

Town of Bethel

Sullivan County, NY

Comprehensive Plan

2006



ADOPTED DECEMBER 14, 2006

Town of Bethel Town Board
Town of Bethel Planning Board

Town of Bethel, Sullivan County, New York Comprehensive Plan - 2006

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1.0 Background Studies

Note: This section lays out current conditions within the Town as a foundation for planning.

1.1 Regional Location and History

1.1.1 Regional Setting.

The Town of Bethel is the centerpiece of Sullivan County. It is associated with both Western Sullivan County and the traditional Catskills vacation area. It is both a farm area and a part of the Catskills vacation region. It includes large areas of open space and the relatively high density Smallwood area. It is the most prominent community along Route 17B, the link to Pennsylvania and connection to the Quickway and Mighty M Gaming attraction. The Town borders nine other Sullivan towns, including Delaware, Cochecton, Tusten, Highland, Lumberland, Forestburgh, Thompson, Liberty and Callicoon.

No other town is so connected to the rest of the County, so affected by County patterns of development or so influential in establishing those patterns. The impact of the Woodstock Festival on the image of the County is illustrative of this relationship. The impact of the Gerry Foundation's project to develop the Bethel Woods Performing Arts Center at this same site is likewise a harbinger of Sullivan's bright future.

1.1.2 History

The following abbreviated history of the Town of Bethel was drafted by Town Historian Marion Vassmer:

"The Town of Bethel was founded in 1809, and is located in the heart of Sullivan County. In 1910, the old covered bridge, which had been built in 1830, was replaced with an iron bridge. This bridge is located in Mongaup Valley. This covered bridge was part of what was called the Newburgh and Cochecton Turnpike. The new bridge cut the time between Monticello and Mongaup Valley by one-third."

"The mid 1800's saw a hotel construction begin. The very first ones were started as wayside inns. Most were developed from farmhouses turned into boarding houses. The late 1920's, 30's, and 40's saw smaller farm owners in Bethel taking in roomers, as the hotel businesses declined."

"In 1928, a man by the name of A.N. Smallwood came to the Town. He started a community, which he called "Mountain Lakes." It wasn't long before it became known as Smallwood. Mr. Smallwood employed about 100 men during the time of the depression. This was a great economic boost for the area at that time."

"During the 1960's in Kauneonga Lake, an entire new community of second homes appeared. This community became known as the White Lake Homes. The residents from this community have become a very important part in the social and economic life of the Town."

"The year 1969 was very important one in the life of the Town. First, it saw the construction of the Sullivan County International Airport in the northeast section of White Lake."

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"Then, one of the most amazing events in history occurred in Bethel - 'Woodstock.' It seemed to define a generation. A movie was made about it and the Town of Bethel was put on the map forever."

1.2 Natural Features

1.2.1 Geology.

The Town of Bethel's geologic history began some 450 millions years ago. The lands of this region were beneath the sea at various times over the next two hundred million years. Then about 225 million years ago, the sediments that accumulated in this sea were folded, faulted and uplifted. They are now known as the Catskill formations and are actually the eastern edge of the Allegheny Plateau.

The present mountainous relief of the Town of Bethel, as in much of the County, is due to geologic erosion and deep dissection of this elevated mass by the action of numerous streams. A Pleistocene ice age glacier that moved through the area 20,000 years ago accentuated this effect. These mountains are referred to as erosion mountains. The extensive glaciation in this area removed existing soil cover and exposed bedrock in many places. The melting and retreating of the ice pack resulted in the deposition of stratified gravel, sands and silts in the stream valleys as well as the claying of lake beds. Glacial till deposits typically range in thickness from less than one foot on some hills to several hundred feet in the valleys.

All the rocks of the Catskills and of the Town of Bethel are referred to as being of the

Devonian age and they consist almost entirely of sandstones, shales and conglomerates. The area's geology has given it several economic resources in sand and gravel pits and in quarry operations. Materials produced from local quarries include aggregate, paving stone and ballast used in highway/roadway construction.

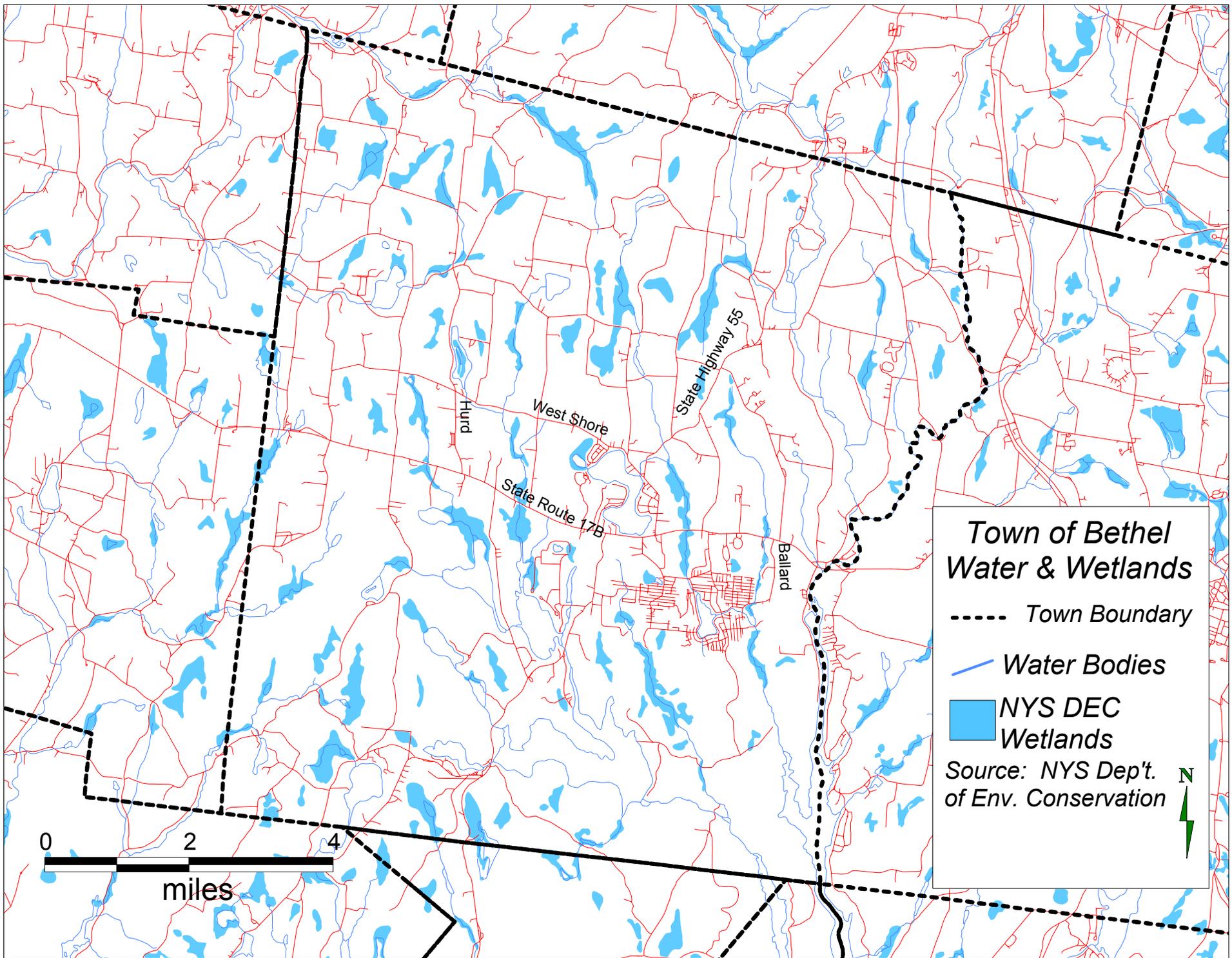
1.2.2 Terrain.

The Town of Bethel is characterized by many areas of steep slope and some prominent high plateaus such as the one on which the Sullivan County Airport is located. There are numerous ridge and valley areas throughout the Town where slopes of 25% or greater are common. These are difficult to develop without extensive limitations on clearing and other controls on erosion and stormwater planning to deal with the negative impacts of construction. The southern portion of the Town is particularly vulnerable to these problems because of the many reservoirs and lakes found there.

1.2.3 Water Resources.

The Town of Bethel includes access to more large water bodies than other town in the County. These include the following:

- Amber Lake
- Birch Ridge Pond
- Bishop's Pond
- Black/Little Black Lake
- Briscoe Lake
- Chestnut Ridge Pond
- Filippini Pond
- Horseshoe Lake
- Hunter Lake



**Town of Bethel
Water & Wetlands**

- Town Boundary
- Water Bodies
- NYS DEC Wetlands

Source: NYS Dep't. of Env. Conservation

N

0 2 4
miles

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- Indian Field Pond
- Island Lake
- Lake Jefferson
- Lake Kabau
- Lake Nianque
- Lake Superior
- Mallory Pond
- Mountain Lake
- Paul's Pond
- Silver Lake
- Swinging Bridge Reservoir
- Toronto Lake
- Toronto Reservoir
- Wells Pond
- Wasserlauf Pond/Clear Lake
- White/Kauneonga/Little White Lake
- Wildcat Lake
- Woods Pond

Most of the Town drains into the Mongaup River, but small areas are in the Callicoon Creek watershed. Some of the southeast section of the Town falls into the Ten Mile River watershed. Areas along the Mongaup include several aquifers yielding 10-100 gpd.

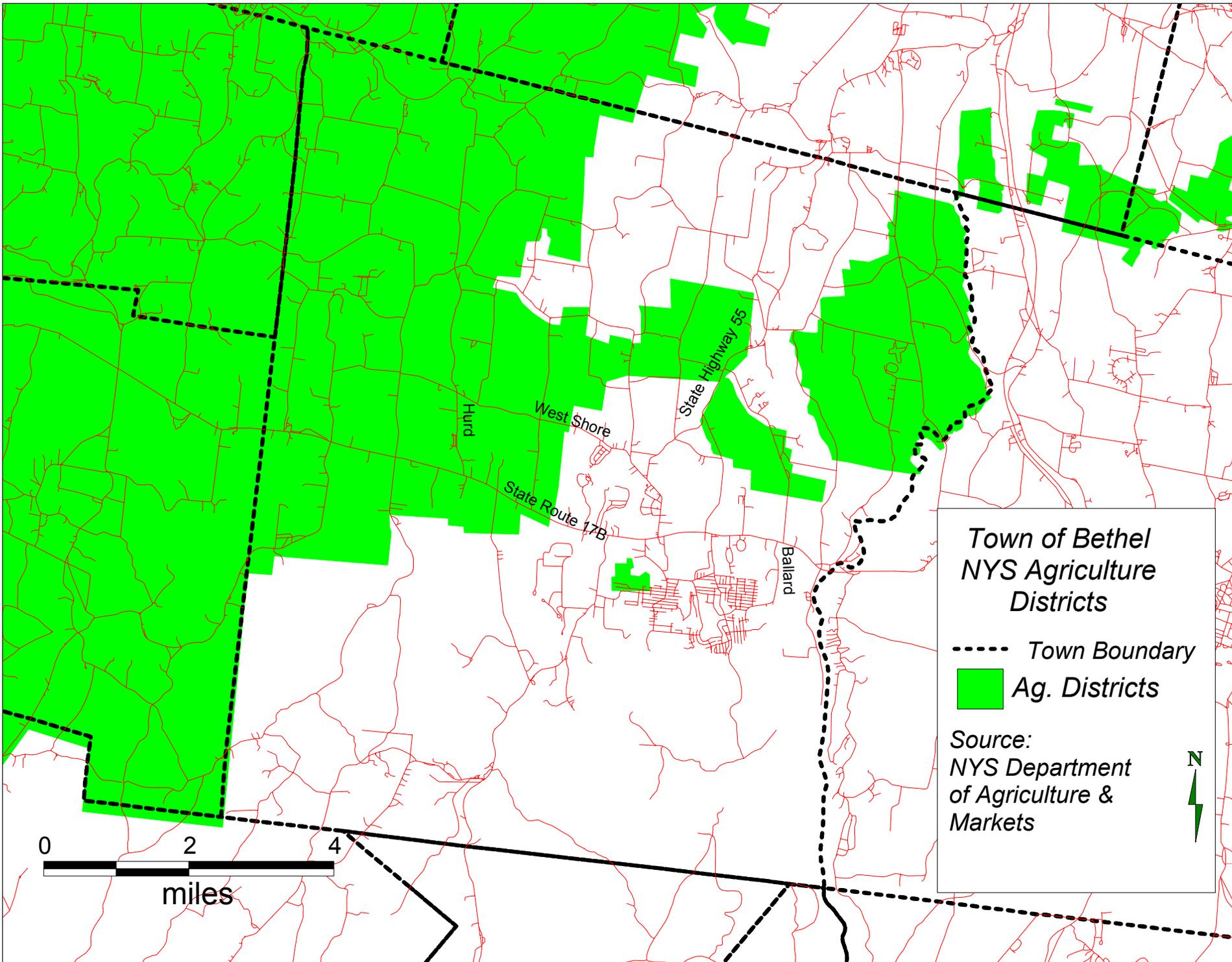
There are large areas of New York Department of Environmental Conservation freshwater wetlands within the Town. These are located along many of the streams that flow through the Town. These are depicted on the *Town of Bethel Water & Wetlands Map*. A number of small scattered wetland areas, generally less than 12.4 acres in size, also exist throughout the Town. Many have been identified in Federal Wetlands mapping by the U.S. Fish and Wildlife Service and Corps of Engineers. Other areas are not mapped but show up when individual properties are mapped as required by law. These areas are at least partially

covered with water throughout the year, flooding deciduous trees, shrubs, and conifers. Depending on vegetation characteristics and drainage patterns, wetlands act as natural flood storage facilities during periods of heavy rainfall and runoff, while providing food and shelter for wildlife and aquatic habitats.

The Federal Emergency Management Agency has identified some potential flood hazard areas along the Mongaup River, its tributaries and other streams. Few of these flood hazard areas fall within developed areas. Based on a 100 year flood, the flood prone areas are not extensive because of the steep ridges paralleling the rivers. Physical constraints also make development in these areas unlikely. Moreover, the mapping to date has been based on generalized rather than detailed studies. Therefore, accuracy is questionable.

1.2.4 Soils.

The Town of Bethel is located in the Catskill section of the Northeastern Appalachian Plateau which is deeply eroded and slopes gently to the south and southwest. Extensive glaciation has, in fact, removed existing soil cover and exposed the bedrock in many areas. The melting and retreating of the ice pack resulted in the depositing of stratified gravel, sands and silts in the stream valleys and the claying of creek beds. The glacial till deposits range in depth from less than a foot on some hills to several hundred feet in the valleys. These glacial deposits form the basis for the Town of Bethel's soils and determine the limitations of those soils for agriculture and development purposes. The Town of Bethel's soils can be classified into four categories:



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- Silt Loams - These soils are characterized by flooding, unsatisfactory permeability and seasonal high water tables.
- Stony Loams - These soils have various limitations but all are characterized by inadequate permeability. They are also generally more difficult to work with because of their stoniness.
- Gravelly Loams - These soils are subject to a variety of limitations including flooding, slopes and seasonal high water tables, but some soils are usable for subsurface sewage disposal.
- Sandy Loams - These soils are generally subject to flooding and, in some case, too rapid permeability. They are generally found in the valley areas.

These soil groupings are subdivided by the Soil Conservation Service into many different individual soil types and the *Soil Survey of Sullivan County* further clarifies soil characteristics for the area. The Natural Resource Conservation Service (NRCS) also classifies the soils by their suitability for various agricultural and development purposes. The northern section of the Town, largely mapped as Agricultural District, is suitable for both agriculture (largely to the west) and development. The southern part, especially to the east, is limited by poorer soil conditions.

