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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 September 8, 2015 at 7 PM at the Dr. Duggan Community Center, 3460 State Route 55, White Lake. A regular meeting of the Planning Board followed on the same date at 7:30 PM. On the agenda at that time was the following:

In attendance: Daniel Gettel, Chairman, Steve Simpson, Vice Chairman, Michael Cassaro, Susan Brown Otto, David Biren, David Slater, Robert Yakin, Alternate, Vicky Vassmer-Simpson, Councilwoman, Lillian Hendrickson, Councilwoman, Bernard Cohen, Councilman, Jacqueline Ricianni, Attorney, Glenn Smith, Engineer, and Jannetta MacArthur, Recording Secretary.

Excused: Bette Jean Gettel

Absent: Wilfred Hughson

Pledge to the flag

Seated: Robert Yakin

Daniel Gettel: I assume everyone has had the chance to review the minutes from our last meeting. If there are no comments from the board I would entertain a motion that we approve those minutes at this time.

***Motion to approve the minutes from the August 3, 2015 Planning Board meeting by Steve Simpson, second by Michael Cassaro***

***All in favor – 7***

***Opposed - 0  
carried***

***Agreed and***

Daniel Gettel: Tonight we have a Public Hearing for the application proposed by Camp Mayin Tohar. This board has required that a second public hearing be held as the applicant has made a number of substantive changes to the site plan since the last hearing was held. In a minute I will open up this meeting for a Public Hearing. I will ask the applicant's representatives to make a brief presentation to the audience, specifically addressing what has changed since the last public hearing, and after the applicant's presentation we will accept public comment. There was a sign in sheet in the back of the room. If no one has had the chance to sign it, and would like to speak

at the meeting, I would ask that you sign the form at the back of the room. I will call the names in the order in which they appear on that list, will ask that individual to approach the microphone at the front of the room, state their name for the record, and make their comments. I would ask that you keep your comments down to three minute period to insure that everyone has been given a chance to be heard, and then we can get to the other items on tonight's agenda. If you agree with a comment that has already been said simply state that you agree with that comment. This is not intended to be a question and answer period, nor is it intended to be a public debate. This is simply a time for us to receive comments from the neighbors that may have specific knowledge of this parcel. Some of your concerns may be addressed during tonight's presentation, some may not. With that being said, item number one on the agenda is:

- 1) Public Hearing for a Special Use Permit for a Summer Camp to be located at 300 Segar Rosenberg Road, known as Bethel Tax Map #: 17-1-27.2, proposed by Camp Mayin Tohar. (Wasson)***

***Motion to open this meeting up for a public hearing by Steve Simpson, second by Susan Brown Otto***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: I am also acting as clerk tonight, please bear with me.

*Return receipts received*

Randy Wasson: Good evening. My name is Randy Wasson, from Wasson Engineering. I am representing Mayin Tohar. This is Mr. Zeiger, the attorney for Mayin Tohar. This project consists of a conversion of an existing bungalow colony formerly known as the Pleasure Island Bungalow Colony located on 300 Segar Road. They are going to convert it into a summer camp for one hundred teenage boys (campers), and thirty two staff population, to include family members as well. On this drawing, this is Segar Road. This is the existing bungalow colony, the pool. The County Road is out here. The proposal is to occupy twelve of these existing bungalows for camp staff housing. One additional is to be used for an infirmary and a few more for storage. And then two new dormitories in the back, a kitchen/dining room facility, a Mikvah, a shule/classroom and an office for the teaching staff. There are also some recreational facilities proposed. This is an existing play area. The NYSEG easement runs here on site. Two wells exist on the site. The septic system is located here. We have a basketball court in the back, we have a softball field proposed right here, and an existing swimming pool. There is an existing play area here for very small children. The NYSEG easement runs from the town road through the property right here (showing on map). This would be served by onsite water from two wells that presently exist on the site. They have been tested and approved by the Health Department. The septic system is located right over here. It is an existing sand filter system. We have proposed some improvements to that system. What we have proposed has been accepted by the DEC and the Health Department as well. That would allow for the occupancy for up to one

hundred and thirty two people. This project has previously received a negative declaration from the Planning Board. I believe this board, in a June 2014 meeting, approved it. Following that we went to the State and the various other agencies and we got those determinations. On this drawing, it may be a little bit easier to see, here is Segar Road, this is the County Road, the existing parking lot, the existing bungalows, swimming pool, and you can see these orange buildings are all proposed buildings to the rear of the site. We are seeking site plan approval and a special use permit to allow for the conversion of a bungalow colony to a summer camp.

Jay Zeiger: To fill in, we had a public hearing in June 2014, well before the negative declaration. After the negative declaration we went to the various agencies, the Health Department, the DEC, and got their approval for what are within their jurisdiction, primary the water and the improvements to the sand filter. We have a firm count from them with a limitation of one hundred thirty two people. That will consist of one hundred boys in the dormitory, and no more than thirty two staff. After we got the 3<sup>rd</sup> party approvals, we came back to the Planning Board to discuss the project and to continue to pursue the site plan approval. The Planning Board raised a couple of issues. In response to those issues, what we have done, Randy please pick up from here, we added the ball field, and what else we did add from the last public hearing?

Randy Wasson: They requested that we provide some more recreation, and not in the front. A basketball court in the back, and in addition to that there was some substantial landscaping they requested that we add.

Jay Zeiger: So the point is that what was discussed at the public hearing has been discussed for the last year and a half, give or take. It is consistent that we are building a dormitory for one hundred boys, the dining room. The bungalows, they all exist. There are significant changes of the addition of the basketball court, the ball field and the trees. Dan, I have some things I would like to add, if it is okay with you, I would like to reserve some time after the public speaks. Is that agreeable?

Daniel Gettel: Yes that is fine. The first person on the list is Artie Cipoletti.

Artie Cipoletti: Before I get up to speak, I have a question. You say they have a letter from the DEC, and from the Board of Health. I assume that you have seen a copy of that?

Daniel Gettel: They have been on file for quite awhile in the Building Department, yes.

Artie Cipoletti: So you are accepting the fact that the treatment plant that they are proposing to repair is acceptable?

Daniel Gettel: The Health Department has signed off on it, as has the DEC. It is out of our jurisdiction.

Artie Cipoletti: In the back of the property on the map is a noted line of DEC wetlands. They also have approval to encroach upon that?

Daniel Gettel: That is in the new EAF that they encroach on that, Randy would you respond?

Randy Wasson: There are DEC wetlands, but not on the property. They are across the street.

Artie Cipoletti: It was noted on your plan that is why I am asking.

Randy Wasson: It was noted on the plan or in the EAF?

Artie Cipoletti: No, it was noted on your plan.

Randy Wasson: I think we had a note, I am not seeing the note, but what I can tell you is the DEC wetlands are across the street.

Artie Cipoletti: A classified tributary to NYS DEC wetlands.

