. Presently on the site there are 10 family units. There are three two family units right here, these T shaped buildings, a total of 10 on the site. These are one-bedroom units, these are apartment style units. They are small also. In addition, there is a casino building on the site, which is in poor shape, the intent is to replace the casino of the same size, just closer to the front. We would like to make these units larger by taking two of the units out of the building, instead of 4 units in this building, there would just be two. Replacing those two units with two units towards the back right here, these units are 1,000 square feet units, and also enlarging the existing one-bedroom units to become 1,000 square feet. The idea being is to make this an affordable property. Right now it is difficult to rent, they are one-bedroom units. There is a beautiful pool here, by request of the Department of Health.

Jim Crowley: Randy I have question, the one building there, you want to take four units out and make it a two unit?

Randy Wasson: Yes, convert four to two, and the two that we lost. We are increasing the square footage. The total, not counting this building which is the same size as the one coming down, the total increase between these here is about 4,700 square feet.

Cirino Bruno: That is about 50%.

Randy Wasson: Yes, I think that is what we said last time.

Richard Conroy: Are these year round?

Randy Wasson: They have to be brought up to year round standards, as per the code. They are not increasing unit count, just trying to make it a little bit more marketable. He purchased prior to the zoning change, and now he is in this situation.

Jim Crowley: What was the zoning before?

BJ Gettel: RF zoning.

Jim Crowley: Was this permitted before? At the time he purchased was it?

BJ Gettel: It is preexisting, nonconforming. It has been in existence since the 1950's and 1960's. At the time of purchase, it was not permitted.

Steve Morey: Are you changing the number of buildings?



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Randy Wasson: I'm adding two buildings; I am not changing the total number of units.

BJ Gettel: The bedroom count is going to increase. The sewer system they currently have will not handle the new bedroom count.

Randy Wasson: That is correct.

Jim Crowley: Is there enough water?

Randy Wasson: They are on Town of Liberty water supply.

Richard Conroy: Is that year round water supply?

BJ Gettel: They could be yes. Unfortunately they cannot connect to the Stevensville Sewer district. Unfortunately that is over capacity.

Randy Wasson: Sewer, we have submitted plans to the DEC. We do have a SPDES permit, which was granted last year for an enlarged sewer permit, which will be located to the back of the property, and discharges to the stream right here. It will need a sand filter. It meets what we are talking about. There was a question about wetlands. The wetlands itself is a little blurry. This is a printout of the Army Corp, Federal Data base which shows us the blue areas, and they are nowhere near our property. If you see the green one, it is around the softball field, which is behind the Swan Lake Fire Department, and the other is across the street, the drying beds for the Swan Lake Sewer Plant. This project is, above the word Cole on the map. Not all of the buildings in that cleared area is part of this project. We don't have wetlands on the site. The last comment from Mike was about traffic. I would just say, they are not increasing the number of units, so it is the same traffic.

BJ Gettel: How many parking spaces were provided for?

Randy Wasson: We haven't really included parking; we would have to provide 1.2, or 1.5 per unit. We can do that.

Daniel Brey: You are going to have more people aren't you?

Randy Wasson: More people, but the same amount of families. Typically they only have one car, sometimes two.

Steve Morey: I was distracted, what was the response?



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Randy Wasson: My response was larger family units, single-family units.

Steve Morey: Existing units now you have 10 units. You are still going to have 10 families, just a different configuration.

Randy Wasson: Correct.

Richard Conroy: You are going to build these two new units, you are going to enlarge the sewer system, how do we do that?

BJ Gettel: It's not permitted.

Richard Conroy: It's not permitted; I'm stuck on that. You are going to put in two new buildings, which aren't supposed to be there, a new sewer system, and increase the lot coverage by 50%. They don't jive, they don't go together.

Jacqueline Ricciani: Randy, if you could break down, maybe you could flush out a little bit better for the board. What area variance you are looking for, what the use is that you are seeking.