The most significant soil characteristic for a rural area such as the Town of Bethel is, of course, suitability for subsurface sewage disposal systems. Because most of the Town must be served by such systems, this is the

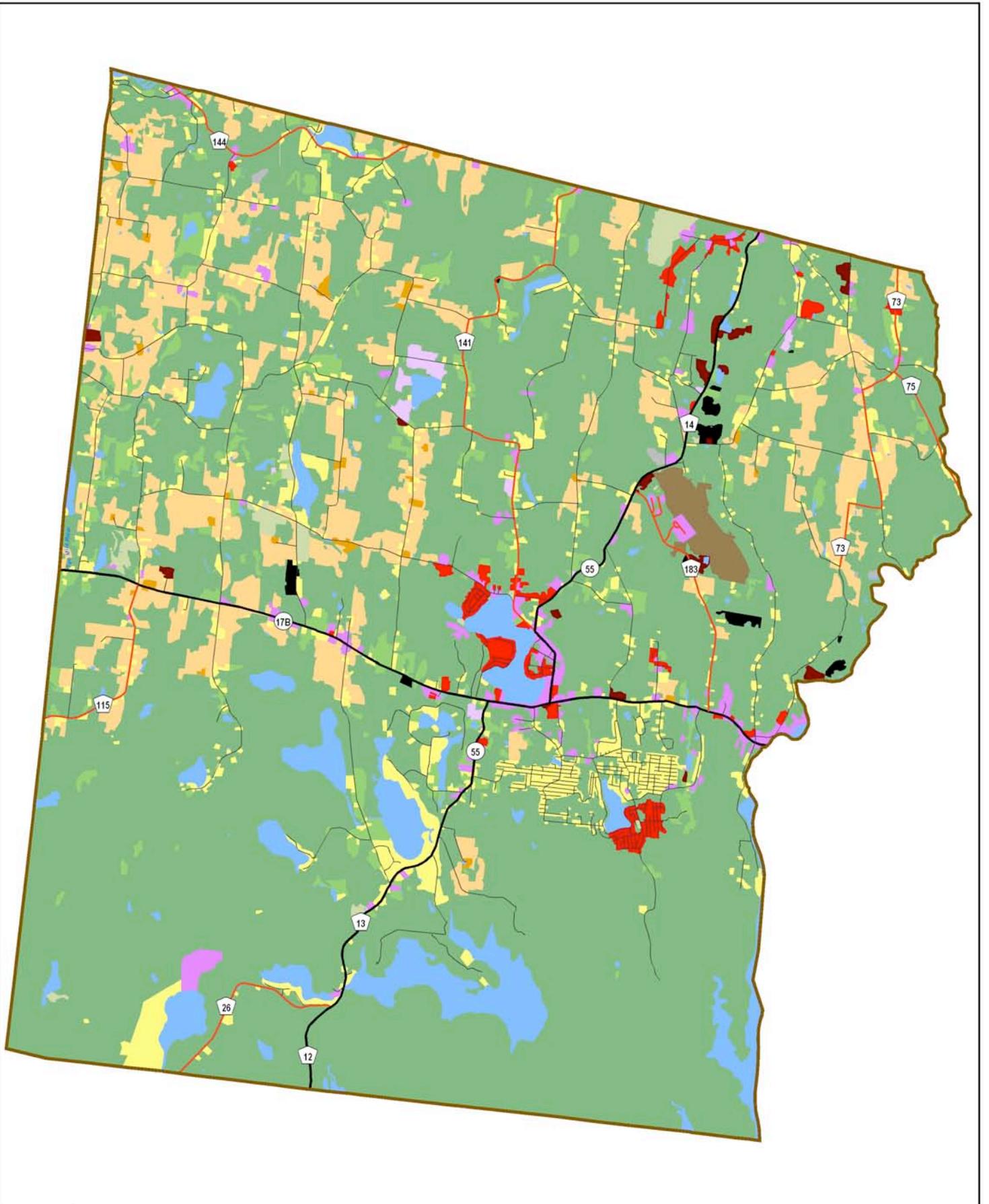
primary factor in assessing appropriate land use patterns for the Town.

The NRCS's own classification of soils insofar as sewage capabilities, however, was not written with New York State soils in mind and, therefore, tends to reject soils that are relatively "good" for sewage disposal by comparison to other Northeast soils. Also, the system is not tailored to New York State Department of Health standards, that are the actual criteria by which soils must be judged in the final analysis. Finally, modern technology is increasingly making it possible to use soils that were previously thought unusable. Therefore, caution needs to be applied in using the *Soil Survey* data.

1.3 Existing Land Use

An *Existing Land Use Map* follows. The table below tabulates estimates land uses by class.

Existing Land Use	
Land Use	Acres
Agriculture	5,798.07
Airport	338.65
Commercial	877.79
Farmstead	165.68
Forest	40,614.35
Industrial	189.96
Institutional	148.40
Meadow	1,917.22
Newly Graded	147.45
Open Space	308.80
Residential	3,373.36
Residential Med-High Density	554.01
Unknown	33.97
Water	3,125.87
Total Acres	57,593.59



Town of Bethel
Existing Land Use Map
 FOR VISUAL REFERENCE ONLY
 Prepared by Division of Planning
 & Community Development (7/06)

- | | | | | | |
|-------------|------------|---------------|------------------------------|--------------------|--------------|
| Agriculture | Farmstead | Institutional | Open Space | Unknown | State Roads |
| Airport | Forest | Meadow | Residential | Water | County Roads |
| Commercial | Industrial | Newly Graded | Residential Med-High Density | Municipal Boundary | Local Roads |

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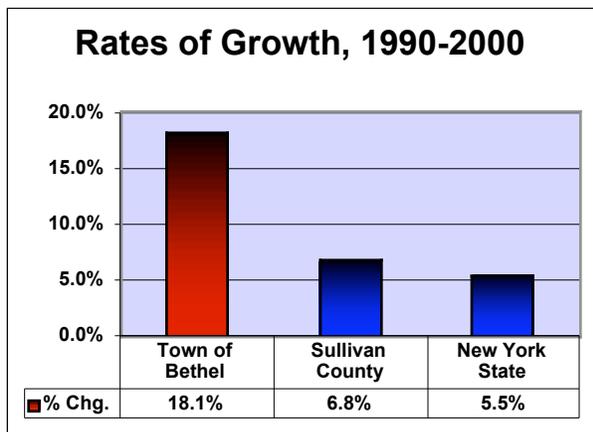
1.4 Population and Economic Base

1.4.1 Population Trends.

The following data, provided by the U.S. Census, illustrates a somewhat rare trend for upstate New York...growth. The population of the Town of Bethel rose by 18.1% from 1990 to 2000. This is more than double the growth rate of both Sullivan County (6.8%) and the State of New York as a whole (5.5%).

Population Growth, 1990-2000		
	1990	2000
Bethel Town	3,693	4,362
Sullivan County	69,277	73,966
New York State	17,990,455	18,976,457

Source: U.S. Census



Explanations for this growth include the attention brought to the Town by the Woodstock Festival. Subsequent events also gave many people opportunities to discover the history and pleasant surroundings of the Town, with its working landscapes and recreation areas - a pleasant blend of all the

different aspects of Sullivan County. The influence of the ever-expanding New York City metropolitan area is obvious.

However, there are many other factors that may effect the future growth of the Town. The legalization of gaming (e.g. the Mighty M Gaming Facility) could increase traffic on Route 17B through Bethel tremendously.

Moderate growth, at the very least, is expected over the next 10 years as the economy grows and retirees continue to settle in Bethel. The Town is also becoming more popular as a site for high-end housing as the success of The Chapin Estate demonstrates. Economic opportunities will provide incentives for younger, working age residents to settle in the area.

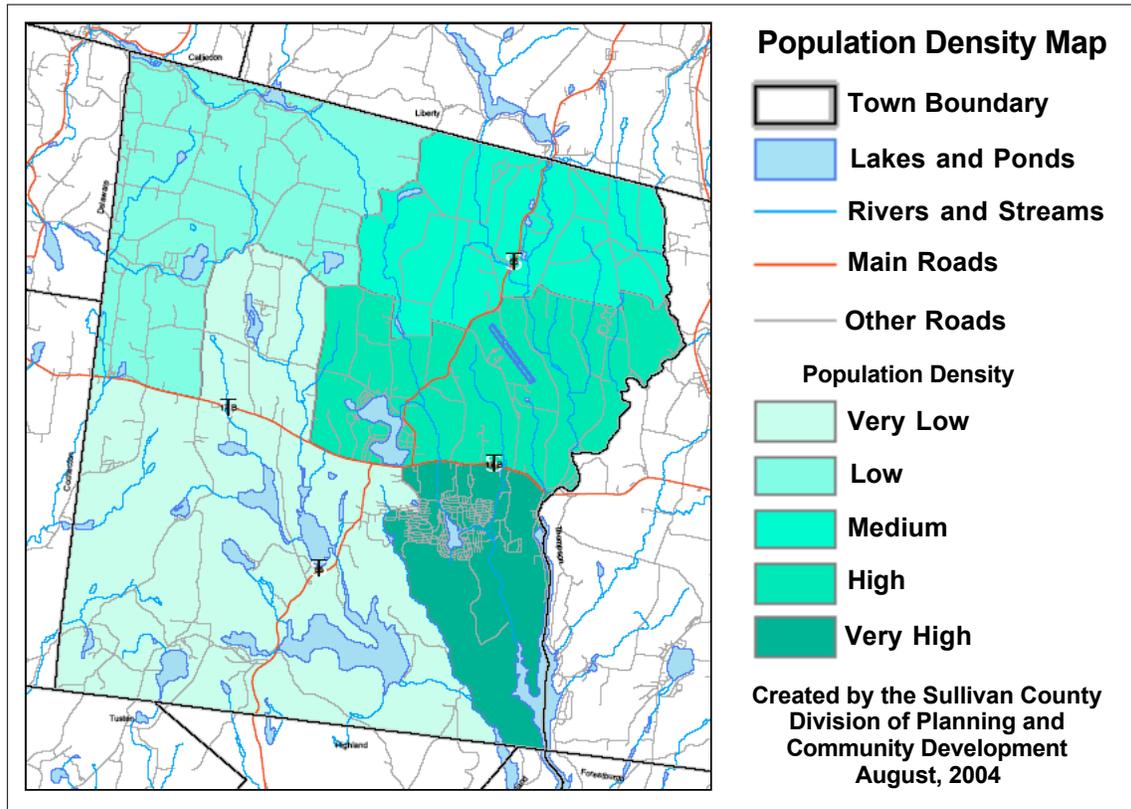
Notwithstanding this growth, the population density of the Town remains very low as the *Population Density Map* on the following page indicates. The Smallwood area represents the highest density.

1.4.2 Age of Household Members

The ages of Bethel residents compared to Sullivan County indicates a more “mature” population. The over 65 age group represents a larger proportion of the population (16%) than both Sullivan County (14.3%) and New York State (12.8%).

Conversely, school aged residents (5–19 years) comprise only 18.7% of Bethel’s population compared to 21.7% of Sullivan County’s population. The Town is popular with active adults moving to the area.

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Town of Bethel Population, 2000				
Age Cohort	Bethel		Sullivan	
	Persons	%	Persons	%
Under 5 years	224	5.10%	4,355	5.9%
5 to 9 years	255	5.80%	5,133	6.9%
10 to 14 years	302	6.9%	5,576	7.5%
15 to 19 years	262	6.0%	5,203	7.0%
20 to 24 years	204	4.7%	3,574	4.8%
25 to 34 years	452	10.4%	8,647	11.7%
35 to 44 years	712	16.3%	12,121	16.4%
45 to 54 years	698	16.0%	10,928	14.8%
55 to 59 years	290	6.6%	4,342	5.9%
60 to 64 years	263	6.0%	3,503	4.7%
65 to 74 years	426	9.8%	5,856	7.9%
75 to 84 years	223	5.1%	3,622	4.9%
85 years and over	51	1.2%	1,106	1.5%
Total population	4,362	100%	73,966	100%
Median age (years)	42.2	(X)	38.8	(X)

The median age of 42.2 years for Bethel residents is substantially higher than that of Sullivan County's median age of 38.8 years and

New York State's 35.9. This may reflect Bethel's economy, which may be considered more accommodating to a household readying for retirement than one looking to begin a career. We will revisit this point in later sections concerning the economic profile of the Town of Bethel.

1.4.3 Population by Sex

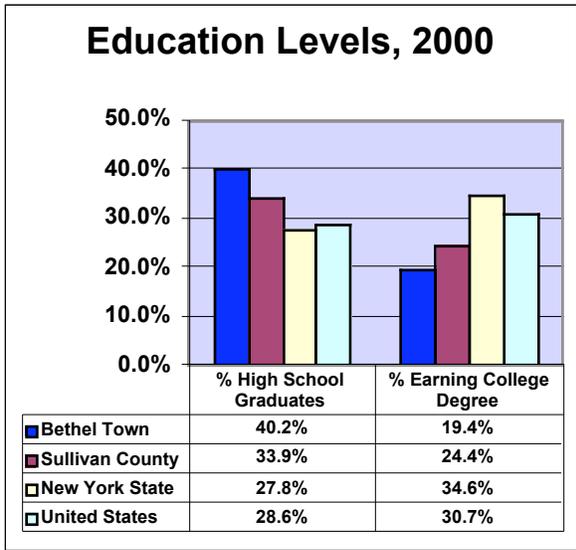
Males comprise the majority of the population with 52 % of the population (2,269 persons) compared to 48% for the females (2,093 persons).

1.4.4 Education

High school graduates comprised 40% of the Town of Bethel population in 2000. This is

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noticeably higher than the 34% for Sullivan County or the 28% for the State of New York. Fewer individuals, however, have gone on to obtain a college degree in the Town of Bethel, suggesting a large population of successful blue-collar workers.



Although the ratio between those with a high school diploma and those with a college degree is similar to Sullivan County, the Town of Bethel has a considerably lower percentage (19.4%) of college graduates. According to 2000 Census, Sullivan County's rate of college graduation is 24.4% as compared to New York State's 34.6%.

1.4.5 Income

The Town of Bethel's per capita income of \$25,335 in 2000 was higher than both County and State averages. Because capita personal income is an average, it does not reflect income distribution. Increased per capita income, for example, might only mean that the individual incomes of new residents moving to the Town

are higher than those of current residents, causing the average to climb even though incomes of current residents stay the same or even decline. It may also be a simple reflection of the popularity of the Town to seniors who represent smaller wealthier households driving up the average incomes even as families are unaffected.

Incomes, 2000

Geographic Area	Median Family Income	Per Capita Income
New York State	\$51,691	\$23,389
Sullivan County	\$43,458	\$18,892
Bethel Town	\$37,321	\$25,335

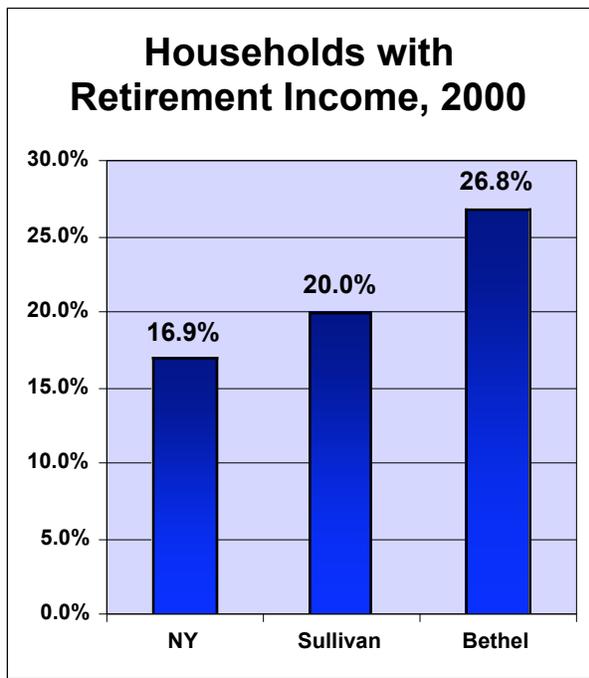
Illustrating this point is the fact that the median family income for Bethel in 2000 was \$37,321 - well below Sullivan County and New York State and in direct contrast with the per capita income trends.