Randy Wasson: Okay, I'm sorry, that is not the wetland. That is the stream. The wetland is across the street, north of the property.

Artie Cipoletti: The DEC has granted encroachment in that area, to the stream?

Randy Wasson: The DEC determined that the stream is not jurisdictional, so we don't have to get any permits to cross the stream.

Artie Cipoletti: I expressed a concern, in May of last year. The fact the septic system that exists didn't really adequately service the residents of the bungalows in the way it was designed to do. The system requires regular maintenance, and that was never performed. At this stage of the game, looking at the existing soil conditions, it seems to me that there would be a hardpan condition. If they have gotten approval, I'm sure it speaks about all of that and how it is mediated and accommodated. My biggest concern is this is my neighborhood. I am the largest property owner on Segar Road, and the nature conservancy adjoins me further down. I am joined by all of my neighbors on the block. There are nine houses total on the block. We are a very quiet tranquil bunch, and we are looking to preserve the character of the neighborhood the way it is right now. I did prepare a little booklet that depicts the neighborhood better. I would like to hand a copy in to the board.

Daniel Gettel: If you would like to turn that in we can receive and file it as part of the public hearing.

Artie Cipoletti: That is fine. That is my concern. We want to preserve the character and tranquility of the neighborhood. The lighting plan that I have seen on there, I don't know if that lighting plan has been taken into consideration that it is unobtrusive to the area. Is it all down lighting? It is completely dark now and we can see shooting stars. Any type of lighting there is going to be intrusive. It is not possible to do it in that area. It is black. There is one light on the block as you drive in and you can see that light a half a mile down the road where my house is. Thank you for your time, I appreciate it, and I will give you the booklet at the end of the meeting.

Bud Cipoletti: I am a fishing guide up here. To second Artie, essentially my argument is to preserve Segar Road as I have come to know it. I intend to move here full time once my fishing

guide business gets some steam behind it. This is an opportunity to make a change to Segar Road for the good. I have seen it all around the County, I have felt compelled to come here and stand up for what I believe that this area should stay as it is. Thank you for your time.

Anna Alvarez: My property borders this property. I have concerns about the noise, and the traffic. I moved from Middletown to have a quiet life. I am concerned there will be so many people roaming on my property because it is not fenced. Will there be a fence between my property and this?

Randy Wasson: This is your house right here. This is NYSEG easement coming through. We have a proposed ballfield here. We have an easement here. Around the easement, and around the ball field, we can't put a fence into the easement, but we are fencing up to it, and then around this side of the ball field, and then around by the poolside property line as well.

Anna Alvarez: My concern is if there is no fence, then I don't know where my land ends. I don't want them building into my land, or people roaming around. Especially with teenagers, I have about a thousand blueberry trees there. I give people permission to pick the berries, but with teenagers in there, you never know. If someone gets hurt on my property, it's a liability. I have a concern about that and I would like to see something done to divide my land from their land, so I feel comfortable about it.

Randy Wasson: There would be a fence. The only other thing I would say is that the ball field is the closest thing to you. The outfield area is there. That is 150 feet from your property line. We are not going to be anywhere close to the property line.

Anna Alvarez: I am concerned about the noise. The people that had used the bungalows before, they were very noisy and they had loud music. I am from the 60's, and I would like to keep things quiet. Thank you for your time.

Mike Brugaletti: I am a small contractor in Sullivan County. I have had the privilege of working with the applicant. I have never felt they were not in compliance. They have always gone above and beyond anything that was necessary. If they found a problem they immediately addressed it. In reference to some of the noise issues, I am aware of the Bethel Speedway noise on Saturday evenings. I just wanted to let you know I have been privileged to work with the association. They are hiring local contractors. They spend their money locally. I feel there would be no question that they would do the right thing.

Steve Altman: I don't have any real comments. What scale is this map?

Jay Zeiger: This is one inch equals one hundred fifty feet.

Randy Wasson: I think it is one inch equals two hundred feet.

Steve Altman: How many feet are the new buildings from the road?

Randy Wasson: This one here, the closest one is 500 to 600 feet from the road. The students

will be in the back.

Steve Altman: Are there any loud speakers?

Daniel Gettel: Loudspeakers are not permitted in Bethel.

Harry Caro: I would like to comment. I have been on this road for thirty five years. I moved up here for the peace and quiet, like most of my neighbors. I would like it to stay that way. I am also concerned about the parking for their buses and cars, so they are not on the road. I am also concerned about keeping the road clean. I have been keeping the road clean for quite a few years now and I'm not about to clean up for the whole congregation there, the camp. I just wanted to bring this up to everyone.

Daniel Gettel: Jay that is the last name that I have, if you wanted to follow up.

Jay Zeiger: Just in response to some of the comments here tonight. I want to point out to the board that I submitted a letter back in July, and the critical factor of that letter is, what we are proposing is that we need Planning Board approval to get a special use permit, but within the Town of Bethel zoning code it is a permitted use. We are not doing anything that is not a permitted by the zoning. Within the permitted use, it is in full compliance with the set backs with the other requirements of the zoning law in the Town of Bethel. We understand you would prefer peace and quiet; on the other hand people have the right to develop their property. You had mentioned, or one of the homeowners mentioned that they have been on that road for 30 + years, but before my client was there, there was a bungalow colony there. I would submit that what we are proposing is not necessarily any more intrusive on a neighborhood than a bungalow colony. There are town laws and the Planning Board should they be inclined to grant a special use permit they can impose reasonable conditions to try to address the concerns of the neighbors. Certainly we have a fenced in site where we have adequate parking to meet the town zoning code. This is not a camp where the people and children are coming in and out. The children will live on site. There will be a limited number of days where the traffic will be busy. Once the kids are up there, they are there for four-week sessions, two, two-week sessions. Once they are there, they are there for the two weeks. There were a few things, Dan, we had submitted. Randy handed in a letter, and I handed in a letter. I handed Jacy a letter. Dan, you claim to be the clerk; this is a letter from a law firm.

Daniel Gettel: I would rather receive and file this during the regular meeting.

Jay Zeiger: I reserve the rest of my comments for during the regular comments.

Daniel Gettel: To the best of my knowledge we received six pieces of written comment. Two are from Shawn Kearns, and four were from Ida Frede. Both asked that they be made part of the record and since the Planning Board was given the opportunity to review the letters prior to the meeting, I feel it we should receive and file at this time to make them part of the record. I would also recommend that we receive and file the handout submitted by Mr. Cipoletti. Is there a date on the handout?

Artie Cipoletti: Yes, it is dated, and my name is on it.

Daniel Gettel: It is dated.

Jay Zeiger: Would it be possible to receive copies of those submittals?

Daniel Gettel: Yes, but follow-up with BJ, because she is not here.