Jim Crowley: Do you need an area variance?

Randy Wasson: I'm not sure in the sense that it is one acre zoning. There are 10 units there; there will be 10 units. We are increasing the footprint of the buildings. They are not overly large for what the zone allows. The use variance is obvious, if we are expanding, we need the variance to do that. I'm not sure....

Jim Crowley: You meet the setbacks, right.

Randy Wasson: Yes we do.

BJ Gettel: Regardless, the casino building is going to be replaced. That is a wash.

Jacqueline Ricciani: If we are going to use the same kind of rationale as the last project, this is not public sewer, it is private. The lot area is 2 acres each. The bulk table would need to be 2 acres per 2 family homes. Not the one-acre that is listed there.

Randy Wasson: We are not changing the number of units. We are increasing our sewer capacity to address the flow.

Jacqueline Ricciani: If the total acreage is 3 acres, is that the area variance you are looking for?



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Randy Wasson: I'm not sure.

Jacqueline Ricciani: You are adding 4,700 square feet, you are adding housing.

Steve Morey: The whole thing he is proposing doesn't meet code.

Jacqueline Ricciani: Typically what you see on this area variance that is what I am looking for.

Randy Wasson: I'm not sure.....10 units, I am adding square footage, I have to come here. Public and private sewer comes into it, since I am adding bedrooms.

Jim Crowley: If it is private you have to go to 2 acre 2 family home. In my opinion it is 2 acre 2 family, or leave it the way it is and don't do any of this, and just do your casino thing.

Randy Wasson: I am here to do something that is not permitted by code.

Jim Crowley: Now you have problems with the amount of acreage,

Randy Wasson: I am adding structures, bedrooms to that. I am hearing a couple of things. Maybe I need an area variance because of the sewer. The square footage increase is too much?

Jim Crowley: The sewer changes the acreage.

Richard Conroy: This is a 3-acre parcel.

Randy Wasson: There are a few systems here. I don't see.. the sewer is the sewer.

Richard Conroy: It is going to be bigger.

Jim Crowley: How many bedrooms are you going to have? How many are you adding?

Randy Wasson: We are going to have 30. We have 14 existing. They will all go to 3, so there will be 30.

Jim Crowley: It is going to double the flow rate.

Steve Morey: Correct me if I'm wrong, I think we are getting a little bit off base. We need the calculation, what acreage they would need for what is proposed. We need to decide if this is substantial.



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Jacqueline Ricciani: I'm not really sure what to do with it. They are going to need an acre each, plus the casino

BJ Gettel: According to the code, multi – they need 4 acres. They need 10.

Jacqueline Ricciani: But some are already existing.

Steve Morey: They are still going to be two family units with additions. They each need 2 acres. The multi family ...

Randy Wasson: There are 4 units there now.

Steve Morey: We still have to figure out what your area variance request is.

Randy Wasson: We are saying one acre per family.

Jacqueline Ricciani: It is two families for two acres.

Steve Morey: It is not municipal it is private.

Randy Wasson: We are not increasing the number of units.

Jacqueline Ricciani: You are adding structures.

Randy Wasson: We know we don't have enough for the acreage. It all exists. My thinking is, if it is unit counts, we are not changing the density. If you want to focus in on the sewer, our code requires this with public sewer or private sewer, whatever that density is, as we discussed on the previous project, okay I understand, if it means I have to amend my application to include those area variances, I am okay with that. It is obvious what we are looking for.

Jim Crowley: I feel the density is changing. You are building more buildings.

Randy Wasson: No more units.

Richard Conroy: But you are taking up more space.

Randy Wasson: I am under my lot coverage allowance. If I did it all under one unit. Lets just say I expanded this unit, I'm just throwing it out there, lets say I am doubling the size of this unit, I have four units in there, I have four units in there now, and I put four more in there, lets say it meets the multi family requirement, I have added next to nothing in terms of square feet, and I have four units.