Median family income indicates that point at which incomes of half of the families are of higher income and half have lower incomes. The median is a useful number in cases where the distribution has very large extreme values, which otherwise skew the data. It provides a better measure of personal income relative to other areas, because it relates to the needs of families rather than individuals and automatically adjusts for the movement of higher-income households into the area by discounting for the impact of a few very wealthy households on the total.

The graph following illustrates, vividly, the

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influence of the retired population in the Town of Bethel. The 26.8% with retirement income far outpaces that of Sullivan County (20%) or New York State (16.9%). These retirees contribute economically to the Town and support the tax base without generating demands on the school system. Their higher incomes, however, do somewhat distort the income picture by introducing large numbers of small households with above average per capita incomes.



1.4.6 Employment Status

The Town of Bethel had 3,605 persons over the age of 16 in 2000, of which 1,959 were in the labor force. The unemployment rate, like many areas in this region, remained rather high in 2000, at 8.5% versus 5.3% for Sullivan County as a whole. Bethel's unemployment rate was almost double the New York State rate of 4.3% that year, reflecting a Sullivan

County need for new and better jobs.

The percentage of Bethel workers in the various classes compared similarly with those in Sullivan County as a whole. Bethel did, however, have a larger percentage (10.7%) that were self-employed compared to Sullivan County (7.9%). This is not unusual for rural areas where self-employment in farming, trades and the like are common. This number can be expected to grow as technology allows more individuals to pursue careers from home.

The number of Bethel residents who worked from home in 2000 was, in fact, relatively high. The 6% the Town of Bethel had working from home was about double that of the County (3.7%) and State (3%).

Employment by Class, 2000		
Class	Number	%
Private for profit wage & salary workers	1,208	73.2%
Self-employed workers	176	10.7%
Government workers	267	16.2%
Total (all workers)	1,651	100.0%

1.4.7 Employment by Industry and Occupation

The tables below provide a breakdown of the employed Town of Bethel population aged 16 years or more in 2000, by industry and occupation. There are relatively high numbers of persons employed in education, health and social services due, no doubt to the proximity

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of Bethel to Liberty and Monticello where education and government jobs are predominately located. The tourism industry supports employment in the arts, recreation, lodging and food businesses. Second home building contributes to construction industry employment. Manufacturing employment, by contrast, is very limited.

This, again, may reflect the larger number of seniors in the Town, many of whom are still employed. The government and school jobs also have an impact on these numbers.

Employment by Industry, 2000		
Industry	Persons	%
Educational, health, social services	443	26.8%
Arts, entertainment, recreation, lodging, food	183	11.1%
Construction	181	11.0%
Retail Trade	150	9.1%
Finance, insurance, real estate	118	7.1%
Transportation, warehousing, utilities	105	6.4%
Public administration	97	5.9%
Manufacturing	95	5.8%
Professional, management, administration	85	5.1%
Other Services	73	4.4%
Information	46	2.8%
Agriculture, forestry, mining	44	2.7%
Wholesale trade	31	1.9%
Totals	1,651	100.0%

Employment by Occupation, 2000		
Occupation	Persons	%
Management, professional and related occupations	470	28.5%
Service occupations	308	18.7%
Sales and office occupations	439	26.6%
Farming, fishing and forestry occupations	18	1.1%
Construction/extraction/maintenance occupations	199	12.1%
Production/transportation/material moving	217	13.1%
Totals	1,651	100.0%

Employment by occupation in 2000 indicated large numbers of individuals with jobs in sales and office occupations as well as service. However, management and professional occupations represented the largest category.

The employment opportunities, for the most part are not in the Town of Bethel itself. This is evident by the mean travel time to work of 32 minutes in 2000. Another clue as to where Bethel residents are commuting is the 6% using public transportation. For a small rural community, this number is quite high and most likely reflects the New York metro commute.

1.5 Housing

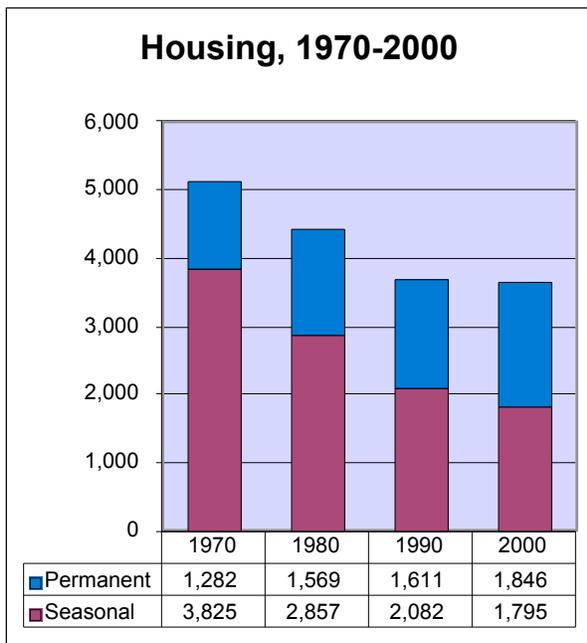
1.5.1 Housing Stock.

The 2000 U.S. Census indicated the Town of Bethel had 3,641 housing units. This was 52

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units less than it had in 1990. There were, however, 1,649 occupied units, an increase of 319, indicating a large number of second home conversions to first homes and other second home abandonments (typically old bungalow colonies). Some 1,311 were owner occupied and 338 were renter occupied.

There were still some 1,795 vacant units in the Town used occasionally for seasonal and recreational occupancies but this represented a decline of 287 units. Second homes made up 49.3% of the units in 2000 as compared to 56.4% of the housing stock in 1990. This is very similar to the pattern of adjoining portions of Sullivan and Pike Counties where seasonal housing is still strong but is also converting to permanent housing with associated impacts on schools and costs of government. The chart below depicts growth in both permanent and second homes:



Note: Seasonal unit data for 1980 interpolated. The Census Bureau definition for that year included many seasonal units in other vacant categories.

Second homes can contribute very positively to the local economy as recent high-end second home projects within the Town have demonstrated. Other projects can have downsides, however. If the construction itself is of a seasonal occupancy nature and the home is later converted to permanent occupancy, the unit may not be energy efficient or properly served with sewer/septic and water capacity. Early deterioration of the unit may also be a problem. Conversions are inevitable in areas this close to the metropolitan area and can also generate serious impacts on school systems as they have in nearby Pike and Monroe Counties in Pennsylvania.

1.5.2 Number of Persons Per Household.

The average number of people living in each household was 2.45 in 2000, down significantly from 2.77 persons in 1990. This was slightly lower than the County average of 2.50 persons (which is also down from 2.82 persons in 1990). This is a reflection of an aging population and the popularity of the area to active adults.

1.5.3 Housing Values.

The median housing value of \$89,600 for Bethel in 2000 was lower than the \$93,300 median value for Sullivan County. Nevertheless, the number of homes valued at over \$200,000 has been increasing since 1990, when they accounted for only 42 units. Homes valued over \$200,000 in 2000, made up for 8.3 % of all Bethel homes. This percentage is clearly conservative and will only increase with the expansion of the The Chapin Estate luxury home development. The growing

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number of higher priced homes is also a testament to the influx of wealth to Bethel from the metro area.

1.5.4 Housing Type.

Single-family units comprised, by far, the largest share of the housing stock with 87% in 2000. Some 87% or 3,138 units were detached and 35 units were attached. Significantly, the number of mobile home decreased from 350 or 9.5% in 1990 to 270 units or 7.4% in 2000.

1.5.5 Contract Rents.

The \$556 median rent for Bethel in 2000 was very close to that of Sullivan County as a whole at \$545 per month. The Town saw a rather substantial increase from 1990 to 2000 in higher end rental units. Specifically, rents from \$750 and above went from 2.8% in 1990 to 12.5% in 2000.

1.5.6 Housing Needs.

The Town needs to ensure that its land use regulations do not unnecessarily raise the cost of moderate income housing by requiring excessive lot sizes or adding too many regulatory oversight costs. This can be accomplished using cost-effective Conservation Subdivision designs, among other techniques. Negotiating with developers to provide start-up housing may also be warranted.

The Town will also benefit from housing rehabilitation assistance through the Community Development Block Grant program to help Town of Bethel homeowners finance the upgrade of units.

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2.0 Goals and Objectives

Note: The following section details goals and objectives of the Town of Bethel for managing growth, based upon community input from a survey (see Appendices) and public meetings.

2.1 Working Landscapes

Provide for the orderly development of the Town of Bethel, maintaining its existing mixed-use character with a blend of working farm, recreational, residential and hamlet commercial landscapes.

- 1) Reinforce the New York State Agricultural District program by using the Town Zoning Law to apply additional local protections within AG Agricultural Districts that match those boundaries.
- 2) Use the Town's planned new zoning districts along Route 17B to encourage new development that strengthens White Lake and Kauneonga Lake as centers, increasing density in these areas and developing supportive infrastructure to accommodate this development.
- 3) Maintain the existing low-density single family residential nature of the Town by zoning the large undeveloped areas of the Town for no more than one dwelling per 1-2 acres using the Town's RS Residential Settlement and RD Rural Development (current RF) Districts for this purpose.
- 4) Allow for a large degree of flexibility to accommodate recreational and large-scale low-density activities (e.g. golf courses, resort

hotels) by allowing them in the RD Rural Development and PAC Performing Arts Center Districts on a Special Use or Planned Unit Development (PUD) basis.

- 5) Control the spread of retail commercial and other high-density activities along major routes outside of centers, particularly on Route 17B by restricting the range of uses, limiting density and establishing detailed site plan review criteria for such enterprises.
- 6) Restrict gaming and directly associated entertainment from locating in the Town of Bethel by limiting the scope, size and location of such activities to those that will not sharply differ from its existing character.
- 7) Use the recently completed PAC Performing Arts Center District as a centerpiece illustration of desirable development patterns that offer new opportunities while preserving the attractive natural and working landscape of the Town.
- 8) Encourage the redevelopment of existing bungalow colonies where the economics of such operation are no longer practical, allowing these sites to be reused for affordable start-up new housing where infrastructure exists to support such development.
- 9) Create an additional zoning district or overlay zone to protect high quality conservation areas within the Town by requiring very large lots (e.g. 5 acres) in selective areas or mandating the use of the conservation subdivision technique to cluster housing and preserve valuable open spaces.

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10) Provide opportunities for start-up owner occupied housing within specific areas of the Town offering the necessary infrastructure or with the capacity to accommodate such infrastructure.

2.2 Public Health and Safety.

Provide for the protection of public health and safety for all Bethel residents now and in the future.

- 1) Minimize development of floodplains using flood damage prevention regulations.
- 2) Apply traffic access management techniques to the design of new driveways and roads.
- 3) Limit the use of highly developed water bodies by motorized watercraft.
- 4) Apply nuisance laws and other regulation to the operation of dog kennels, property maintenance and establishment of loud, high traffic or other high impact activities.
- 5) Reduce the number of abandoned structures, poorly maintained properties and unsightly land uses by applying dumping and junkyard laws, working with property owners on an individual basis and creating incentives to correct the situations.

2.3 Highway Character

Preserve natural character and working landscapes along existing highways while promoting safe, efficient and uncongested circulation of traffic.

1) Establish increased setbacks, detailed site plan review, landscaping, parking and sign regulations along Routes 17-B and 55 that address their role as gateways to Bethel and Sullivan County and ensure that new development is accomplished in a manner that highlights, rather than overwhelms, existing natural and working landscapes.

2) Carefully review grading plans for all projects and require new roads to be designed so as to preserve natural topography and existing tree cover and canopies along roadways, minimize cut and fill, minimize tangents and preserve and enhance views.

3) Scale street widths and alignments to neighborhood size to the extent practical while meeting minimum standards for safety and maintenance.



4) Encourage developers to provide and maintain roads on a private basis subject to standards and procedures that protect the Town from having to accept sub-quality roads.

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5) Minimize curb cuts and require joint accesses to maintain free flow of traffic along major corridors and prevent safety problems.

6) Encourage developers to provide for bicycling and walking as well as vehicular connections to adjacent land uses and open spaces, particularly between White Lake and Kauneonga Lake.

7) Restrict road and other clearing prior to development approvals, educating the public in regard to these requirements through the Town Newsletter, website and other measures.

8) Encourage the development of small convenience shopping areas in developing regions of the Town to lower the demand for routine trips and mitigate congestion impacts.

9) Develop lighting and landscaping standards that soften the impacts of new land development and help maintain rural character.

2.4 Natural Environment

Protect surface and groundwater supplies from pollution, maintain high quality physical environments and preserve wildlife habitats.

1) Incorporate sewage, stormwater management and erosion/sedimentation control planning requirements in both site plan and subdivision reviews.

2) Promote conservation subdivision design practices where lots are clustered to provide open space buffers trapping stormwater run-off.

3) Require both public and private developers to protect ecologically sensitive areas such as eagle habitats, wetlands, trout streams and other wildlife habitats.

4) Protect recreational water bodies through lake and stream monitoring and management programs.

2.5 Regulations and Incentives

Use positive incentive based programs to guide development.

1) Incorporate flexibility into land use standards to fit individual development circumstances and offer bonuses for developers who provide additional open spaces, dedicate conservation easements, protect important environmental features or otherwise contribute to quality forms of development using innovative measures.

2) Encourage low impact home occupations and apply oversight to those features having a direct bearing upon the residential character of adjacent and nearby land uses.

2.6 Open Space Design

Encourage flexibility in development of land to facilitate economical provision of streets and utilities, preserve open space and provide varied housing choices.

1) Require both passive and active open spaces where needed to complement existing recreation programs and valuable natural aspects of the Town's character.

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- 2) Encourage the use of conservation subdivision design at the sketch plan stage of subdivision approval.
- 3) Require developers to maximize the open space value by ensuring high visibility of the open space for persons passing the site or overlooking it from nearby properties.
- 4) Allow for new planned unit developments that provide starter housing for young working households and reflect the physical diversity of small towns by mixing housing types, lot sizes and shapes.
- 3) Work with the Sullivan County Division of Planning to develop additional infrastructure and new industrial and business uses at the County Airport, restricting incompatible residential development within a buffered area around the facility.
- 4) Work with Sullivan County Division of Planning to encourage utilization of available grants and low-interest loan funds for building and facade renovations by local businesses.
- 5) Continue developing and increasing public access to recreational resources of the Town (e.g. fishing accesses, eagle watching sites and reservoir properties) as a means of serving residents and attracting tourism.

2.7 Economic Development

Promote the economic development of the Town of Bethel so as to improve incomes, create new business and employment opportunities and raise the standard of living within the community.

- 1) Work with the Sullivan County Partnership and Sullivan County IDA to provide economic incentives to attract non-gaming tourism businesses compatible with the Town's natural and working landscape character, particularly cultural and recreational enterprises that will complement the proposed Bethel Woods Performing Arts Center.
- 2) Work with the Sullivan County Partnership and IDA to create incentives for agricultural, light metal fabrication, wood processing and similar businesses taking advantage of the Town's extensive natural resources with operations of smaller scale that complement existing mixed use character.
- 6) Support high-end second-home projects that add tourism, take advantage of the Town's natural attributes and help to balance the tax base as one element of the housing mix, balanced with starter housing.
- 7) Use the Bethel Local Development Corporation (BLDC) encourage aesthetic and economic revitalization and promote public-private partnerships.



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3.0 Plans

Note: This section lays the specific strategies for achieving the goals and objectives set out in Section 2.0, along with implementation plans.

3.1 Land Use

3.1.1 Land Use Development Trends.

The Town of Bethel's land use patterns have been evolving quickly. Current trends include:

- Continued new development of both permanent and second home housing (including numerous luxury homes). Older second homes have been converting to first homes at a steady pace even while new second homes are constructed. Some seasonal housing has also been demolished as bungalow colonies have been replaced or upgraded.
- Increased interest in Route 17B in the vicinity of White Lake with several individual building renovations as well as new projects planned.
- Continued progress toward the development of the Bethel Woods performing arts center at the site of the former Woodstock Festival.