***Motion to receive and file correspondence from Mr. Kearns dated September 3, 2015, and May 22, 2014, and from Andrea Frede, dated May 6, 2014, July 23, 2015, August 31, 2015, and September 1, 2015 together with the handout received tonight dated September 8, 2015 from Artie Cipoletti, by Steve Simpson, second by David Slater***

***All in favor – 7***

***Opposed-0***

***Agreed and carried***

Daniel Gettel: For now I will hold onto them. Jacy, we'll do the 239 during the public hearing?

Jacqueline Ricciani: Yes that is fine.

Daniel Gettel: Due to the fact that the property is located within 500 feet of a County road the applicant is required to submit a copy of the plan to the county for their review. We call that a 239 review. The County review did come back with a local determination. This pretty much states that it can't be seen from the County road therefore it is not really an intercounty or countywide impact. They do say that the community character, due to the projects proximity to a County Road and due to the existing tree cover and distance to the County Road to the subject parcel, 450 feet, there will be limited visibility of the project from the County Road, therefore the proposed action will not lead to an adverse intercounty or County wide impact related to the community character. They further go on to say as far as traffic goes, due to the projects close proximity to County Road ingress and egress to the property from a town property, and a proposed change in use should not result in significant traffic changes. They represent that we make a local determination, and Randy just for the record, I don't know if you got the County 239, they point out Norway Maples are now considered a regulated tree and should not be permitted in Sullivan County. They do recommend that for any Norway Maples shown on the plan that an equal exchange to Red Maples or Sugar Maples be made. They would recommend those two species.

***Motion to receive and file the County 239 letter by Steve Simpson, second by Robert Yakin***

***All in favor - 7***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: Jacy do you have any comments that you would like to make during the public hearing?



Jacqueline Ricciani: No.

***Motion to close the public hearing and go back to our regular meeting, but keep the hearing open for ten additional days for written comment by Susan Brown Otto, second by Mike Cassaro***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: Jay, if you want to make your submission now to the board it would be a good idea.

Jay Zeiger: I am submitting a letter from Sive, Paget & Riesel, PC. That is another law firm that is assisting me in making the presentation on this. They discuss a few different issues. One is the bungalow colony issue. They actually found the definition of a bungalow colony in the town code and they do a very careful analysis as to why this is not an expansion of an existing bungalow colony. Yes they acknowledge that existing bungalow colony buildings will continue to be used, but they are being used for a totally different purpose. Our application here is for a camp. The Health Department, when they approve the application, they approve it as a camp. All of the expansion that we are proposing is totally consistent with a camp, building dormitory buildings, a community dining room, community mikva, community building with synagogue and classrooms. I believe, and I put in my letter back in July, my opinion is clear that we are not expanding an existing bungalow colony. Sive, Paget goes through an analysis. They also go through the change of the law that the town board adopted. It says that staff living on the site can't have their families living there. At the last meeting, our opinion being that the law does not apply to this application. That law was passed well after this site was pending, this site has been in front of you at least six months, maybe longer, and that law was passed after the negative declaration and after the applicant spent significant amount of money prior to the negative declaration. Sive, Paget in their analysis, talks about the constitutionality of that law, they raise some discriminatory issues concerning that law. A very interesting thing that they point out, we have said all along, is how the Health Department permit limits the number of occupants to one hundred thirty two. That is in our Health Department approval, and that is a condition to any approval. They point out from a land use standpoint and a planning and zoning standpoint, it should make no difference to the town whether any of these bungalows there, have unrelated men or women living in one of these bungalows versus a husband, wife, and one or two children. The land use and the impact on the community is not materially different. We are still limited to one hundred thirty two people. They discuss that issue. They also take some issue with the ongoing public hearing tonight. Again coming back to some of the issues that have been brought up previously, first of all again, I want to emphasize that use here is a permitted use. The Planning Board in their analysis came back with some suggestions. Some we thought were very helpful, some we feel are not very helpful, but we tried to accommodate all those suggestions. We added additional recreational facilities. We added a whole bunch of trees to provide screening. As the County points out, we went through a lot of effort to make sure that this site is isolated and has limited visibility from any of the town roads. We talked about the size of the buildings being bigger than one family houses, that we can't change, this is a camp it is not a one family house,



and we believe the size of these buildings are not material in bigger or smaller than what is customary in camps of this nature. I am happy to answer any questions.

Daniel Gettel: You realize that by submitting a letter tonight that we can't act on it? We have to have a chance review the letter as well as to digest what the public has said. As long as you are aware of that we can proceed.

***Motion to receive and file a letter from Sive, Paget, and Riesel, PC dated, September 8<sup>th</sup>, 2015 by Steve Simpson, second by David Biren***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: I will make sure this gets forwarded to the board since you only supplied us with one copy. Are there any questions from the board?

Susan Brown Otto: Mr. Wasson, you stated that there were going to be one hundred campers in the dorm. Okay. And you said thirty two are staff as well as family members. Does that mean there are thirty two staff plus family members?

Randy Wasson: No.

Susan Brown Otto: Because I wrote that down and that is exactly what you said. As well as family members, which I interpret to mean additional people to the thirty two staff members.

Jay Zeiger: If Randy said that, he misspoke.

Randy Wasson: If I said that, that is definitely not right. One hundred thirty two total people on this site.

Susan Brown Otto: And by staff members, does that include the family members?

Randy Wasson: One hundred campers, plus thirty two staff, including family.

Jay Zeiger: One hundred campers, plus thirty two additional people which will be comprised of primarily staff. Some of the staff will have spouses and/or children with them. The spouses and children are part of the thirty two. There will be no more than one hundred thirty two occupants.

Randy Wasson: That is what I meant to say.

Susan Brown Otto: I just wanted to make sure.

Daniel Gettel: Mr. Zeiger, the problem that I have with that, and I would like to have someone actually put that in writing, is that it has been said that there are one hundred students. I believe it has also been stated that there are going to be six rabbis and there are going to be eight

counselors. I don't know if they are the same as the rabbis or not, but if you go through the minutes they talk about a number of people, and everyone seems to have families. Even if you assume they are married with one child your numbers come up to a one hundred forty two. I do feel like over the months this has been like a shell game. You have counselors here you have rabbis here. This one is moving here, and this one is here. I would like to see something put down to finally nail down in writing that number, and Randy, I think you are the best to do that. If you do go through the minutes and you do add up what was said by certain the people, it is a shell game.

Jay Zeiger: It is certainly not intended to be a shell game.

Daniel Gettel: I want to try to get past that. You realize it has been an ongoing problem that we don't seem to get past. I do think if we had something in writing. Glenn, correct me if I am wrong.

Glenn Smith: Obviously the number of people translates to the water usage and wastewater. That has been the issue all along.

Daniel Gettel: There is a question that has never been answered. If your limit is one hundred and thirty two people who will enforce it? We are not going to go around and count bedrooms. We are not going to go around peeking in windows, and Randy's comment I believe was that it is an enforcement issue.

David Biren: How do we enforce it? Are we allowed on the premises at any time?