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Jim Crowley: Then you need four acres of land.

Randy Wasson: Right, but I am back to unit count, and not lot coverage, and again your lot coverage allows for a lot more than we are asking for. If it is the footprint sizes, I mean, I am not married to this, this is what we would like but if we have to down size a little bit, because you are thinking it is too much, that is one question; the unit count is all the same, the same number of families, same number of cars, it is all the same.

Richard Conroy: If it is all the same, why do you have to make it bigger?

Randy Wasson: It isn't marketable, one bedroom units. These are summer rentals, this is a bungalow colony. The three bedrooms you can rent.

Richard Conroy: You are proposing a use that is not permitted.

Randy Wasson: I would propose to this to you, the question not why should you do this, but why not?

Richard Conroy: Why not is because you are expanding a use that is not permitted.

Randy Wasson: That is why I am before this board.

Jim Crowley: We would do the use variance first. If you don't make the use, all the area stuff is for not. That should be the first variance you go for, that is my opinion. If you can't get the use, what good is the area? We have to lay down some kind of game plan.

Randy Wasson: I came looking for a use; we are now talking about area. Maybe I have to amend the application.

Richard Conroy: On our agenda it says you are looking for a use and area variance.

Jacqueline Ricciani: There are different criteria, if you want to separate it, that's not a bad idea.

Jim Crowley: Unless you want to go all or nothing.

Randy Wasson: I would say if it came to a vote, put down the use first.

Steve Morey: We are getting ahead of ourselves, isn't the applicant entitled to a public hearing?

BJ Gettel: We are not disputing that, how do I have to advertise this, is what I am questioning?



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Steve Morey: That is why I am trying to get a better idea on the area variance. Whether it is a 50% increase above what he already has, which already doesn't meet code, because it is a nonconforming use for one thing, and. he doesn't have the acreage for the number of units that exist by the code.

Jacqueline Ricciani: What we have done in the past is advertise for two public hearings. I don't know that it is a great idea in this case, but have the public hearing first, like Jim pointed out, the use variance should be first that will be determining where we are going with this, if you don't get the use variance for this, there is no point in continuing. Do the use variance, and advertise this for a public hearing.

Randy Wasson: I will amend the application based on our conversation tonight, because we didn't request an area variance.

Jacqueline Ricciani: Did I see it on the EAF maybe?

Steve Morey: The engineer makes reference in his report. .

Randy Wasson: Because of the density, I get it. I didn't think it was a density issue, because we already had 10 units, but if we need to amend for that, I would gladly do that.

Steve Morey: The EAF is completed by the applicant?

Jacqueline Ricciani: We are going to need an EAF for a use variance.

Steve Morey: If we go through the process for a use variance, let's say hypothetically that was granted, we still need to go to the area variance.

Randy Wasson: I need to get you a proper description of that area variance, but we did not request an area variance.

Steve Morey: My suggestion is not to combine them as one application, one or the other, if you don't get the use variance, you don't need the area variance. If there is going to be a revision, I think that is the way you should go.

Jim Crowley: Do the use variance first.

Randy Wasson: If lets say we amend the application to include the area variance, you can vote on the use variance first.

Steve Morey: I don't like to confuse the issue in a public hearing discussing both use and area variance



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in one public hearing that can confuse a lot of the issue. If we just did the use variance, however that comes out, take it from there. Amend the application. Are we continuing this farther for next meeting? I would like to do both the same night, as two separate.

BJ Gettel: I can do two notices.

Richard Conroy: He doesn't have enough information on the area variance.

Steve Morey: He doesn't have enough acreage for what already exists, and he plans on going further.

Jim Crowley: Are you going to have time to get this all together Randy?

Randy Wasson: Yes. I am going to look at the private/public sewer requirements on a per building basis, come up with a total required acreage and compare to what we have. The difference would be for the area variance we are requesting.