The Town Planning Board has experienced a steadily increasing amount of activity each month as new projects have come forward. Unlike some of its neighboring municipalities, the Town of Bethel has attracted development interest on a continuing basis since the 1980's.

It's geographical position between the Catskill vacation area and Upper Delaware region has served to make it appealing to a broad array of interests, with development driven by any number of factors. These include not only the proposed arts center ("Bethel Woods") but also the Chapin Estates subdivision, the airport, Route 17B's role as a gateway to I-86, a vibrant agricultural economy and a strong vacation industry.

3.1.2 Existing Land Use Controls.

There is a body of local laws now in effect that serve to guide development in the Town of Bethel. This legislation includes the following:

- **Subdivision Regulations**

The Town Board adopted a resolution on June 13, 1962 giving the Town of Bethel Planning Board the authority to approve subdivision plans pursuant to Article 16 of the Town Law. Regulations were developed by the Planning Board and have been used effectively over the last four decades. They have been periodically updated to address minor issues such as lot improvements, but no major revisions have been made.

The regulations include very few development standards and rely upon Town street specifications applicable to dedicated roads. This encourages such dedication, which may not be in the Town's interest. Such standards as do exist also are more applicable to suburban communities than a rural Town like Bethel. The regulations also are out of

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date with respect to current Town Law State Environmental Quality Review Act (SEQRA) requirements. A complete overhaul of these regulations is demanded.

- **Zoning Law**

The Town adopted a Zoning Ordinance under Article 16 of the Town Law in 1979. The ordinance was specifically intended to implement the original Master Plan. That Ordinance has been amended numerous times since then under the authority of the Municipal Home Rule Law. It establishes seven basic zoning districts as follows:

RF Rural Farm District

This district is intended to be an area allowing for both rural development and farm uses that are compatible with each other. Farm uses are desired and encouraged but subjected, in more intensive situations, to the same reviews as other Special Uses. Farm uses are, within this district, treated equally with development uses and without the preferences accorded to them in the AG district by State law.

The RF District provides for many larger land uses (e.g. campgrounds, other recreation uses, hotels) as well as neighborhood stores and industrial uses. The minimum lot size is 40,000 square feet. The RF District forms the bulk of the area south of Route 17B and separates two large areas of AG District north of Route 17B.

AG Agricultural District

This is a floating district with borders that is intended to always be congruent with the boundaries of New York State Agricultural Districts within the Town of Bethel. This district is also intended to protect these areas from various development intrusions that would be incompatible, while allowing farm and other large landowners the flexibility to earn a reasonable return. The range of uses, though more limited, is very similar to the RF District. The same 40,000 square feet minimum lot size also applies. However, the preference in this instance, by virtue of the State law, is given to farm uses.

Nearly all of the northwest quadrant of the Town is classified as AG District. There are also three large areas of AG District surrounding the Sullivan County Airport and forming the northeast corner of the Town. There is also an Agricultural-Residential Overlay District near Briscoe Lake where none of the larger nonagricultural Special Uses are permitted.

RC Residential Commercial District

This district is intended to provide areas for commercial and other uses of controllable impacts that are compatible with residential activity based on thorough prior evaluation of those impacts. Conditions are imposed to ensure residences are protected. The combination of uses allowed, which is fairly broad and includes all those activities one might find

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in a traditional neighborhood, is intended to provide a quality residential environment while also offering the convenience of readily available services, with the latter being an priority for those residents who choose to make this district their home.

The minimum lot size is 15,000 square feet where public water and sewer are available and 30,000 square feet where unavailable. The RC District is located along both sides of Route 17B from Mongaup Valley to just west of White Lake, plus it extends along County Road 183 toward the Airport.

RS Residential District

This district is intended to provide safe and healthy living areas for residential use, free from intrusions of incompatible commercial and other uses that could have negative impacts on the welfare of homeowners and tenants. Specifically, this district is intended for a low to medium density development where access to services, while important, is not as critical as maintaining the character of the area.

The range of allowed uses is very narrow and restricted to residential activities and public/semi-public uses. The minimum lot size is 10,000 square feet where public water and sewer are available and 40,000 square feet where unavailable. RS Districts include the Smallwood area and the land around White Lake and Kauneonga Lake. There is also a third such district around Horseshoe Lake.

CM Commercial District

This district is intended to provide an area within the Town specifically for commercial activity without intrusions of incompatible residential and other uses that could have negative impacts on the ability of business owners to operate in a less restricted environment. It is anticipated business in this area may be more tourist oriented, go on for longer hours and generally create conditions that are not necessarily conducive to residential activity.

This district is restricted to small areas with public sewage collection and treatment services available. The range of uses allowed is primarily retail in nature. The minimum lot size is 5,000 square feet where public water and sewer are available and 7,500 square feet where only public sewer is available. The CM District is restricted to the hamlet of Kauneonga Lake.

AD Airport District

This is a special purpose district intended to provide an area in and around the Sullivan County International Airport to both protect the airport and collateral uses from intrusions. It is also intended to protect surrounding properties from any negative impacts from airport-related and industrial activities. The uses allowed generally relate to airport and industrial activity but restaurants and hotels are also allowed. The minimum lot size is 20,000 square feet where public water and sewer

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are available and 40,000 square feet where unavailable. This district surrounds the Sullivan County Airport and includes the industrial park located there.

PA Performing Arts Center Development District

This is another special purpose district. It is intended to recognize the importance of the "Woodstock Festival" site and its surrounding environs as a premier location of national musical heritage. The Town hopes to preserve and further this national heritage with this zoning district. It is intended to encourage and permit an orderly and planned development of uses devoted to the performing arts and to provide economic development within the community by creating a tourist destination on a large tract of land compatible with the natural surroundings of its location.

These district regulations allow a range of land uses and supporting services necessary to facilitate planned development of a nationally prominent performing arts destination. These regulations are further intended to encourage flexibility, creativity and innovation in design as well as the protection of environmentally sensitive land. The range of allowed uses includes agriculture, recreational activities, lodging and other uses consistent with a performing arts center. The minimum lot size is 20,000 square feet where public water and sewer are available and 40,000 square feet where unavailable. The PA

District is located along Hurd Road and West Shore Road and includes the Woodstock Festival site and associated properties.

The Zoning Law also includes standards pertaining to landscaping, amusement and recreation uses, seasonal dwelling unit conversions, home-based businesses, general commercial and industrial uses, parking, loading, access, traffic studies, signs, conservation subdivisions, planned unit developments, manufactured homes, multi-family residential uses, communications structures, forestry uses and adult oriented businesses. Most of these standards are relatively up to date but a comprehensive review is needed to ensure they reflect best management practices. Additional standards regarding gateway development and design practices may also be appropriate.

• **Other Local Laws and Ordinances Related to Land Use**

The Town has enacted several other local laws, ordinances and regulations to deal with specific forms of land use development, including measures to deal with the following land development and land use issues:

- Boating (Chapter 127)
- Code Enforcement
- Dogs (Chapter 60)
- Flood Plain Management (Chapter 76)
- Games of Chance (Chapter 82)
- Mass Public Assemblies (Chapter 46)
- Mobile Home Parks (Chapter 87)

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- Noise (Chapter 91)
- Parking (Chapter 93)
- Peddling and Soliciting (Chapter 95)
- Planning Board (Chapter 25)
- Racetracks (Chapter 98)
- Recreational Vehicle Parks (Chapter 57)
- Right to Farm
- Sewers (Chapter 106)
- Snowmobiles (Chapter 110)
- Streets and Sidewalks (Chapter 113)
- Taxicabs (Chapter 122)

These various local laws and ordinances operate together with subdivision and zoning regulations to provide the Town of Bethel with a generally effective land use management system that also respects private property rights and accommodates growth. maintaining this balance will be very important going forward.

3.1.3 Future Land Use.

While some second-home development is expected to continue, it is the second-home conversions that are driving much of the permanent residential growth of the Town of Bethel. Additional commercial development, particularly of a tourism support nature, can be expected to take place along Route 17B as Bethel Woods materializes and legalized gaming nearer Monticello proceeds.

The Town's land use challenges are likely to come from dealing with the impacts of specific uses along Routes 17B and 55 and protecting the character of the gateways into Bethel. Land use controls must provide flexibility to accommodate development in these areas but in a manner that allows the Town to exercise

reasonable control to deal with the impacts of that development, especially within the gateway areas.

There is also a need to preserve the rural character of the southern portion of the Town by lowering density in that portion of the R-F District. The existing Zoning Law and Subdivision Regulations work reasonably well but new procedures and standards to deal more effectively with design issues are warranted in some instances. The Future Land Use Map that follows is intended to reflect these concerns. A new F-C Forest Conservation District that encompasses the southeast portion of the Town and a 17b Gateway District with four separate subzones that address the major entrances into the developed portion of the Town are depicted on this Future Land Use Map.

These types of measures enjoyed strong support in the community survey and public participation process as this Plan was being developed. There is considerable interest in protecting the Town's generally rural character.

3.1.4 Land Use Recommendations.

Specific major recommendations relating to land use in the Town of Bethel are provided below while the foregoing Goals and Objectives deal with others:

- A. The Town should establish a new district within what is now RF Rural Farm District.** This F-C Forest Conservation District should include that portion of the RF District east of Route 55 and south of Smallwood, surrounding

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the reservoirs. The F-C Forest Conservation District minimum lot size should be raised to 200,000 square feet (except within Conservation Subdivisions) and there should be minimum side yards of 50 feet. Maximum building coverage should be lowered to 10%. Automotive, light industrial, manufactured (mobile) home park, machinery sales and other retail uses should be deleted from the list of permitted Special Uses in this portion of what is now RF District. Natural features conservation standards should also apply within the F-CF Forest Overlay District. These standards should restrict clearing on steep slopes and near bodies of water, for example.

- B. The Town should also establish a new Route 17b corridor zoning district with five distinct subzones.** This 17b zoning district should establish additional design standards to ensure development along this critical entranceway into Bethel and Sullivan County rises to a higher standard that will preserve a quality image of the Town and County as approached from both the east and the west, bearing in mind that Bethel Woods will attract new tourists to the area who can be an important economic resource if captured.

Additional landscaping and building design criteria standards to shift parking to the rear where possible, for example, should apply within most portions of the 17b zoning district, with review by qualified professionals as part of the Planning Board's normal process. Maximum front setbacks may be appropriate. Ground

signs should be required as compared to pole signs. Shared parking to reduce impervious coverage, lower the need for vehicular moves and permit more flexibility in design, should be encouraged. The table on the page 3-12 summarizes the recommendations.

Integrating design review with normal routines so as to not cause untoward delay will be an important part of encouraging higher quality development without discouraging applicants. Encouraging renovation to new higher standards by allowing for higher proportions of lot coverage and similar incentives should be also considered as Town zoning requirements are refined.

It may also be appropriate to phase out the use of large billboards for off-site advertising in this area.

The following descriptions should be adopted as statements of intent with respect to each Route 17b subzone:

R-17b Rural District

This sub-zone is intended to preserve the rural character of Route 17b from Western Sullivan County into the Town of Bethel, complementing the Agriculture District that also serves to shape the image of this area of the Town.

Density is intended to be low and provide for a relatively limited range of uses that will permit economic use of parcels while also avoiding commercialization of the area

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and those activities that would detract from agriculture and the generally rural working landscapes that prevail in this area.

Design criteria for this area are intended to provide for proper landscaping, minimize impervious coverages, avoid curbing, tightly control signage and ensure all uses blend into the natural environment without unreasonably restricting building design or scale.

G-17b Gateway District

This sub-zone is intended to create and maintain an attractive gateway into the heart of Bethel and complement the Performing Arts and Agriculture Districts that it adjoins. It is, moreover, specifically intended to accommodate a range of generally passive recreational and resort-related uses that build upon the agricultural and performing arts uses prevalent in the area.

Design criteria for this subzone are intended to ensure that all commercial uses are landscaped properly and are subjected to design review with respect to building materials, design and scale. The intent is to effectively blend these commercial elements into the working landscapes of both the existing natural environment and the built environment being created within the Performing Arts District. Signage is intended to be strictly limited, lot coverage restricted to modest amounts, utilities placed underground and residential density maintained at a moderate level.

H-17B Hamlet District

This sub-zone is intended to create a higher density commercial and mixed-use neighborhood of high quality around White Lake, where sewer services are readily available, pedestrian linkages can be effectively created and it is possible to establish a destination shopping center within the Town.

Design standards are intended to promote walking to shops with sidewalks, mixed-use buildings with shops beneath and residences or offices above and higher density commercial development. A full-range of commercial uses that do not require large land areas is intended along with high landscape standards, parking in the rear where possible, modest limits on signage, use of decorative lighting and design review of building design, materials and scale. Small lot sizes that take advantage of sewage treatment capacity are warranted. Mixed-use development is encouraged, along with restaurants and small shops that will create tourist interest in the hamlet area and support surrounding residential uses.

C-S Community Settlement District

This sub-zone is intended to create an additional and complementary higher density mixed-use neighborhood of high quality behind Route 17b towards Kauneonga Lake, where sewer services are readily available and pedestrian linkages can be effectively created.

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It is further intended this area accommodate higher density residential development that might otherwise take place and detract from more rural parts of the Town that would be better off staying rural from both quality of life and economic perspectives. It is anticipated the Town will encourage transfers of density into this subzone to strengthen it as a neighborhood, encourage start-up housing and preserve special rural areas outside the hamlet.

Design standards are intended to promote walking to shops with sidewalks, mixed-use buildings with shops beneath and residences above.

A full-range of commercial uses that do not require large land areas is intended along with high landscape standards, parking in the rear where possible, modest limits on signage, use of decorative lighting and design review of building design, materials and scale.

Small lot sizes taking advantage of sewer capacity as well as multi-family and two-story development are encouraged, along with restaurants and small shops that will create tourist interest in the hamlet area and support surrounding residential uses.

C-17b Commercial District

This subzone is intended to create an area in the Town for larger, more land intensive commercial uses and also transition from the hamlet area to the Town of Thompson, which that community

intends to promote for such uses.

It is anticipated this area be of moderate density but also be a location for auto-related uses and similar activities demanding high levels of traffic and visibility and being vehicular rather than pedestrian-oriented.

Design standards for this district are intended to create higher quality development through landscaping and similar techniques but allow more signage and lot coverage than otherwise permitted outside the hamlet area.

It is intended that design review apply to buildings, materials and scale, but particularly to site layout to control traffic access and minimize the strip-commercial character of the area.

- C. **Detailed traffic access management criteria should be incorporated in zoning standards and regularly applied in development reviews.** While regulations need to be compatible, Town standards should apply in addition to any County or State standards that may exist, particularly in regard to traffic study requirements.

The Town needs to also establish a clearer policy with regard to flag lots and use of private drives. This policy should encourage limited use of these techniques to produce more infill development in and around White Lake and Kauneonga Lake where support infrastructure exists.

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The Town should also develop a detailed street specifications within its Subdivision Regulations and a separate Road Law establishing higher standards for road dedication so that there is no incentive to dedicate where inappropriate.

Traffic access management standards should also encourage joint driveways, connected parking lots and other mechanisms that will reduce traffic conflicts and the need for excessive driveway entrances onto the highway.

- D. **The Town needs to enact an entirely new set of Subdivision Regulations that follow the Town Law and SEQRA more closely.** These should include design standards for streets and commercial subdivisions, among other items.

A draft Subdivision Law, proposed for adoption under the Municipal Home Rule Law, has been prepared and is attached as Appendix A. This draft includes several provisions to deal more effectively with these issues and should be enacted as soon as possible.

The Town Planning Board should consider also developing a checklist for subdivision review and processing that includes SEQRA compliance and professional design reviews of all large projects at the applicant's expense prior to Planning Board action.

It should also consider developing its own Type II list of exempt activities under

SEQRA to eliminate the need for meaningless delay and paperwork in the case of innocuous Unlisted Actions. Again, a balanced approach is essential to achieving quality without unnecessarily delaying projects.