Daniel Gettel: The Building Department is allowed on the premises anytime.

Jay Zeiger: There are two enforcements. The Health Department has enforcement rights. The Health Department, Randy, they inspect twice a summer or three times a summer?

Randy Wasson: One in the beginning, and the other unannounced during the season, and they count beds basically.

Jay Zeiger: So the Health Department will be counting beds on an unannounced visit. The other thing is that the water and the sewer, the flow is going to be monitored.

Randy Wasson: We are going to provide a water meter, so all the water that gets used is going to be metered. That is our number. We are limited to 5,500 gallons per day. In addition to that there will be a counter on the dosing count, the sand filter, which would basically calibrate how much water is going to the sand filter.

Jay Zeiger: The number one hundred thirty two where that came from, the Health Department has a formula that provides that for each person, Randy....

Randy Wasson: So many gallons per day, per person, basically. That translates into your waste water usage, your sewer flow, and we have to go to 5,500 because that is the SPDES permit.

Daniel Gettel: Also to clarify for the record. There is a statement that is made in some of the minutes early on in the review of this project, that in the units that the boys are going to be in, the kitchens will be removed. Are the staff buildings going to have kitchens? If so that would be a different flow? That is not in the record. Will the staff units have kitchens? That gives the staff units a different flow.

Randy Wasson: That is correct. The answer is no, they will not have kitchens. The Health Department acknowledged that in their letter.

Daniel Gettel: It was put on the record before that only the kitchens in the boys' dormitories were going to be removed. It was never stated that the other units were not going to have kitchens. That was going back to the original proposal.

Randy Wasson: The kitchens will be removed from the staff bungalows.

Daniel Gettel: So everyone eats in the dining hall.

Randy Wasson: Correct.

Jay Zeiger: To clarify, the cooking facilities are going to be removed.

Randy Wasson: They can have a refrigerator and a microwave. The Health Department acknowledged that, and they gave us a reduced flow on the bungalows based on the bedroom count. The normal flow in a bungalow or in any house is 110 gallons per day, per bedroom. This includes dishwashers, washing machines, kitchens, everything in a house. These will not have washing machines, and dishwashers. They would have a kitchen sink, they would have a refrigerator, and they may have a microwave. They will have no cooking facilities. The Health Department allowed a 15% reduction in that. I think it was 91.5 gallons per day per bedroom attributed to the bungalows. The campers I believe are 40 gallons per day.

Daniel Gettel: And that is in your flow confirmation letter?

Randy Wasson: All spelled out in the letter.

Daniel Gettel: Glenn, you are okay with that, right?

Glenn Smith: Yes.

Daniel Gettel: Jay, you spoke about the concern of the building sizes. I understand the size of the dormitories. I also understand the dining room portion of the kitchen building, and I understand the size of the classrooms if you use a minimum square footage per person. Per building code you come up with a capacity for those similar to the capacity of children you are talking about. I believe the classrooms come up to ninety two kids, not one hundred kids, but that is okay. My concern still, and always has been, the lecture hall. If you go with moveable seats it is big enough to accommodate three hundred people. You indicated on the record that the lecture hall is not open for the public. I don't think the lecture hall should be large enough to

accommodate two hundred eighty people, unless the number has changed Randy, I have ten square foot per person.

Randy Wasson: I know what you are saying. You are maxing out the number that could be there, assuming that everyone is at the minimum.

Daniel Gettel: But you see that the lecture hall could accommodate two hundred eighty people.

Randy Wasson: I don't know the square footage. I'll take your word for it.

Daniel Gettel: The Health Department also pointed out, and I know Randy we have gone back and forth on this one a couple of times, that some of the facilities that this group runs do not have adequate kitchens to accommodate the children that stay at their camps. Is this kitchen being built large enough to accommodate any other campers or just specifically for this camp? If so that does affect traffic and trucking. The kitchen is huge compared to the dining room. Typically I would say the rule of thumb is that when you design a dining room, the dining room is 60% of the building and the kitchen is typically about 40%. I get the fact there are a meat and dairy kitchen, there is a difference, but in this case the dining room is 30% of the building, and the kitchen is 70% of the building. It is a huge kitchen. I get there is a lot of storage. I would like that looked in to also. We are talking about community character and the size of buildings. If this is a kitchen that was drawn for another facility, and the name was changed, which we all know happens quite a bit. I would like to know if that could be looked at.

Jay Zeiger: We will look at it.

Daniel Gettel: Jay, you keep calling it a permitted use. I think there is a difference. I don't know that our code specifically defines it but it is permitted as a special use. I would rather you call it a special use. It is not a permitted use as a right. It is a special use.

Jay Zeiger: It is a permitted use with a special use permit, as opposed to a use which is not permitted in the district, which in this case we can't apply for a special use permit....

David Biren: That is not what you let on to believe when you said it to the public.

Jay Zeiger: I think I spoke correctly, it is a permitted use onto the use table, it is a permitted use, and there are conditions to that use in the special use permit. I apologize for the oversight.

Daniel Gettel: Again, we talked about sewer flows and the water meter and all that. If the Health Department or DEC finds that you are overflowing the system, what is the penalty? The DEC can threaten it. It doesn't mean they are going to enforce it. It's not like everyone in the camp is going to go home either. If you have one hundred fifty people there, and the Health Department shows up, what do you do? Pick eighteen people at random and send them home?

Jay Zeiger: We are not going to have one hundred fifty people there.

Daniel Gettel: We don't know that.

Steve Simpson: Are you going to have parents weekend?

Jay Zeiger: Presumably yes.

Randy Wasson: 5,500 gallons per day is a monthly average, it is not a daily flow. If you have 10,000 gallons today.....

Jay Zeiger: That doesn't mean that there can't be more than one hundred thirty two people on the property at any one point in time. What it means is that there can't be more than one hundred thirty two people living there.

Steve Simpson: A lot of these camps have parents weekend. So a lot of these parents come up....

Jay Zeiger: Correct. They are not sleeping there.

David Biren: When I asked you before, is the Building Department going to go on site and count the beds? You didn't answer me.

Jay Zeiger: I thought Dan answered it.

Daniel Gettel: They can go onto the camp at anytime, since it is going to be considered a camp.

David Biren: What if they deny it?

Daniel Gettel: They cannot deny it. If it is individually owned as a coop, that would be different.

Jay Zeiger: Yes.

Daniel Gettel: Those are my basic comments. I think I have been pretty consistent with what my concerns are. Randy, if you give me something that ties down who is who and where they are going to be. I get the fact that you don't know how many staff will be in each particular building....

Randy Wasson: I will get you that.

Jacqueline Ricciani: I have one thing to add, at the last meeting, in June, Mr. Zeiger indicated that he would give me a copy of the deed for when this property was transferred, and he gave me that tonight. Just so the board is aware, Mayin Tohar purchased from Shamrakov, this was recorded on May 15, 2014. The deed was signed on April 28<sup>th</sup>, 2014. That is the date the signatures were notarized.