Jacqueline Ricciani: I think what you are saying, you are going to do what you need to do, you need to take another look at the EAF, so then I am guessing for the August meeting you are going to present all of that, and then at that point schedule a public hearing?

BJ Gettel: This abuts Town of Liberty on the backside. 239 has to be sent in, 30 days.

Jim Crowley: I think we should do the use variance, and see how that goes. If the use variance does not go, then all this other stuff is mute. If we do the 239 for the Town of Liberty, it's not going to come back in time to do that public hearing for next month anyway, Steve, because they don't have the 30 days. I think we should get through the use, and then everything else can come back, and then go forward to the area variance, at next meeting. Not the public hearing next month, lets get through the use first.

Richard Conroy: Have a public hearing for the use variance, and then have a presentation on the area variance, and then set a public hearing then for the area variance which would be September.

Randy Wasson: The only thing I would request or ask, can we include both when we send to the County for 239 rather than send to the County each time.

BJ Gettel: Yes I can.

Jacqueline Ricciani: We don't have anything to send right now.

Randy Wasson: You will have it the next day or two.



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Steve Morey: BJ, do you have any experience, because it was mentioned that, this property abuts the Stevensville Water/ Sewer District.

BJ Gettel: They can get the water, but they can't get the sewer, because the district is over capacity in their sewer treatment plant.

Steve Morey: Is there any chance you can approach Liberty?

BJ Gettel: I have tried. I have three bungalow colonies in that area that would love to connect to the Stevensville Sewer district.

Steve Morey: How does that process work? The Liberty Town Board decides that?

BJ Gettel: They have been contacted, they say no, and they won't expand. I have a bungalow colony on the corner that would like to get in there.

Randy Wasson: So I will get a revised application and an EAF the next two days, and then both variances can go to the County for their review, and then we can have a public hearing for the Use Variance at the August meeting, if the County gets back to us in time.

Richard Conroy: Then you will do a presentation at the August meeting.

Motion for public hearing on the use variance in August provided the 239 is returned, by Jim Crowley, second by Cirino Bruno

All in favor – 5 Opposed-0 Agreed and carried

BJ Gettel: So I will be advertising for a use variance, and a public hearing for an area variance.

Jim Crowley: No, just the use variance.

Steve Morey: The other part of it is, as part of that meeting, there will be a presentation for the area variance.

3) Administrative: Resignation of Robert Yakin

Motion to receive and file letter of resignation by Jim Crowley, second by Richard Conroy

All in favor 5 Opposed – 0 Agreed and carried



Town of Bethel
Zoning Board of Appeals
 PO Box 300, 3454 Route 55
 White Lake, NY 12786

Motion to go into executive session to invite Dawn Ryder and attorney by Richard Conroy, second by Jim Crowley

All in favor – 5

Opposed-0

Agreed and carried

8:45 pm

Motion to return to regular meeting by Jim Crowley, second by Cirino Bruno

All in favor – 5

Opposed-0

Agreed and carried

8:50 pm.

Motion to advertise for vacancy for a position on the Zoning Board of Appeals by Richard Conroy, second by Cirino Bruno

All in favor-5

Opposed-0

Agreed and carried

Steve Morey: Dawn do you have anything to share from the Town Board?

Dawn Ryder: Sewer systems are the hot topic. We are also going to have a hot topic at our next Town Board meeting. It is next Wednesday. There will be comments from the attorney on the agenda for Boymelgreen.

BJ Gettel: No, Boymelgreen will not be on the agenda, proposed junkyards will be.

Steve White: Is it common to expand a preexisting non-conforming use?

Jim Crowley: It is not permitted by code. It is not in the zoning code.

Steve Morey: It is not common practice.

Motion to adjourn by Jim Crowley, second by Dan Brey.

All in favor – 5

Opposed-0

Agreed and carried

8:55 pm



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Respectively submitted,

Gannetta MacArthur
Recording Secretary