- E. **The Town needs to devote additional resources to code enforcement and training.** The Town's code enforcement program is both fair and efficient with respect to processing new applications. It always does a good job, with limited resources, in responding to complaints. Public meeting input suggests the program should include regular monitoring of outstanding Special Use permits that are subject to renewal. Junkyard and sign regulations also need constant attention. This may require more resources for the department including access to legal support.

This issue should be a priority over new regulations. Training is, also, required for both Building Department professionals and members of the Planning Board and Zoning Board of Appeals. Finally, significant changes to site plans need to be brought back to the Planning Board for review.

- F. **The language of the Town Zoning Law for non-conforming lots needs clarification.** The existing Section 130-12.F may not afford existing non-conforming lot owners sufficient economic options.

- G. **The Town should evaluate options for**

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- stimulating the development of more start-up housing.** As the demand for high-end housing in the Town continues to accelerate, the pressure on housing prices will drive many working families out of the local housing market. The Town should investigate options that would require construction of non-subsidized start-up housing simultaneously with the development of higher-end housing and offset the cost with density bonuses.
- H. **The Town should promote the concept of lake and stream management for its major water bodies.** Water quality monitoring programs in conjunction with watershed protection groups and others should be encouraged and supported, including long-term documentation so that this information can be employed in developing policies and approving projects.
- I. **Tree preservation along highways and at commercial sites should be encouraged with specific policies applicable to highway improvements and project reviews.** The Town Board should, cooperatively with the Highway Superintendent, develop standards for visual assessments, ridgeline preservation, tree preservation at commercial sites, tree canopy protection along local highways and other forms of environmental resource protection. This needs to be balanced with safety and maintenance concerns.
- J. **Promote environmentally sound forms of local electric power generation.** The Town should identify proper locations and develop standards for such facilities, regulating how and where they can occur.
- K. **Promote the transfer of density rights (TDR) as a technique for shifting development from agricultural and rural areas to hamlet areas.** The Town should include a simplified form of TDR that takes place at the time of development approval on a private transfer basis.
- L. **The Town should consider enacting regulations to address the impacts of seasonal businesses.** Among the measures that should be considered are standards of construction for bungalow colonies to ensure they are built for permanent occupancy and will not deteriorate with time. Appropriate density standards for these colonies are also needed to ensure high-quality standards in the event of transfers to permanent occupancy and to address parking, safety, health, and related issues. Utilities should be undergrounded. Also, the Town should develop property maintenance standards or licensing procedures for the closing of seasonal businesses that avoid creating eyesores during the off-season periods.
- M. **Establish a buildable acre standard.** The Town should establish a buildable acre standard that requires a minimum of one acre (43,560 square feet) of buildable land (exclusive of wetlands, slopes over 25%, floodplains and the like) for any residence in areas unserved by central sewage.

Town of Bethel Official Zoning Map

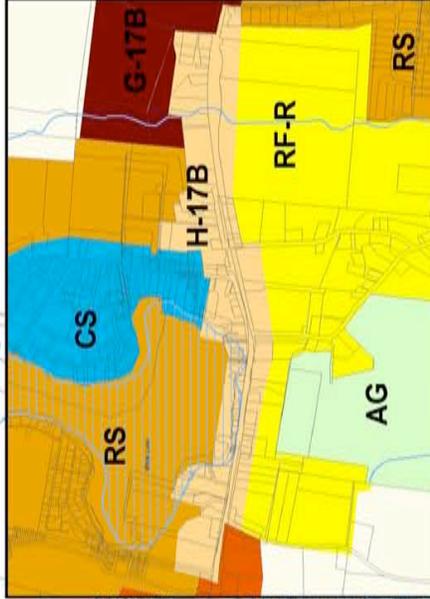
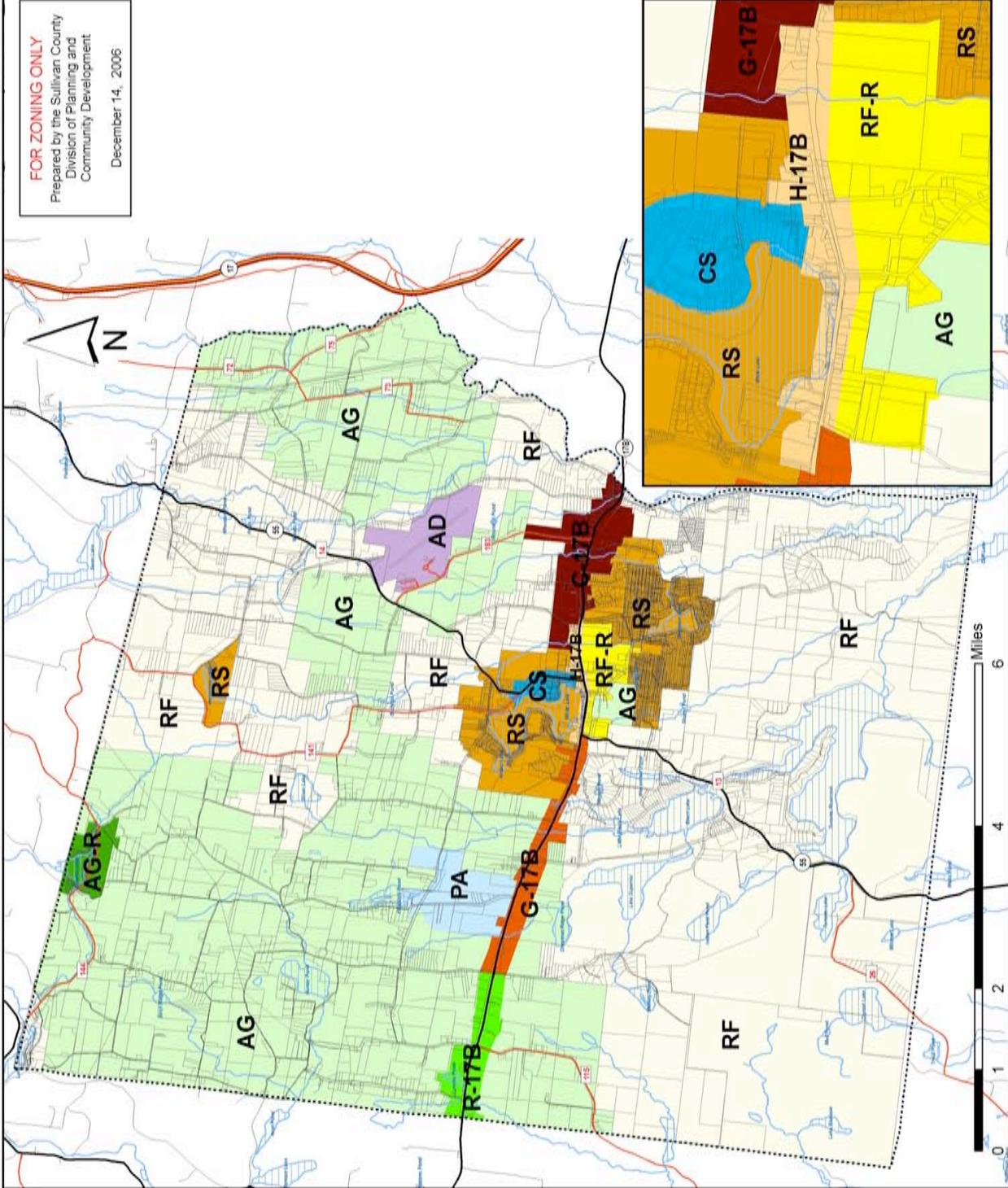
LEGEND:

- Agricultural (AG)
- Agricultural Residential (AG-R)
- Airport Development (AD)
- Highway Commercial (C-17B)
- Community Settlement (CS)
- Gateway Commercial (G-17B)
- Hamlet Commercial (H-17B)
- Performing Arts Center Development (PA)
- Rural Gateway (R-17B)
- Rural Farm (RF)
- Rural Farm Residential (RF - R)
- Residential Settlement (RS)
- Town Boundaries
- Tax Parcel Boundaries
- Quickway
- Interstate Ramp
- NYS Highway
- County Road
- Town Road
- Lakes & Ponds
- Rivers & Streams

Adopted: December 14, 2006

Where district boundary lines along highway boundaries do not follow specific property lines, zoning district boundaries shall be parallel thereto (250 feet in the case of the H-17B District). Also, whenever, in the judgment of the Code Enforcement / Zoning Officer, an accurate determination of the specific location of a zoning district boundary cannot be made from this map, the matter shall be referred to the Zoning Board of Appeals for a definitive location.

FOR ZONING ONLY
Prepared by the Sullivan County
Division of Planning and
Community Development
December 14, 2006



Suggested Model Route 17b/Route 55 Corridor Zoning Districts

R-17b Rural Gateway	G-17b Gateway Commercial	H-17b Hamlet Commercial ⁽¹⁾	C-S Community Settlement	C-17b Highway Commercial ⁽¹⁾
Route 17b from Town of Cochection line to Perry Road	Route 17b from Perry Road to Route 55 South	Route 17b from Rt. 55 South to Pine Grove Road	Route 55 from North of Ice Cream Stand to Kauneonga Lake Town Square	Route 17b from Pine Grove Road to Town of Thompson Line
Principal Uses	Principal Uses	Principal Uses	Principal Uses	Principal Uses
Agriculture Essential services Nurseries and greenhouses One-family detached dwellings Parks and playgrounds	Agriculture Essential services Nurseries and greenhouses One-family detached dwellings Parks and playgrounds	Bed and breakfasts Community buildings Essential services Neighborhood stores Parks and playgrounds Restaurants (except drive-in)	Bed and breakfasts Community buildings Essential services Neighborhood stores One-family detached dwellings Parks and playgrounds Restaurants (except drive-in) Two-family dwellings	Bed and breakfasts Cemeteries Community buildings Essential services Neighborhood stores Nurseries and greenhouses Parks and playgrounds Professional and business offices
Special Uses	Special Uses	Special Uses	Special Uses	Special Uses
Bed and breakfasts Cemeteries Churches and synagogues Community buildings Professional and business offices Public and private schools Recreation and amusement uses	Bed and breakfasts Campgrounds and RV parks Cemeteries Churches and synagogues Community buildings Hotels, motels and resorts Light retail uses Professional and business offices Public and private schools Recreation and amusement uses Restaurants (except drive-in)	Churches and synagogues Commercial recreation (light) Day care services Hotels and motels Mixed-use dwellings Parking lots/garages Professional and business offices Public and private schools Restaurants (drive-in) Retail and service uses (other)	Churches and synagogues Day care services Multi-family dwellings Professional and business offices Public and private schools Retail and service uses (other)	Auto-related uses Campgrounds and RV parks Churches and synagogues Community buildings Multi-family dwellings One-family detached dwellings Recreation and amusement uses Restaurants Retail and service uses (other) Two-family dwellings
Minimum Lot Size	Minimum Lot Size	Minimum Lot Size	Minimum Lot Size	Minimum Lot Size
1 acre ⁽²⁾ 2 acres for commercial	1 acre with public sewer 1 acre ⁽²⁾ without public sewer	0.5 acre with public sewer 1 acre ⁽²⁾ without public sewer	0.5 acre with public sewer 1 acre ⁽²⁾ without public sewer	1 acre with public sewer 1 acre ⁽²⁾ without public sewer
Design Requirements	Design Requirements	Design Requirements	Design Requirements	Design Requirements
Landscaping required for commercial uses	Landscaping required for commercial uses	Landscaping required for commercial uses	Landscaping required for commercial uses	Landscaping required for commercial uses
Minimum front yard - 50 feet	Minimum front yard - 40 feet	Minimum front yard - 25 feet	Minimum front yard - 15 feet	Minimum front yard - 40 feet
Maximum front yard - NONE	Maximum front yard - NONE	Maximum front yard - 50 feet	Maximum front yard - 30 feet	Maximum front yard - NONE
Parking in rear encouraged	Parking in rear required if feasible	Parking in rear required if feasible	Parking in rear required if feasible	Parking in rear encouraged
Building materials to be reviewed	Building materials to be reviewed	Building materials to be reviewed	Building materials to be reviewed	Building materials to be reviewed
Building design/scale reviewed	Building design/scale reviewed	Building design/scale reviewed	Building design/scale reviewed	Building design/scale reviewed
Rural roof forms required	Rural roof forms required	Rural roof forms encouraged	Rural roof forms encouraged	Rural roof forms encouraged
Maximum lot coverage - 10%	Maximum lot coverage - 15%	Maximum lot coverage - 50%	Maximum lot coverage - 60%	Maximum lot coverage - 25%
Sidewalks not required	Sidewalks not required	Sidewalks required and reviewed	Sidewalks required and reviewed	Sidewalks not required
Allow unpaved parking if broken by landscaping (required)	Allow unpaved parking if broken by landscaping (required)	Parking areas paved, landscaping required to break up paved areas	Parking areas paved, landscaping required to break up paved areas	Parking areas paved, landscaping required to break up paved areas
Lighting to be shielded	Lighting to be shielded	Lighting to be shielded/decorative	Lighting to be shielded/decorative	Lighting to be shielded
Signage - 50 sq. ft. maximum	Signage - 50 sq. ft. maximum	Signage - 100 sq. ft. maximum	Signage - 75 sq. ft. maximum	Signage - 150 sq. ft. maximum
Ground signs required	Ground signs required	Ground signs preferred	Ground signs preferred	Ground signs preferred
Signs subject to review	Signs subject to review	Master sign plan required	Master sign plan required	Master sign plan required
Utilities above/below ground	Utilities below ground ⁽³⁾	Utilities below ground ⁽³⁾	Utilities below ground ⁽³⁾	Utilities above/below ground
Maximum height - 35 feet	Maximum height - 35 feet	Maximum height - 35 feet	Maximum height - 35 feet	Maximum height - 35 feet
Minimum lot width - 150 feet	Minimum lot width - 150 feet	Minimum lot width - 100 feet	Minimum lot width - 100 feet	Minimum lot width - 200 feet
Mixed-uses permitted	Mixed-uses permitted	Mixed 2-story uses encouraged	Mixed 2-story uses encouraged	Mixed-uses permitted

Notes:

- (1) Generally limited to one lot deep off Route 17b.
- (2) Buildable acre lacking wetlands, 25% slopes and floodplain required for conventional subdivision lots. Must also accommodate on-site sewage disposal system.
- (3) Undergrounding required for on-site utilities as well as major utility lines in front of buildings.

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3.2 Community Facilities

Bethel's population continues to grow at a pace that is more than triple that of the State as a whole. Indeed, the rate of growth appears to be escalating. Providing the Town's present and future residents with essential public services and facilities is the subject of this Community Facilities Plan. Town government bears direct responsibility for a large portion of these needs and, therefore, is the logical entity to implement programs addressing them.

3.2.1 Parks and Recreation.

The Town faces growing park and recreation needs in the future. Population growth will increase demand for neighborhood recreational area that complement the Lake Superior State Park regional recreation facilities on Doctor Duggan Road. Residents were surveyed regarding their interest in various recreational facilities (see Appendices). The majority, in all instances, indicated they were satisfied with the current recreational facilities and wanted them neither expanded nor decreased.

Therefore, such needs as exist relate to growth and new residents. There is time to plan ahead. Those facilities engendering the most support from existing residents included the following (in order of priority):

- Youth activities center
- Public beach
- Senior activities center
- Playground facilities
- Trail systems

The youth activities center can be

accommodated as part of a multi-use facility serving as a Town Hall and/or senior center in the fashion of the Delaware Community Center in Callicoon (see next section).



A public beach facility also makes sense to create now before new development eliminates all lake access opportunities. A new beach on White/Kauneonga Lake is appropriate to complement the existing Community Park site and State access. This beach should be located somewhere between Kauneonga Lake and Route 17B.

It is recommended the Town secure land for such a facility on an option basis. It should engage the services of a landscape architect to evaluate the site and develop a master plan for a public beach area. It is further recommended that the Town incorporate incentives for developers to provide for trails and other recreational facilities within new subdivisions.