Daniel Gettel: Randy, were there any improvements made at the property this year? The sewer system hasn't been improved or repaired. Has there been any occupancy?

Randy Wasson: There was work going on Dan. I think they were jacking up some of the

buildings.

Daniel Gettel: I know they are permitted for some electrical upgrades and some jacking of buildings. That is the limit of the repair?

Randy Wasson: Yes.

Daniel Gettel: The sewer system has never been brought up to today's standards?

Randy Wasson: I don't know, we have not inspected it.

Daniel Gettel: Jay, do you know anything about that? Has there been any occupancy?

Jay Zeiger: I have no knowledge. Occupancy, I think a few of the bungalows were occupied. I understood that a few of the bungalows were occupied.

Daniel Gettel: I don't think that is possible because the sewer mains were broken.

Jay Zeiger: I don't know. I understood that there were going to be occupants.

Daniel Gettel: We were provided with information at the last public hearing that clearly indicated the sewer mains were broken, that the site could not be occupied unless some improvements were made.

Jay Zeiger: Either improvements were made or there were occupants, or.... We will try to clarify that.

Steve Simpson: I have a question, your letter from July 14<sup>th</sup>, 2015, the second page, center paragraph, it says; "All though family members of the rabbis and teachers of the camp will reside with their spouses and children of the property. None of the buildings or structures are designed for use or occupancy by family members of the children who are attending the camp. All employees who work there"

Jay Zeiger: You are on page two?

Steve Simpson: Paragraph two, midway through the paragraph.

Jay Zeiger: Yes, I am focusing on the word designed, the definition the Town Board came up with to define a summer camp, it says summer camps cannot have buildings that are designed for the purpose of having families of the employees residing there. My submission is that is not the design of the buildings, these are existing buildings, and the buildings were all designed for support for the existing camp. Every one of the buildings is designed for housing, for the employee who is working at the camp, not for their families or anything else. That is what I am focusing on. The design and use of these buildings are for the employees themselves, and not for an outside person, and designed to accommodate the employees and not their families. Their families are an ancillary use, not a designed use.



Jacqueline Ricciani: Does that mean the family members of the employees can't use the swimming pool, the walking paths?

Jay Zeiger: They would be permitted to use them within the rules that the camp would establish.

Jacqueline Ricciani: They would be using the dining hall, the shule?

Jay Zeiger: Correct.

Jacqueline Ricciani: The family members who are not staff or employees are going to be using the amenities of the summer camp?

Jay Zeiger: They will be permitted to use the amenities in a similar manner of anyone else, others within the rules of the summer camp. For example, when the camp is using the swimming pool, the family members would not be permitted to use it at that time. Yes, they will be permitted to use the facilities. Again, we made the distinction that the design and the intent of those buildings is not for the family, the design and intent are for the employees who are residing there. The camp is allowing their families to join them. Sives, and Paget in their submission, which I know you just received, raise an interesting distinction from a land use and a property use it makes no difference whether the four people that are living in the bungalows are husband and wife and two children, or four unrelated people. That is still the same number of people.

Daniel Gettel: We would like you to tighten up the number of people there actually though, and I think Randy is going to address that for us.

Steve Simpson: The first sentence, your definition of a summer camp also includes a provision that says; "They shall not include permanent or temporary structures, designed for use or occupancy by family members of the children who are attending a summer camp". I got that, that's good, but the employees who work there are going to be allowed to live there with their families.

Jay Zeiger: I am submitting those buildings are not designed for that purpose. They are existing buildings. We are going to use them to house the employees and if the employee happens to be married, we will permit that employee to have a wife and children to occupy with him.

Steve Simpson: These are existing structures. I am just looking at, it says specifically, the definition of a summer camp, the summer camp shall not include building or structures, temporary or permanent designed for use of occupancy by family members. That's fine, that is typical, or the employees who work there. You have a summer camp, and yet you are allowing the employees with a building or structure, even though that building or structure is not designed for family of the children, they are still there.

Jay Zeiger: The buildings are adequate to house those people, but that is not the purpose of those buildings. The buildings, every single one of those buildings, will be occupied and at least one person in that building will be working in this camp over the summer. Whether there is a rabbi, a teacher, a counselor, everyone one of the bungalows where they will be residing in, at least one,

in some instances more than one, will be an employee of this camp. The Sive, Paget letter we submitted tonight, which I know you didn't have an opportunity to read, also discusses this.

Daniel Gettel: We shouldn't discuss that until we have all read it.

Steve Simpson: As far as I hear from the explanation, the employees who are living in the existing structures, their families will be entitled to all of the amenities of the camp.

Jay Zeiger: Within the rules that the camp has, yes.

David Slater: This is a shell game. You are putting four people in these places. I look at your numbers. You have numbers, you have two bedrooms, sixteen bedrooms, thirty-two occupants, and it is a number game. But yet you just said four might reside in a home. How is this going to be enforceable for anyone? You can put four people in one bed. Someone comes in and says we had one person sleep there last night. These are numbers that are not enforceable, if you are putting four people in a single bedroom home.

Jay Zeiger: We are not going to put four people in a single home.

David Slater: Even if you put two people per bed, your numbers have just doubled. It is an unenforceable numbers game you are playing here. Just playing the shell game, and I think when you come up with a definite number, or who is going to be where, it could help us some. I keep looking at numbers, this isn't easy, and whoever shows up.

Jay Zeiger: The Health Department, they make at least one unannounced inspection. The town can inspect anytime, as often as it wants. The water and sewer usage will be monitored by the DEC for the SPDES permit, and by the Health Department. All of these things will provide an indication if they are using more water and sewage than what is allowable and what is expected for this number of people. That will trigger an investigation. Again, we have a law. The law says one hundred thirty two people. We intend to comply with the law. One of the people that spoke tonight is familiar with this organization, and he was able to vouch that they do what they say they are going to do. They operate many camps in Sullivan County. They are told what their capacity is and they comply with it. We will make a submission to you before the next meeting outlining the number of people and what we expect in each of those bungalows. Randy will submit that information. We are not trying to shell game that is far from our intention, to have more people there than we are allowed to have. The number is negotiated, we sat with the DEC, we sat with the Health Department, and negotiated that number and that binds us. There are ways to enforce it.

David Biren: Have an offsite meter, a meter that is not on site, a meter that is monitored off site. This way everyone would be a little more comfortable I think, the homeowners on Segar Road, everybody. It could be where the town sewer system is.

Randy Wasson: It is not an electronic meter.

David Biren: Buy an electronic meter for it, and put it offsite. I think the homeowners would be

happier. That should be thought about.

Randy Wasson: That is pretty excessive.

Jay Zeiger: You have the right when you grant a special permit.

David Biren: If it gets that far, I will ask for that to be a condition. Thank you.

Susan Brown Otto: There are twelve staff houses, is that correct?