3.2.2 Town Hall and Community Center.

The Town of Bethel Town Hall is poorly suited to its task, although serviceable in the short-term. The layout does not allow for private or public meetings. Space is at a

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premium and not conducive to office work. There is additional office space in the basement and a small meeting room, but access is difficult with no special handicapped arrangements. The Town is forced to use the Senior Center, Justice Court, Ambulance Building or Fire Hall for public meetings, a workable arrangement but one that creates frequent meeting conflicts and makes scheduling difficult, particularly for events that cannot be planned well in advance.

It is recommended, for the short term, that the Town consider installing a handicapped ramp into the basement of the existing Town Hall as a way to increase capacity, ensure safety and accommodate more of the smaller Town meetings. Long-term it is recommended the Town develop a combined Town Hall and Community Center to accommodate; a) official Town functions, b) a youth activities center, and c) space for a Post Office or similar revenue-producing public service tenant.

The existing senior center could possibly be expanded to accommodate these additional uses or a new facility erected nearby or in the vicinity of the existing Town Hall. It is recommended the Town engage architectural and engineering assistance to conduct evaluations of different building and sites.

A multi-use facility will help to reduce the overhead costs of building and provide for greater efficiency of operations. There are several examples of such facilities (e.g. nearby Damascus Township, Wayne County, Pennsylvania has a combined Community Center and Township Building). The Town of Gilboa (Schoharie County) combined its Town Hall with a Post Office, which has generated

rent sufficient to pay for most of the construction cost. Other towns have also successfully combined public uses in single buildings, providing several good models for the Town of Bethel. Regardless which model is pursued, the Town should minimize its costs wherever possible by using other public facilities for very large group meetings and designing a building that is expandable as further needs develop over the years.

3.2.3 Fire and Ambulance.

It does not appear there are any serious needs in regard to emergency services at the present time that are not already being addressed by volunteers or supplementary programs. Nevertheless, these types of services are always top priorities of the citizenry of small towns and volunteer recruitment incentives (awards and recognition, high-quality meeting places, the best equipment and support services such as child care) are appropriate.

3.2.4 Sewage and Water Supply Facilities.

Given the mostly scattered nature of development within the Town and increased sophistication of design with respect to on-lot sewage disposal systems, continued use of on-lot systems is warranted in most areas. Subsurface disposal is the preferred option for reducing impacts on both ground and surface water from excess nutrients. The Town should continue to enforce its sewage disposal testing requirements in this regard as it processes new subdivision proposals.

There are two areas of the Town where additional infrastructure is needed, however, to

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support economic and hamlet development. These are the White Lake area, which has an existing sewage system with treatment capacity, and the Airport Industrial Park, which is proposed for further development but lacks central sewage.

The Kauneonga Lake system needs to be expanded to accommodate the Bethel Woods project and existing portions of the Route 17 B corridor that do not currently have access to the system (roughly from the Rt. 17B and Rt. 55 South intersection to the west). It is anticipated that the easiest way to do so is through a new sewage line along Route 17B. The capacity of such a system should, to the extent practical, be reserved for service of existing residences and businesses and new commercial development permitted in the 17 B Gateway District.

Service to the Airport Industrial Park is also needed long-term to ensure the capacity of this Park can be realized. This may require a separate system or extension of existing infrastructure to the Park. Any expansion of the existing system will, of course, demand a high level of treatment and special precautions to ensure the impacts of stream discharges are minimized on downstream uses. Such issues would have to be addressed in permitting for any additional treatment capacity required.

It is recommended the Town's engineers be authorized to investigate the feasibility of these system extensions, present alternatives to the Town Board and develop an implementation plan that fairly distributes costs among all users and achieves minimum degradation of streams to which effluent is discharged.

Existing sewage collection lines also need regular monitoring, testing and upgrading in many instances.

Public water supply needs are similar. Individuals wells will serve to supply most users and are generally preferable as a means of distributing the impacts on aquifers. There are, nonetheless, selected areas in and around White Lake and Kauneonga Lake that could benefit from system expansion. It is recommended the Town's engineering consultants study these water supply needs.

3.2.5 Library Service.

The Town is served by an excellent library in nearby Monticello. There are no serious unmet needs in this regard although a local branch in a new Town Hall / Community Center could be a community service of value to residents.

3.2.6 Solid Wastes.

The Town is served by private trash haulers who take the solid wastes to the Sullivan County landfill facilities. The County landfill currently has only limited capacity remaining, although there are plans to add new cells. There are also ongoing efforts to study alternatives such as a comprehensive recycling program. The Town may be forced to find alternatives if the County cannot continue to deliver this service. Fortunately, the Town of Bethel has other options, including contracting with out-of County disposal companies located in nearby Pennsylvania. Therefore, the long-term impact of developments at the County landfill is relatively limited on the Town. Such measures as the Town uses for

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solid wastes disposal should employ environmentally friendly techniques that reduce the burden on landfills and create opportunities for recycling.

3.2.7 Schools.

The Town of Bethel is located primarily within the Monticello Central School District, although smaller portions extend into other districts. Schools are experiencing financial pressures and as second homes convert to first homes, capacity issues may arise, although it must also noted the principal problem facing most rural schools today is declining enrollment due to shrinking household sizes and aging of the population. Nonetheless, the It is important to consider the impacts on schools from larger residential projects, particularly as they relate to the Duggan School in White Lake. Coordination of facilities planning is essential and the Town should continue to involve the school districts in the environmental reviews of such larger projects.

3.3 Transportation

Highways influence the direction of overall growth and the location of specific developments. This plan addresses the needs of this highway system, as well as other modes of transportation to the extent they exist.

3.3.1 Functional Road Classifications.

Every road and highway in the Town of Bethel plays a particular role in moving people and goods within the Town. The following table identifies roads by the functions they must play in the future (as opposed to present use)

to achieve an efficient flow of traffic.

Most of these highways are already functioning in the above capacities. Nonetheless, some efforts are warranted to bring about a more functional system by upgrading these roads and making other improvements. They include the following:

- A. Public sidewalks are required throughout the White Lake and Kauneonga Lake area. An excellent start has been made with the new sidewalks installed at the Community Park and the nearby restaurant as well as the approved new sidewalks proposed in connection with other approved development plans. There are some existing sidewalks in Kauneonga Lake and other areas. Sidewalks are essential to public safety throughout the entire area due to the large amount of pedestrian activity in the hamlet. A Model Sidewalk Law is found in the Appendices. It is recommended the Town enact such a law to ensure new sidewalks are properly maintained.
- B. Improvements to the existing highway system should be approached with a long-term capital improvements plan for upgrading that incorporates such methods of financing as bond and grant funding. Major highway upgrades, including improvements such as realignment and widening, to increase functionality and safety, are needed with respect to the following roads (some of which are State projects that need to be included on the NYS-DOT Transportation Improvement Plans:

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- Hurd Road
- West Shore Road
- Pine Grove Road
- Moscoe Road
- Doctor Duggan Road
- Route 55
- Route 17B

Each of these roads can be expected to experience greatly increased traffic in future years and need some attention. The primary section of Route 55 needing upgrading lies between Kauneonga Lake and Airport Road.

capacity, intersections and three-lane design combine to create poor safety conditions. Signalization at Pine Grove Road and other traffic calming measures are required. These potentially include additional signals, reduced speed zones in places such as Bethel and removal of dangerous distractions. Widening may be demanded in some instances to accommodate safer designs.

- C. The Town needs to comprehensively manage access to the highway system. New accesses need to be limited with regulations restricting the number of curb cuts and requiring the use of common accesses designed to safe standards, which also allow for increased use in the future. Traffic study requirements need to be enforced with respect to all new site plans and subdivisions generating large amounts of traffic or located at already congested or dangerous locations. Parking standards need to incorporate flexibility that allows for placement of parking in the rear, better definition of parking lot accesses and reduction of parking where excessive requirements would require new accesses.
- D. Highway maintenance should be directed towards reducing traffic hazards, cutting back the long term cost of highway improvements throughout stormwater management and increasing highway capacity. These criteria should be formally incorporated into Town highway capital improvement programming.

Functional Highway Plan		
CLASS	FUNCTION	ROADS
ARTERIAL	Carries medium-to-heavy volumes of traffic at moderately high speeds and provides access to and from major traffic generators.	NYS Route 17B NYS Route 55
COLLECTOR	Provides connections between Arterials and Local Roads at relatively slow speeds and carries moderate traffic volumes.	CR No. 73 CR No. 75 CR No. 115 CR No. 141 CR No. 143 CR No. 144 CR No. 183 Hurd Road
LOCAL	Provides direct access to abutting properties and channels Local traffic to Collector Roads.	All other existing roads

Route 17B is in good condition but includes several sections where high speed

- E. Accident-prone areas along Town, County and State highways should be continually

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documented by the Building and Highway Departments to assist with the justification of highway improvement projects, working cooperatively with the County Department of Public Works and NYS-DOT.

- F. The Town needs to conduct or help sponsor continuing public education regarding the need for highway curb cut permits from the Town, County or State, as the case may be. There is evidence not enough property owners are aware of these requirements before they buy or build. The New York State Department of Transportation offers excellent materials in this regard and could help conduct such educational programs.
- G. The Route 17B and Route 55 North intersection is dangerous for through traffic toward the east on Route 17 B and southbound traffic on Route 55. Turning lanes are needed for left turns off Route 17B onto Route 55 and right turns off Route 55 onto Route 17B west. The pedestrian crossing also needs redesign and additional protection. There is also a need to address parking on the highway with regulations to ensure sight distances are not compromised.

3.3.2 Other Recommendations.

- A. There is no regular public transportation in the Town except that provided by the Office of Aging. There is a fixed route service between Callicoon and Liberty and regular Shortline (Coach USA) routes along Route 17 and Old Route 17 but none

of these directly enter the Town. Shortline has franchise rights for service in the area and did operate seasonal service to White Lake at one point. Limited service is proposed for the future under the County Rural Public Transportation Plan. The County is also now engaged in an update of its public transportation plans that may lead to additional service in certain areas.

- B. Railroad freight service is available in nearby Shohola and the reasonable accessibility of the Sullivan County and Newburgh Airports suggests the Town has no further needs in either of these categories. Commuter rail service between New York City and Port Jervis is also available and extended service to Binghamton is being discussed. Studies have also been completed that indicate high-speed commuter service to Sullivan County is feasible. Several alternatives were examined and it is possible one or more of these will receive additional attention in the future as the area urbanizes. This would greatly accelerate growth of the area but potentially stabilize traffic patterns by offering new alternatives.

There can, at this point, however, be no certainty that any of these rapid transit (60+ mph) plans will move forward. If they do, it is likely to take another 10-20 years or more to bring them to fruition due to the controversy over reactivating rights-of-way and the environmental and growth impacts. Similar planning in the Poconos has been 25+ years in the making. The

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Town needs to monitor the situation and be prepared to update its planning in the event they become a reality.

- C. As White Lake develops further as a higher-density hamlet (it is well on the way now), it will become necessary to address public parking needs related to businesses along Route 17-b at the south end of the Lake. There are already significant safety issues with parking along the highway.

The Town should, in cooperation with local businesses, develop public parking in this area, continue construction of sidewalks to define parking areas and require future property improvements in this area to include additional off-street parking in their site plans.

3.4 Economic Development

Economic development has been discussed under Land Use and elsewhere in this Plan. Nevertheless, it is valuable to consolidate these ideas and combine them with a view toward answering that most basic of questions - how should Bethel grow?

3.4.1 Economic Features and Trends

The Town of Bethel exhibits several special features from an economic development perspective. These include the following:

- A. The Town of Bethel is located at the center of Sullivan County, straddling all of its primary geographical regions. It surrounds the intersection of two

principal arterials through Sullivan County (Routes 17B and 55) and is relatively convenient from all directions with proximity to both Pennsylvania and the Quickway (proposed new Interstate Route I-86).

- B. Sullivan County and the Town of Bethel possess some of the best farmland in the County and also produce some of the best hardwoods in the world. Large areas of the Town are located within Agricultural Districts. There are several nearby processors of farm and forest products and markets nearby that can consume virtually any agricultural or wood product manufactured locally. On-farm processing of cheeses, wines and other products needs to be allowed and even encouraged through the Town's Zoning Law and using resources of the County for support.

There are not only possibilities for further harvesting of hardwood products but also the development of new secondary processing and added value operations on a small scale. There are clearly opportunities in the Town of Bethel to develop small wood products manufacturing enterprises producing items such as cabinets, crafts and wood specialty items.

- C. This area of Sullivan County has a uniquely appealing charm that derives from its scenery, history and natural features. Its many lakes and blend of Catskills and Western Sullivan County environments all contribute to a distinctive marketable character. The Bethel Woods Performing Arts Center is already

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contributing to further upgrade of this image as it brings in new attractions and stimulates higher quality development. The Chapin Estates project is one example of new development being attracted.

- D. The proximity of the Town to various urban areas is, though sometimes forgotten due to the largely rural character of the area, one its key assets. Most of the population of the United States and Canada lies within a few hours of Bethel and this constitutes a market of extraordinary size and wealth for those who wish to sell to it.
- E. The Bethel Woods project and high-end housing developments taking place in Bethel open up opportunities for light retail enterprises such as antique stores, craft shops and other niche appeal businesses. These businesses need to be accommodated in the Zoning Law.
- F. There is significant potential to package local tourist attractions with the working landscapes of the area and promote outdoor recreational opportunities. The Town offers beautiful wooded areas, superb hunting and fishing, attractive farms and several other features that can easily be combined to market a distinct image of the area as opposed to individual attractions. This requires sophisticated professional marketing and is being accomplished by the efforts of the Sullivan County Convention and Visitors Bureau. Bethel Woods will present unique opportunities for Bethel in this regard.

Complementary efforts by the Town to upgrade the image of Route 17B will be essential to realizing success in tourism marketing. Improved code enforcement, upgraded sign regulations, cleanup of junkyards, removal of deteriorated structures and implementation of new design guidelines that reflect Route 17B's role as a gateway are needed. Potential guidelines are found in the Appendices and zoning recommendations are found in the Land Use section of this Plan.

- H. The Airport Industrial Park provides a unique opportunity for the Town to accommodate the needs of business and industry, support job creation and expand the tax base. Other smaller scale business and industrial enterprises with relatively minor infrastructure needs and modest employment are also appropriate throughout much of the Town of Bethel.

Excellent examples are a small metal fabrication facility or molding manufacturing operation. These type operations generate very low demand for community services, are conducted entirely inside, pay well because they are capital intensive and cause little or no impact on the environment. Moreover, because of the products are typically shipped out to metropolitan markets in small quantities there is no reason they cannot be located almost anywhere provided the owners have a relatively quick access to their customers for occasional visits.

These types of enterprises fit well within all the rural and suburban areas

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surrounding the New York City metropolitan area. They can work very well for Bethel and should be permitted in several districts. Likewise, telecommuting businesses and other similar home occupations or small scale businesses should be allowed in broad areas of the Town.

- G. The second home industry will continue to be critical to the economic success of Bethel. It generates relatively low impacts on both the environment and community service demands while producing a good tax base. It is very appealing on that level, particularly when high-end housing is involved where the cost to the school system is offset by tax revenues.

The experience of other second home areas, however, suggests second homes often become first homes with the attendant costs for schools and other services. Moreover, second home owners often represent a constituency with an interest in limiting future development. Therefore, caution is warranted in not relying too heavily on second home development as the base of the economy. Diversification is essential.

3.4.2 Additional Recommendations

Given the above analysis, the following recommendations are offered for the economic development and growth of the Town of Bethel:

- A. Driving tours of the Town would offer a basis to cross-promote tourist attractions.

The Town should work with the County Division of Planning and Community Development and the Convention and Visitors Bureau to develop such tours around its farm areas, Bethel Woods and its lakes, incorporating them into professional brochures.

- B. The Town should work with the County Industrial Development Agency, Sullivan County Partnership for Economic Development and Bethel Local Development Corporation to create incentive programs for the attraction of small industries to communities without infrastructure. Towns such as Bethel are very suitable for agricultural and forestry specialty manufacturers, metal fabrication shops, health services and other small enterprises with few infrastructure demands.

These small businesses (typically 10 to 30 employees) are historically high growth in nature as far as employment is concerned. They are also attracted to communities on the urban fringe (which includes Bethel) because owners can find good labor, appealing living conditions and close access to the metropolitan areas. A tax-abatement program specific to such enterprises and offered with the upfront cooperation of the Town of Bethel should be pursued.

- C. The Town should encourage the development of home-based businesses by allowing them everywhere in the Town, relying upon a site plan review procedures in the Zoning Law. Home-based

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businesses demand flexible approaches and should not be subject to the same tests as other businesses.

D. The Town should expand its industrial zone at the airport and consider the development of additional floating zones for planned unit development of business and industry. The Town should work with the Sullivan County Partnership for Economic Development to preapprove development at the airport site so that interested parties will be able to utilize these sites in short order. The Generic Environmental Impact Statement process provides an opportunity to accomplish such preapprovals.

E. The Town should encourage the use of State and County programs and other incentives to stimulate redevelopment in White Lake and Kauneonga Lake and improve the image of Route 17B. The area surrounding the intersection of Routes 17B and 55 North demands this type of attention, in particular. Removal of junkyards in this vicinity and replacement or upgrading of several deteriorated buildings are essential to redefining the overall image of White Lake and, with it, that of Bethel.

Other measures that can help to improve the image of Route 17B and include:

- Requiring light shielding and establishing other lighting standards.
- Offering incentives for hamlet development (e.g. providing for

higher lot coverages) while lowering density in other areas.

- Providing for landscaped buffers in front of new business and developing illustrated landscaping guidelines for employment in connection with new commercial projects.
- Extending the site plan review authority of the Town Planning Board to sign and building design issues where these would have a major impact highway character.

These actions should help to upgrade the overall image of Route 17B, the gateway to Sullivan County and the Town of Bethel.



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4.0 Environmental Impacts

Note: The environmental impacts attendant to the recommendations contained in this Plan have been reviewed during the process of preparing it. Specific findings with respect to these environmental impacts are as follows:

4.1 Impacts of Recommendations

Many of the recommendations of this Plan directly address land use and environmental concerns but the economic development suggestions, if implemented, could cause some additional development and traffic. However, the Plan anticipates growth and establishes a framework for dealing effectively with it. It is also focused on maintaining the area's character and high quality of life. The Town welcomes growth that will not detract from its essential character. Rather, it is the intent of the Town of Bethel to create new economic opportunities for its residents, using its land use regulations to ensure this growth is high quality in nature.

4.2 Mitigation of Impacts

There are no environmental impacts that cannot be mitigated by good site plan review procedures and the Town's Zoning Law, as proposed herein for revision, will provide a proper vehicle for this. Those procedures will be enhanced by referral to the goals and objectives as outlined in this Plan.

4.3 Irreversible Commitments

There are no recommendations contained in this Plan for actions that would constitute an

irreversible commitment of environmental resources. Indeed, many of the recommendations relate to protection of those resources. Moreover, it is anticipated all actions would be subject to individual review under SEQRA (State Environmental Quality Review Act).

4.4 Alternatives

The various alternatives for development of the Town have been considered in the context of the land use and economic development discussions contained herein. There are no development alternatives available to the Town that are more environmentally sound. The emphasis is on low impact development.

The Town could, of course, attempt to resist new commercial, industrial and residential development, but that course of action will do nothing to improve the environment, whereas carefully planned development subject to site plan review can actually incorporate environmental improvements to deal with environmental impacts (see Route 17B upgrade recommendations, for example).

4.5 Conclusion

This Plan, if implemented, will cause no adverse effects on the environment that could be classified as significant. Rather, the Plan will significantly improve the environment by incorporating specific goals and objectives, relating to environmental protection, that can be employed as a foundation for land use regulations. It also provides for upgrading of Route 17B and other areas consistent with protection of the environment.

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5.0 Appendices

- A - Draft Subdivision Law
- B - Community Survey Tabulation
- C - Model Sidewalk Law
- D - Sample Design Guidelines and
Zoning Provisions for Rt. 17B
Gateway District

Town of Bethel
Sullivan County, New York

SUBDIVISION REGULATIONS

DRAFT LOCAL LAW - 2004



Town of Bethel Planning Board
Town of Bethel Town Board

Town of Bethel Subdivision Law

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Town of Bethel Subdivision Law

1.0 General Provisions

1.1 Authority

- 1.1.1 This Law is adopted under the authority provided to the Town of Bethel by the New York State Town Law, Municipal Home Rule Law and the State Environmental Quality Review Act.
- 1.1.2 The Town of Bethel Planning Board shall be authorized and empowered to approve preliminary and final plats of subdivisions showing lots, blocks, or sites, with or without streets or highways, within the Town of Bethel, pursuant to § 276 of the Town Law.
- 1.1.3 The Planning Board shall be also authorized and empowered, to approve the development of those plats, filed in the office of the County Clerk prior to February 8, 1975, where twenty percent or more of the lots are unimproved unless existing conditions such as poor drainage have prevented their development.
- 1.1.4 The Planning Board shall be further authorized and empowered, pursuant to § 278 of the Town Law pertaining to cluster development and simultaneously with the approval of a plat or plats, to modify applicable provisions of the Town of Bethel Zoning Law, subject to the conditions set forth in § 278 and later herein.
- 1.1.5 The regulations which follow have been prepared by the Town of Bethel Planning Board and are approved and adopted by the Town Board of the Town of Bethel as local law pursuant to the authority of the New York State Municipal Home Rule Law. They repeal previously enacted Subdivision Regulation. Section 276.5(a) of New York State Town Law is hereby specifically superseded so as to permit exemption of certain subdivisions from the requirement to file plats for Planning Board approval, pursuant to Section 1.3.3 hereof. The definition of subdivision is also superseded to encompass divisions of lands for purposes of immediate or future sale, lease, partition by the court for distribution to heirs or devisees, transfer of ownership, building or lot development. Finally, the requirement for final plans to be submitted within six months of preliminary approval is superseded to provide for extensions of up to five years for this purpose.

1.2 Purposes

This Law is adopted for the following purposes;

- 1.2.1 Promoting the orderly growth and development of the Town in accordance with the Town of Bethel Comprehensive Plan.
- 1.2.2 Affording adequate facilities for the housing, transportation, distribution, comfort, convenience, health and safety of Town residents.
- 1.2.3 Minimizing foreseeable maintenance and improvement problems as well as economic burdens associated with development of land.
- 1.2.4 Conserving the Town's natural resources and protecting its attractive environment so as to maintain property values and otherwise provide for the general welfare of residents of the Town of Bethel.

1.3 Jurisdiction

- 1.3.1 Regardless whether or not any formal conveyance by metes and bounds shall be made, when any subdivision of land is proposed and before any offer is made to sell

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any part or all of a subdivision and before any permit for the erection of any structure in such subdivision shall be issued or any grading, clearing, construction or other improvements shall be undertaken, the subdivider or his authorized agent shall first obtain the appropriate approval of the proposed subdivision in accordance with the requirements of this Law.

1.3.2 It shall further be the obligation of each prospective purchaser or developer of a lot which forms any part of a subdivision to ensure that appropriate subdivision approval has been obtained. In the absence of such subdivision approval, a prospective purchaser shall not commence the erection of any structure on such lot, nor commence any grading, clearing, construction or other improvements.

1.3.3 The regulations of this Law shall not apply to natural subdivisions or lot improvements as provided for herein (see § 3.7). The Planning Board shall be authorized, where requested and for legal recording purposes, to indicate in writing on any qualifying plat presented that "These plans are acknowledged by the Town of Bethel, and for recording purposes only, to represent an exempt lot improvement in accord with Section 3.7 of the Town of Bethel Subdivision Regulations. No subdivision approval is required or given." No plat so submitted, however, shall indicate that a subdivision is being created or approved through action of the Planning Board.

1.4 Interpretation, Conflict and Separability

1.4.1 The provisions of this Law, in their interpretation and application, shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

1.4.2 This Law is not intended to interfere with, abrogate, or annul any other law, rule or regulation statute or provision of law. Where any of the provisions of these regulations impose restrictions different than any other law, rule or regulation or other provision of law, whichever provisions are more restrictive or impose higher standards shall control. This Law, however, shall repeal and replace in their entirety the Subdivision Regulations approved by the Town Board on March 8, 1975, including all amendments thereto preceding the enactment of this Law as local law.

1.4.3 If any part or provision of these regulations is judged invalid by any court of competent jurisdiction, such judgment shall be confined in application to the part or provision directly on which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Law or the application thereof to other persons or circumstances. The Town hereby declares that it would have enacted the remainder of these regulations even without such part or provision or application.

1.5 Waivers and Modifications

1.5.1 Applications for waivers of standards or procedures shall ordinarily be submitted in writing by the subdivider at the time the preliminary plat is filed. The application shall state fully the grounds on which it is made.

1.5.2 The Planning Board may, by resolution, authorize a waiver or modification of the regulations of this Law when, in its opinion, unreasonable restriction will result from strict compliance.

1.5.3 Waiver applications shall, in those instances where the Planning Board determines they could, if granted, have an impact on adjoining properties, be subjected to a public hearing at the applicant's expense.

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- 1.5.4 Any resolution by the Planning Board authorizing a waiver of these regulations shall include the basis for its finding that unreasonable hardship will result from strict compliance with this Law.
- 1.5.5 In authorizing a waiver, the Planning Board shall attach conditions and require such guarantee or bond as it may deem necessary to assure compliance with the objectives of these regulations. No waiver shall be granted which would substantially change the character of an area or compromise the purposes of these regulations.

1.6 Appeals

Any person or persons, jointly or severally aggrieved by the decision of the Planning Board or Town in regard to the administration of this Law may apply to the supreme court for review under article seventy-eight of the civil practice laws and rules.

1.7 Violations and Penalties

- 1.7.1 Any person who shall lay out, construct or open any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel, or other purposes or for the common use of occupants of buildings located or abutting thereon, or who sells, transfers, rents, leases, conveys by other means, or agrees or enters into an agreement to do the same with any land in a subdivision, unless and until a final plat has been prepared, approved and recorded in full compliance with the provisions of this Law, shall be deemed to have committed a violation of this Law and shall be liable for such violation.
- 1.7.2 Any person found in violation of this Law shall be subject to a fine not exceeding three hundred fifty dollars (\$350) per lot, parcel or dwelling. All fines collected for such violations shall be paid over to the Town of Bethel.
- 1.7.3 Each day that a violation continues shall be a separate violation, but nothing herein shall require the Town to post separate notice each day that a violation continues.
- 1.7.4 The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
- 1.7.5 The Town shall be authorized to initiate and maintain a civil action to obtain a writ of injunction against subdividers who attempt the improper sale, lease, or conveyance of land, or to set aside and invalidate any conveyance of land made prior to Town approval. It shall take other action as necessary to prevent or remedy any violation.

1.8 Amendments

Amendments to this Law shall be made pursuant to the New York State Municipal Home Rule Law. Also, should provisions of New York State Town Law be amended to require actions different from those specified herein, the State requirements shall prevail.

1.9 Effective Date

This Law shall be effective immediately upon enactment.

Town of Bethel Subdivision Law

2.0 Definitions

2.1 General

As used in this Law, words in the singular include the plural and those in the plural include the singular. The words "shall" and "will" for the purpose of this Law are defined as mandatory.

2.1.1 For the purpose of this Law, the following terms shall be considered interchangeable:

- (1) The words "Law," " regulation(s)" and "Law."
- (2) The terms "Town" and "Town of Bethel."
- (3) The terms "subdivider" and "developer" and the terms "subdivision" and "development."
- (4) The terms "State Environmental Quality Review Act" and "SEQRA."

2.1.2 Unless otherwise expressly stated, the following definitions shall, for the purpose of this Law, have the meaning herein indicated. Any pertinent word or term not a part of this listing shall be construed to have its legal definition.

2.2 Glossary of Terms

The following is a list of specific terms, found elsewhere in the Law, along with definitions of their intended meaning:

ALLEY - A permanent service way providing a secondary means of access to abutting lands.

ALL-WEATHER SURFACED - The surfacing of a street, parking area, access or walkway to a mud-free or otherwise permanently passable condition during all seasons of the year and under adverse weather conditions. Macadam, gravel, crushed stone and shale surfaces will all suffice to meet this test but the depth and installation of the material shall be subject to the approval of the Town Engineer.

APPLICANT - A landowner, developer or subdivider, as hereinafter defined, who has filed an application for subdivision plat approval, including heirs, successors and assigns.

BERM or SHOULDER - That portion of a roadway between the outer edge of the traveled way or pavement and the point of intersection of the slope lines at the outer edge of the roadway, for the accommodation of stopped vehicles and for lateral support.

BLOCK - A tract of land or a lot or group of lots bounded by streets, public parks, railroad rights-of-way, watercourses, bodies of water, boundary lines of the Town, or by any combination of the above.

BUILDING - A structure formed of any combination of materials which is erected on the ground and permanently affixed thereto, and designed, intended or arranged for the housing, shelter, enclosure or structural support of persons, animals, or property of any kind.

CENTRAL SEWAGE or WATER SUPPLY - A sewage system or water supply system designed to serve more than one dwelling unit or building; not including the use of a single well or disposal system for two dwellings on the same parcel of land. See "ON-SITE SEWAGE or WATER SUPPLY " for further information.

CLEAR SIGHT TRIANGLE - An area of unobstructed vision at a street intersection(s), defined by lines of sight between points at a given distance from the intersecting street centerlines.

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COMMON OPEN SPACE - A parcel or parcels of land or an area of water, or a combination of land and water, within a subdivision, which parcel or parcels have been designed and intended for the use or enjoyment of residents of the development. It does not include streets, off-street parking areas and areas set aside for utility placement, rights-of-way or similar public facilities.

COMMON PROPERTY - All of the land and improvements part of a subdivision which is to be jointly owned and maintained by the lot owners, lessees and/or members of the subdivision and identified as such by the subdivider on any plat offered to the Town for approval.

CONSERVATION SUBDIVISION - A form of development for single-family residential subdivisions that permits a reduction in lot area and other development standards, provided there is no increase in the number of lots permitted under a conventional subdivision, given the specific site conditions, and no less than 50% of the total land area is devoted to permanent open space.

COUNTY - The County of Sullivan, State of New York, and its planning agency.

CUL-DE-SAC - A minor street providing a single access to a group of lots with a turnabout area at the end of such street.

DEC - The New York State Department of Environmental Conservation

DEVELOPER - The owner, or authorized agent of the owner; including but not limited to, any individual, partnership or corporation that undertakes a subdivision or any of the activities covered by this Law, particularly the preparation of a subdivision plat showing the layout of the land and the public improvements involved therein. The term "developer" is intended to include the term "subdivider," even though the personnel involved in successive stages of this project may vary.

DRIVEWAY - A defined private access from an individual lot to a public or approved private right-of-way.

DWELLING - A building arranged, intended, designed, or used, as the living quarters for one or more families living independently of each other upon the premises. The term "dwelling" shall not be deemed to include hotel, motel, rooming house or tourist home.

A. **DWELLING, SINGLE-FAMILY** - A building arranged, designed and intended, for and occupied exclusively by, one family.

B. **DWELLING, TWO-FAMILY** - A building arranged, designed and intended for and occupied by two families living independently.

C. **DWELLING, MULTI-FAMILY** - A building arranged, designed and intended for and occupied by three (3) or more families living independently and having no cooking or sanitary facilities in common with any other dwelling unit; including apartment houses, apartment hotels, flats and garden apartments.

EASEMENT - A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public or private purpose, and within which the lessee or owner of the property shall not erect any permanent structure, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

FRONTAGE - That side of a lot abutting on a street or way and ordinarily regarded as the front lot, but it shall not be considered as the ordinary side of a corner lot.