Randy Wasson: Yes, twelve of the bungalows will be used for staff housing.

Susan Brown Otto: Thirty two staffers?

Jay Zeiger: Thirty two persons, which includes the families.

Susan Brown Otto: Most of these houses will have two or three people living in them?

Jay Zeiger: I will have Randy run the numbers, but I think some of these are one bedroom, and some are two bedrooms. Randy will give you the breakdown.

Daniel Gettel: If you could include that in your report. Is there anything else from the board so we can move on in our agenda? Thank you Mr. Zeiger and Mr. Wasson, I will try to forward the report that Mr. Cipoletti submitted and I will also try to remember to supply the letters.

## ***2) Renewal of an extension for the New Sunflower.***

Jay Zeiger: This project consists of fourteen houses. The property is intended to be developed as a condominium. There are fourteen houses, and some amenities including a community building, and one swimming pool enclosed. We have been back and forth here for some period of time and there have been some cleanup issues. One of the issues that was addressed, there are a combination of three separate parcels. One is 40-1-9. That parcel was the additional parcel that is now owned by New Sunflower. There is 40-1-6 which has always been owned by New Sunflower, and then there is 40-1-7, owned by a different entity, which is called Kiley. We have a lot improvement map which was done by Lawrence Oestrich. That map has been signed and we are going to file that map with the County and at the same time follow up with a deed transferring the parcel from Kiley to New Sunflower. I actually have all of those papers signed. I was waiting to go to the County once and file all of it at the same time. The entrance is off of NYS Route 17B, the entrance kind of runs through the Kiley property and New Sunflower property. We needed to get a cross easement, where Kiley would give the New Sunflower people permission to go on Kiley's property. We have that easement prepared and signed, I was missing schedule A, and our surveyor completed that two or three weeks ago. Instead of delivering to my office, he delivered to BJ.

Jacqueline Ricciani: That is the meets and bounds for?

Jay Zeiger: The easement. I was hoping to get what BJ has, and will file that when we file the lot improvement.

Daniel Gettel: The only information I have on this file are the actual plans. I don't have any of her files. I know Larry submitted a lot improvement map and I believe BJ signed off on that.

Jay Zeiger: I have it, I brought to the County, and they said yes, that is fine. I wanted to file with the deed and the easement, and the description on the easement.

Daniel Gettel: BJ will be out of town. Speak with BJ when she gets back.

Jay Zeiger: I will speak to the County when I bring it in. We are just missing the meets and bounds.

Jacqueline Ricciani: Since we are at the driveway and the easement, it seems some of the driveway now extends in the neighboring parcel. It looks like it connects to the black top?

Jay Zeiger: So it is an egress and ingress. This property is owned by an affiliated entity, there is a little path between the two, I don't know.

David Biren: We never approved that.

Daniel Gettel: Glenn, when you do an inspection, there is a gate on the most southerly property line that is not supposed to be there. It is shown on that map that bumps out, by unit 7 and 8. There is not supposed to be a gate. We have had complaints about that gate. We were told there would be no gate. That has to be removed before we can sign anything. The condition that we made was that there would be no gate. You were supposed to enclose the entire parcel with a fence. There is not supposed to be a gate in that fence into Black Lake Estates. They were supposed to fence around the border of that parcel and there was to be no gate into Black Lake Estates. That was the agreement with Black Lake Estates, the neighbor.

Jay Zeiger: No gate, a fence instead of the fence running this way, showing the applicant, around the most southerly part of the property (40-1-9).

Daniel Gettel: Jacy, we do have information of combining the tax lots, which is condition number one? We do have information at this time for what structures were built and their locations that are item number three. Item number two on the approval of conditions, was to provide the Planning Board and Planning Board attorney with documentation indicating who the applicant condominium sponsor and owner of the parcel will be, and what the name will be.

Jacqueline Ricciani: That was done.

Daniel Gettel: Jay, do you have a timetable of the completion of this project? I know we spoke briefly about that.

Jay Zeiger: The intended occupancy is late spring of 2016.

Daniel Gettel: That will mean the landscaping, amenities, the community building; the swimming pool would have to be in. So you anticipate six to eight months of completion. You won't receive certificates of occupancies until this is done.

Jay Zeiger: He needs some of these amenities, he can't sell, and there may be one or two amenities that he would prefer to build after he sells a couple of the units, such as the community building. Would the board entertain if that were to occur, I'm not saying it will, entertain a bond mechanism?

Daniel Gettel: I believe you could post a bond for the construction of the building. The only problem with a bond if you don't build it, we aren't going to move in and actually build a community building. I believe if it were bonded we could address it that way. I get the fact he may need cash flow in order to build the amenities. If it comes to that you should come back to the board and we will discuss at that time. But do you see our point?

Jacqueline Ricciani: Mr. Chairman, if we are going to go down that road, you might put a condition that if the community building is going to be bonded to be built later, you might put a condition that it has to be built before so many other units be sold.

Daniel Gettel: I would rather that if that is the condition....

Jay Zeiger: What he is suggesting now is that the building that is over here, which is on the Kiley property. He has been talking to Kiley, Sunflower and Kiley obviously have a working relationship....

Daniel Gettel: I'm not in favor of the community building being shared with the people at Sunflower. It would have to be exclusively used for the New Sunflower which goes back to meeting number one when we talked about amenities. I would not be in favor of that. I get the fact that there is a brand new community building built next door, but it is next door outside of the bounds of the condo. I don't know how you have a common area for a building that is on another parcel.

Jay Zeiger: What he is asking, there is a building on the adjacent property where the second floor is totally empty. He wants to sign a contract with the neighbor, the New Sunflower to sign an easement for the second floor.

Daniel Gettel: It is not an option. I don't believe the board is going to go along with that since the original site plan showed a community building built specifically for the use of these people here.

Jay Zeiger: You were going through the conditions.

Daniel Gettel: Those were the four conditions we put on the last approval. New Sunflower was last on our agenda on August 3, 2015; at that time we extended the approval with the intent it would expire tonight. As part of that extension we asked for the four conditions, which I believe they met. What we spoke about during the work session was that if we were to extend this approval, we would extend it for a one year period with the condition being that there would

be no Certificates of Occupancy issued for any of the units until such time as the Planning Board engineer, specifically Glenn Smith, signs off that the site amenities have been installed in substantial compliance of the approved site plan and that all past approvals and conditions have been met and/or satisfied. That kind of addresses what we are looking for. Jay, this is kind of along the lines of what we spoke about earlier. Also, all fees be paid is one we like to stick in there. Jacy, if you want to add a comment about bonding, I would rather they come back to that, if it becomes an issue.

Jacqueline Ricciani: The only thing, if it is needed it should be specified, no CO's are submitted until the prior conditions are met, but landscaping is something .....

Jay Zeiger: 90% of the landscaping is done.

Daniel Gettel: That isn't the case. If you would, Glenn could you take a look at that?

Glenn Smith: I will, when I drive by.

David Biren: Can we make it six months because we are talking about a clubhouse, now we are talking about landscaping.

Daniel Gettel: They may not bond it though. This takes it back to the season, and it gives them the incentive to satisfy everything. I don't think we need to bring them back every six months.

Jacqueline Ricciani: If you give them a one-year approval, that doesn't stop the applicant from asking to be back on the agenda before then because they want to make a change or something.

David Biren: I just wanted to be kept up to date of what is going on. The map is changed, I wouldn't have known.

Jay Zeiger: They have fourteen houses there; they have every incentive to complete.

Daniel Gettel: They are taxable.

Jay Zeiger: Yes, they are taxable.

***Motion to extend the Special Use with Site Plan Approval with the above mentioned conditions, set to expire on September 30, 2016***

***Roll call vote:***

***Michael Cassaro – Yes  
David Biren – Yes  
Daniel Gettel – Yes***

***Susan Brown Otto – Yes  
David Slater – Yes***

***Steve Simpson – Yes  
Robert Yakin – Yes***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***



**3) *Renewal of extension of the subdivision approval of Chapin Estates.***

Daniel Gettel: For the record I informed the applicant and his attorney that it was not necessary for them to attend tonight's meeting. This is pretty much procedural. Chapin Estates last appeared before this board on October 14, 2014. They are requesting an extension of their final conditional subdivision approval for the Preserve at Chapin Estates. We have granted that request and extended that approval to October 31, 2015. This board has the authority to extend this type of approval and we are actually encouraged by the State to extend approvals of subdivisions. It is common knowledge the preserve at Chapin Estates has been tied up in litigation for years, and the litigation alone makes this a clear candidate for an extension. If there are no comments, I will entertain a motion that we grant this application a final conditional subdivision approval extension set to expire October 31, 2016. One year past the current extension.

***Motion to grant an extension of the subdivision approval granted to the Preserve at Chapin Estates the until October 31, 2016 by Steve Simpson, second by Robert Yakin***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***

**4) *Application for a Transient Campground and Outdoor Recreation to be located on Best Road for specific dates, known as Bethel Tax Map #: 16-1-39, 22-1-1, 22-1-4, 22-1-21, and 22-1-22, proposed by Bethel Woods Center for the Arts and ID&T/SFX Mysteryland, LLC***

Daniel Gettel: Just so the board is aware, this is a renewal of a camping license we issued the above applicant last year. It is no longer considered a special use. It is an extension of a license.

Brian Tamke: As Dan mentioned this is renewal for a transient camping license. This will be our third year hosting the event at Bethel Woods. The site plan itself is larger in capacity than last year. The real major change is that we are proposing to move the dates to June 10<sup>th</sup> through June 13<sup>th</sup>. This is primarily to allow ourselves to move away from some competition in the same market, to get to a part of the summer where it is a little bit warmer. Hopefully two weeks later will give us a little bit of a warmer camping experience. With that said, we expect higher attendance. While our total event is for 30,000 attendees, this site plan shows it is for 16,326 campers. This was all approved last year. In order to utilize that piece of property, Woodstock on the Lake Campground, we could use it but it requires a certain amount of site cleanup. That is something we would like to invest in later on. We anticipate this growth to be sufficient for the show. Aside from that, all of this has been engineered to meet the NYS Department of Health, for sanitary, for water, for EMS purposes, besides the growth in attendance, the operations, the layout, the design. If it pleases the Planning Board, that pretty much encapsulates what we are trying to do this year.

Daniel Gettel: Brian when you and I spoke about this a couple of weeks ago, you are pretty much going with the approved site plan from last year. But ultimately you didn't utilize the entire area that was approved last year, but you are still in the guidelines of what is approved.

Brian Tamke: That is correct.

Daniel Gettel: Just so the board is aware, our purpose is to review the camping portion of the event. Bethel Woods does have the right in their approval to host festivals. So the festival is out of our hands. On a personal note I believe it was a well organized and executed event this year. I don't know if the board is aware, but we were having monthly meetings with the New York State Police, the Sheriff's Department, EMS, the Fire Department and others. Every involved agency would get together once a month prior to the event to make sure everything got hammered out and everyone was satisfied. We did a follow-up meeting after the last event and actually there were quite a few positives, even from people we were surprised they came from. Most gave positive reviews. These are some of the comments that were made by some of the officials that actually had to work the event: The camper parking lots were very well manned, very straight lines, they believe the capacity of the camping parking lot could be up to 7,000 cars, they estimated, and correct me if I am wrong, the lot held 3,500 cars last year, about they believed that was about 2.8 people per car. I believe a lot of that has to do with the parking passes being sold individually. If you bought a ticket, you didn't necessarily receive a parking pass. People were encouraged to share a ride.

Brian Tamke: We promoted as such on our website as well. It helps to mediate traffic, it works. The ticket prices for the parking would be outlandish if everyone paid individually. It does help.

Daniel Gettel: One of the other comments made was that the local roadways were limited by day-trippers, but not the campers. The campers were accommodated well, getting into the site, and even exiting the site. The only comment you heard about the campers it was a little bit slippery in the grass lots. I don't think you can do much about that. Some of the comments were, and you should incorporate them into your plans, are the camping area would benefit with better signage to direct the EMT's and campers to specific campsites. Building roadways to define the actual grids of campsites helped a lot, but I believe the EMS wanted additional signage. That is something I am sure EMS will follow-up on. The intersection of West Shore and Hurd Road is a problem for large vehicles due to the hump in the roadway. Just so you know, the town is not going to fix that.

Brian Tamke: We had one problem with an errant truck.

Daniel Gettel: If you go up West Shore and if you take a right on Hurd I believe you get hung up in the hump in the road. We will not fix that for you. There may be a possible shift at Plaza Central. At one time you had Bohemian Camping in that area or something, but it is actually moving the Plaza Central further away from Mr. Shapiro's house. Our only requirement on that is that it can't be located within 150 feet from any property line. It actually pulls it much further away. Only one vendor had Health Department issues. I would imagine that vendor won't be back, but that is up to you and your services.

Brian Tamke: In this area we have a series of attendees that come, and don't want to pitch their own tents. One complaint that we had from the attendees, the ones with higher end accommodations, was that they were placed immediately next to the Plaza Central. If any one is aware, it is the Market Place Center. It operates 24 hours for the campers who are there. Some of the music going on was right next to their tents. We moved them away to the southern portion of the campground. It helps operationally as well. The area immediately adjacent to Mr. Shapiro's property, we will have for equipment, food beverage storage, and heavy equipment storage for the roads. It should help us minimize the impact on the roads, both leading up to the event.

Jacqueline Ricciani: You were referencing the lower left corner of the camping area, lodges, what are lodges?

Brian Tamke: They are preset hardwood floor lodges, with tented roofs, that have power run to them, so you can charge your phone, charge your computer. They have beds in them, mattresses. Right now it is the highest end camping experience. We also provide concierges who will take care of you during the day. It is a pampered camping experience.

Jacqueline Ricciani: What is the dark rectangle?

Brian Tamke: Is a series of what we call easy tents. They are preset tepee tent styles that sleep two people. You don't have to carry in tents. We had them both years. I can make that clearer on the map. In the festival site we will make some changes. The locations will be utilized similarly, we are going to use one less large tent this year, and focus on smaller entertainment facilities. So it becomes more of a walk in the park type of experience. We are trying to focus on more of a boutique experience to walk through.

Daniel Gettel: So the board is aware, the state and the town both have to sign off on the stage construction, and Glenn gives BJ a hand with that. Glenn really works for the town to go to the festival site. He goes a couple of days prior to inspect the actual stages, along with the State Department of Labor, who actually signs off on it.

Lillian Hendrickson: What was the big tent on Best Road?

Brian Tamke: The primary purpose was to have that tent as an entry tent, we have a search procedure, there is an identification check, and there is a credential check that happens in a three-fold process. It is also doubles as emergency shelter.

Lillian Hendrickson: That is the biggest tent I have ever seen.

Daniel Gettel: There were some noise complaints. Most of them festival related we believe. There were nowhere near as many as last year. Mysteryland did implement some of the suggested noise control measures. Bethel Woods did check some specific intersections and locations of what the noise levels were at those intersections. There weren't any outrageous numbers. Those reports are still available. They were acceptable limits. I don't know if the

board is aware, but instead of sleeping on the ground at Gabriel Farm, the support staff was housed at Camp Chipinaw this year. They were told no golf carts on the road, so they were transported back and forth. I know everyone appreciated being out of the cold and the damp.

Susan Brown Otto: When does Camp Chipinaw open up?

Daniel Gettel: Not until school gets out.

Brian Tamke: Just as a note, there is essentially a three-week-build and breakdown period. Three weeks at Camp Chipinaw may be it is a little long for some folks, but if was a much better accommodation than sleeping outside. We are working on a nicer accommodation, maybe utilizing the Best Western for people that will be here for four weeks, for people that are here for ten days, they will stay at Camp Chipinaw.

Daniel Gettel: We were aware of it. Taking something away didn't necessarily have a negative impact on the site. There was also a parking lot proposed between Gabriel Farm and Happy Avenue, which was never improved, or installed.

Brian Tamke: The logistics of it were a little tough to negotiate, for now the parking on the lot on the north of Best Road.

Jacqueline Ricciani: You are not asking for approval for Darling Road at all this year at all?

Daniel Gettel: I would like to leave it in the renewal.

Brian Tamke: I would like to renew the license as it stands.

Jacqueline Ricciani: There were three different areas, there was Holy Ground, there was Darling, and then there was the third one.

Daniel Gettel: There was an area that was not feasible to get to with foot traffic. It was discussed briefly.

Brian Tamke: It was a speculative idea.

Jacqueline Ricciani: It's only going to be Holy Ground, and what are we calling.....

Daniel Gettel: The Darling Road campsite. There were no utilities run to Darling Road. I hope you have enough attendees that you have to open Darling Road.

Brian Tamke: If attendance were higher we would use Darling Road. The necessary site improvements would then be warranted by the revenue. We have approved plans, we can go ahead and do it at any time.

Jacqueline Ricciani: What was the total amount of campers you had this year?

Brian Tamke: I believe it was 9,500.

Susan Brown Otto: You didn't have any campers at Landers?

Brian Tamke: Yes we did. The only difference was we didn't sell the packages through our website. Rick Landers sold them himself. We operated a shuttle system the same as last year, and we will continue to do that as the event grows. As another instance, Happy Days Campground, anyone that wanted to bring an RV to the event, we directed them to Happy Days Campground. As the event grows we will continue to utilize more and more properties in the surrounding area.

Susan Brown Otto: I would like some clarification with regards to meeting with the emergency personnel. This was a number of months back. Someone said the first year was better than the second year. There weren't a lot of meetings. Were there a lot of meetings?

Daniel Gettel: The first year only the town would have a series of meetings with Brian. This year there was a series of meetings where all of the agencies were present. They sat down at one time. That never happened before.

Brian Tamke: Instead of all the back and forth. It was more of an efficient way.

Susan Brown Otto: Was the fire department there?

Brian Tamke: Yes.

Daniel Gettel: They were one of the agencies that were always invited.

Jacqueline Ricciani: The first year was a novel year.

Brian Tamke: Those meetings will continue to happen.

Daniel Gettel: I believe we were given an updated operation plan, dated August 26, 2015. We should receive and file.

***Motion to receive and file the Operation Plan dated August 26, 2015 by David Biren, second by Robert Yakin***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***

Jacqueline Ricciani: If you are going to be reviewing the camping portion of it you have the operations plan. Do you also need to see the emergency services for example, where some of it is devoted to camping and some of it is devoted to the whole festival. Is that something you want or need?

Daniel Gettel: I don't think we need that unless it is substantially different than last year.

Brian Tamke: With the additional campers, it is an extension of the same plan from last year.

Daniel Gettel: Glenn, for renewal, we need an updated SEQRA form?

Glenn Smith: I have it.

Daniel Gettel: Michael Weeks always asks us to do lead agency even on the short form.

Glenn Smith: I would do lead agency just to cover yourselves.

Daniel Gettel: As far as the renewal of the license it is logical that we declare our intent to be lead agent for the camping license.

***Motion to declare our intent to act as Lead Agency by David Biren, second by Steve Simpson***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: Brian, do you think there will be any substantial changes to any other documents that can't be done by October 5<sup>th</sup>?

Brian Tamke: No. You will see a very similar event to last year.

David Biren: You are just going to add more EMT?

Brian Tamke: Essentially on the site map, the large circles, we will add more rest room facilities. It is fully engineered to code.

Daniel Gettel: There was a crazy amount of people who went to the EMT tent this year. Everyone that wanted a band-aid or aspirin was counted as they all went to the EMT tent.

David Biren: Those are different categories of emergency that makes a difference.

Daniel Gettel: The State dictates how many EMT's, how many people have to be on site based upon projected festival sizes. Most of those numbers are driven by the festival size, not the camping. We make it a condition of our approval that he has to get every other state approval. The vendors have to have licensed, etc.

***Motion to grant this application a Public Hearing for October 5<sup>th</sup> at 7:30pm by Susan Brown Otto, second by Steve Simpson***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***



Jacqueline Ricciani: There is also that outdoor entertainment aspect in this application?

Daniel Gettel: This would involve the actual stage and the Town Board giving a noise permit.

*Motion to adjourn by Steve Simpson by David Biren*

*All in favor – 7*

*Opposed - 0*

*Agreed and carried*

*9:30 pm*

Respectively submitted,

*Jannetta MacArthur*  
Recording Secretary