LOT - A tract or parcel of land held in single or joint ownership, not necessarily shown on a duly recorded map, which is occupied or capable of being occupied by buildings, structures and accessory

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buildings, including such open spaces as are arranged, designed, or required. The term lot shall also mean parcel, plot, site, or any similar term.

A. LOT AREA - The area of land contained within the limits of the property lines bounding that lot. Any portion of a lot included in a street right-of-way shall not be included in calculating lot area.

B. LOT IMPROVEMENT - A division or redivision of land wherein lot area is shifted from one parcel to another so to improve the shape or dimension of each. See Section 3.7 for further clarification.

C. LOT WIDTH - The average of the widths of a lot at the building setback line and the rear lot line.

ON-SITE SEWAGE or WATER SUPPLY - Any sewage system designed to; (1) treat sewage by subsurface means or (2) to provide water from a drilled well or spring; within the boundaries of an individual lot. See "CENTRAL SEWAGE or WATER SUPPLY " for further information.

PARCEL - An area of land resulting from the division of a tract of land for the purposes of transfer of ownership, use or improvement.

PAVEMENT - Improvement of the traveled portion of a roadway with a hard, solid surface material conforming to the standards of the Town of Bethel Road Law.

PERFORMANCE or COMPLETION GUARANTEE - A surety bond, certified check or other security meeting the requirements of Section 277 of the Town Law, and the terms of which are satisfactory to the Town Attorney, guaranteeing the subdivider will install all required or planned improvements.

PERSON - Any individual, firm, trust, partnership, public or private association or corporation, or other entity.

PLAT - A drawing, map, chart, plan or plotting indicating the subdivision or resubdivision of land, which in its various stages of preparation can include the following:

A. SKETCH PLAN - A general plan, identified as such with the title "Sketch Plan" on the map, indicating existing site features of a tract and its surroundings and the general layout of the proposed subdivision, to be used as a basis for conceptual consideration by the Town, Planning Board site inspection and, in the case of conservation subdivisions, determining allowable density.

B. PRELIMINARY PLAT - A complete plan prepared by a registered professional engineer or licensed land surveyor, identified as such with the wording "Preliminary Plat" in the title, accurately showing proposed streets and lot layout and such other information as required by this Law.

C. FINAL PLAT - A complete and exact plan, identified as such with the wording "Final Plat" in the title, with a professional engineer's or registered surveyor's seal affixed, and prepared for official recording with modifications as required during the review and approval of the Preliminary Plat.

SECRETARY - The clerk or secretary designated to accept applications, plats, fees and correspondence on behalf of the Town of Bethel Planning Board.

STREET - A highway or road intended primarily for the purposes of vehicular traffic, including the following:

A. STREET, MINOR - A road. the primary purpose of which is, to collect vehicular traffic from individual dwellings or places of business.

B. STREET, COLLECTOR - A road. the primary purpose of which is, to collect vehicular traffic

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from minor streets and deliver it major traffic streets.

C. STREET, MAJOR - A road. the primary purpose of which is, to collect vehicular traffic from collector streets and deliver it to destination points or arterial highways such Interstate Route I-86.

SUBDIVIDER - Same as DEVELOPER.

SUBDIVISION - The division; for purposes of immediate or future sale, lease, partition by the court for distribution to heirs or devisees, transfer of ownership, building or lot development; of any parcel of land into two (2) or more lots, plots, sites or other divisions of land; with or without streets or highways; excepting lot improvements as defined in Section 3.7 of this Law.

A. MINOR SUBDIVISION - Any subdivision conforming to all the following conditions:

- (1) Containing two (2) lots, including the original or parent parcel, but not more than (4) lots; and
- (2) Not requiring any new street or road or the extension of municipal facilities; and
- (3) With all lots fronting on an existing approved and improved street excepting that in situations where a minor subdivision is located more than three hundred (300) feet from the nearest Town road, in which case the Planning Board may vary this requirement to allow a fifty (50) feet wide right-of-way with a twelve (12) feet wide travelway; and
- (4) Not adversely affecting the development of the remainder of the parcel or adjoining property; and
- (5) Not in conflict with any provision or portion of the Town Zoning Law or these regulations.

Notwithstanding these requirements, the Planning Board may, however, by waiver classify any subdivision as minor which does not involve new improvements.

B. MAJOR SUBDIVISION - Any subdivision or land development which is not a minor subdivision or lot improvement. Any subdivision which involves the utilization of central sewage disposal systems or water supplies, the construction of any streets, or the utilization of conservation subdivision techniques shall also be considered a major subdivision, regardless of the number of lots.

SURVEYOR - A land surveyor licensed by the State of New York.

TOWN - Town of Bethel, Sullivan County, New York.

TOWN BOARD - Governing council - the Town of Bethel.

TOWN ENGINEER - A Professional Engineer licensed as such by the State of New York and appointed or hired on a consulting basis to provide engineering advice to the Town.

TOWN LAW - The New York State Town Law which governs the operation of all Towns within the State.

TOWN ROAD SPECIFICATIONS - The standards of the Town of Bethel pertaining to the approval of streets by the Town Highway Superintendent and the acceptance of such streets for formal dedication to the Town.

WATERCOURSE - A discernible, definable natural course or channel along which water is conveyed

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ultimately to streams and/or rivers at lower elevations including intermittent streams but excepting drainage ditches, swales or diversion terraces.

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3.0 Plan Submission and Review Requirements

3.1 Procedures and Requirements for Minor Subdivisions

The following procedures and requirements shall apply to minor subdivisions only (See Definitions). All other subdivisions and re-subdivisions, regardless of the total number of lots involved, shall be processed as major subdivisions according to the procedures and requirements specified herein.

- 3.1.1 Sketch Plan required. Submission of a sketch plan showing existing site features and a tentative layout of the subdivision shall be required as part of the plat approval process for all minor subdivisions. The Planning Board shall use the sketch plan for determining the number of lots permitted, arranging and conducting a site inspection of the property and establishing whether the subdivision is located in an Agricultural District.
- 3.1.2 Application. Any person proposing to create a minor subdivision shall submit along with plans required below, five copies of an application for minor subdivision approval. This application may be in letter form and shall specify and/or be accompanied by:
 - (1) The name, address and telephone number of the property owner of record and those of the subdivider, if different.
 - (2) The name or number of the road where the proposed subdivision is to be located.
 - (3) The name, address and telephone number of the surveyor or engineer preparing the subdivision plans.
 - (4) The type of water supply proposed.
 - (5) The type of sewer system proposed.
 - (6) The required fee or receipt for the same from the Planning Board Secretary.
 - (7) A completed Environmental Assessment as required by SEQRA.
- 3.1.3 Final Plat. The subdivider shall submit seven (7) copies of a Final Plat and required supplementary data for the proposed subdivision. This plat shall be prepared by a Professional Engineer or Surveyor and shall show all the lots proposed to be created. The Final Plat shall meet the following requirements:
 - (1) The subdivision plat shall, ordinarily, be not less than 8 1/2" X 11" nor more than 24" X 36" in size.
 - (2) The names of all abutting property owners and the size of any remaining acreages in the tract from which lots are being taken shall be shown.
 - (3) The plat shall show the name of the municipality, name of the owner of record, North Point, graphic scale, and date.
 - (4) Soil types found on the site shall be shown unless the lots involved are lot improvements or contain existing sewage systems. Soil Conservation Service Classifications shall be used.
 - (5) Existing public roads shall be identified by traffic route numbers and private roads by their posted names and numbers.

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- (6) Proposed lot or parcel lines shall be drawn to scale and dimensions given in feet and hundredths of a foot. Lot areas shall be shown in acres or square feet. The plat shall depict the proposed subdivision as a part of the contiguous holdings of the subdivider, and show adjacent lots already taken from the parcel.
- 3.1.4 Soil tests. Documentation as may be required by the New York State Department of Health, along with a soils evaluation by the test pit method and/or other required supplemental data relating to sewage disposal shall be submitted.
- 3.1.5 Street encroachment permits. A completed application to the Bethel Highway Superintendent, the State Department of Transportation or County Department of Public Works, as the case may be, for a street encroachment permit, shall also be required.
- 3.1.6 Public Hearing. The Planning Board shall, within sixty-two (62) days of the receipt of a complete Final Plat by the Planning Board Secretary, shall hold a public hearing, advertising such hearing at least once in a newspaper of general circulation in the Town at least five (5) days prior to the hearing and providing such other notice as it deems appropriate. The hearing shall be closed on motion of the Planning Board within one-hundred-twenty (120) days after it is opened and be used to guide the Planning Board in acting upon the Environmental Assessment.
- 3.1.7 Action on Final Plat. The Planning Board shall, by resolution, conditionally approve with or without modification, disapprove or grant final approval and authorize signing such plat within sixty-two (62) days of the close of the public hearing, provided it has first acted upon the Environmental Assessment and made a Negative Declaration with respect to environmental impacts. Should the Board be unable to make a Negative Declaration, it shall proceed in the manner provided by New York State Town Law § 276.
- 3.1.8 Certification, filing and signing of Final Plat. Within five (5) business days of the adoption of the resolution granting conditional or final approval of the final plat, such plat shall be certified by the Secretary as having been granted conditional or final approval and a copy of such resolution and plat shall be filed in such Secretary's office and with the Town Clerk and shall be mailed to the subdivider. In the case of a conditionally approved plat, such resolution shall include the requirements which, when completed, will authorize the signing thereof. Upon completion of such requirements the plat shall be signed by a duly authorized officer of the Planning Board, filed with the Secretary.
- 3.1.9 Time limits on conditional approvals. A conditional approval of a final plat shall expire within one-hundred-eighty (180) days unless all conditions are satisfied and certified as completed. This period may be extended for not more than two additional periods of ninety (90) days where particular circumstances so warrant in the judgment of the Planning Board.
- 3.1.10 Approvals by default. In the event the Planning Board fails to take action on a plat within the time periods prescribed herein or within such extended periods as may have been established by mutual consent of the subdivider and Planning Board, the subscriber shall be entitled to an approval by default pursuant to the Town Law
- 3.1.11 Recording of final plats. All final plats shall be filed in the office of the County Clerk within sixty-two (62) days of approval, subject to the provisions of § 276 of the Town Law.

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3.1.12 County Planning Board review. Applications for preliminary or final plat approval shall be subject to referral to the County Planning Board pursuant to Section 239-n of the General Municipal Law, if located within five-hundred (500) feet of:

- (1) the Town boundaries; or
- (2) the boundaries of any existing or proposed County or State park or other recreation area; or
- (3) the right-of-way of any County or State highway, or
- (4) the right-of-way of any existing or proposed stream or drainage channel owned by the County or for which the County has established channel lines; or
- (5) the boundary of any existing or proposed County or State land on which a public building or institution is situated; or
- (6) the boundary of a farm operation in an Agricultural District.

3.2 Procedures for Major Subdivisions

Major subdivision plat submissions shall be subject to SEQRA review and be processed as follows:

- 3.2.1 Sketch plan required. Submission of a sketch plan as provided in § 3.3 shall be required as part of the Preliminary Plat approval process for all major subdivisions. This plan shall be used to determine the number of lots permitted, determine whether the subdivision will involve other agencies and make a preliminary classification of the subdivision as a Type I or Unlisted SEQRA action. The Planning Board shall also use the sketch plan for purposes of determining lead agency status, arranging and conducting a site inspection of the property and establishing whether the subdivision is located in an Agricultural District. A sketch plan shall be considered filed at the first regular meeting of the Planning Board following the Secretary's receipt of the plan and all determinations with respect to the plan shall be made within twenty (20) days of said meeting.
- 3.2.2 When Planning Board is not lead agency or an EIS is required. Should the Planning Board not assume lead agency responsibilities in the SEQRA review of the subdivision, or should an Environmental Impact Statement be required, the provisions contained herein pertaining to public hearings, notices and decisions shall be modified as provided in § 276 of the Town Law.
- 3.2.3 When Planning Board is lead agency and no EIS is required. If the Planning Board acts as lead agency and determines an Environmental Impact Statement is not required, the subdivider shall complete preparation of the Preliminary Plat as required by § 75-15 and provide Part 1 of the SEQRA Long Form Environmental Assessment. The Planning Board, within sixty-two (62) days of the receipt by the Secretary of a Preliminary Plat which is complete except for a negative declaration filed pursuant to SEQRA, shall hold a public hearing on this Preliminary Plat, advertising such hearing at least once in a newspaper of general circulation in the Town at least five days prior to the hearing and providing such other notice as it may deem appropriate. The hearing shall be closed on motion of the Planning Board within one-hundred-twenty (120) days after it is opened and be used to guide the Planning Board in acting upon the Environmental Assessment.

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- 3.2.4 Action on Preliminary Plat. The Planning Board shall approve, with or without modifications, or disapprove the Preliminary Plat within sixty-two (62) days of the close of the public hearing, provided a negative declaration has first been filed pursuant to SEQRA.
- 3.2.5 Grounds for action. The grounds for modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board. When so approving a Preliminary Plat the Planning Board shall state in writing any modifications it deems necessary for submission of the Final Plat.
- 3.2.6 Preliminary Plat certification. Within five (5) business days of the approval of any preliminary plat, such plat shall be certified by the Secretary as approved and a copy of the plat and approval resolution shall be filed in the Secretary's office with a copy of the resolution provided to the subdivider and also filed in the office of the Town Clerk. Disapproval resolutions shall be filed and mailed in the same manner.
- 3.2.7 Time to submit final plat. The subdivider, within six (6) months of the approval of the preliminary plat, shall install or, pursuant to § 3.5, financially guarantee all subdivision improvements and submit the plat in final form as provided in § 3.6. The Planning Board may revoke preliminary plat approval if a final plat is not submitted within six (6) months or grant an extension of the preliminary approval provided that no preliminary plat shall remain valid if a final plat has not been submitted within five (5) years.
- 3.2.8 Action on final plat. When the final plat is in substantial agreement with the preliminary plat, the Planning Board shall, by resolution, conditionally approve with or without modification, disapprove, or grant final approvals and authorize signing of such plat within sixty-two (62) days of its receipt by the Secretary. No additional public hearing shall be required. When the final plat is not in substantial agreement with the preliminary plat, the preliminary plat procedures shall apply to a final plat insofar SEQRA review, public hearing, notices and decision.
- 3.2.9 Certification, filing and signing of final plats. Within five (5) business days of the adoption of the resolution granting conditional or final approval of the final plat, such plat shall be certified by the Secretary as having been granted conditional or final approval and a copy of such resolution and plat shall be filed in such Secretary's office and with the Town Clerk and shall be mailed to the subdivider. In the case of a conditionally approved plat, such resolution shall include the requirements which, when completed, will authorize the signing thereof. Upon completion of such requirements the plat shall be signed by a duly authorized officer of the Planning Board, filed with the Secretary.
- 3.2.10 Final plats by section. The Planning Board may permit any subdivision for which preliminary plat approval has been granted to be submitted in sections for final plat approval.
- 3.2.11 Time limits on conditional approvals. A conditional approval of a final plat shall expire within one-hundred-eighty (180) days unless all conditions are satisfied and certified as completed. This period may be extended for not more than two additional periods of ninety (90) days where particular circumstances so warrant in the judgment of the Planning Board.
- 3.2.12 Approvals by default. In the event the Planning Board fails to take action on a plat within the time periods prescribed herein or within such extended periods as may have been established by mutual consent of the subdivider and Planning Board, the subscriber shall be entitled to an approval by default pursuant to the Town Law.

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- 3.2.13 Recording of final plats. All final plats shall be filed in the office of the County Clerk within sixty-two (62) days of approval, subject to the provisions of § 276 of the Town Law.
- 3.2.14 County Planning Agency review. Applications for preliminary or final plat approval shall be subject to referral to the County planning agency pursuant to Section 239-n of the General Municipal Law, if located within five-hundred (500) feet of:
- (1) the Town boundaries; or
 - (2) the boundaries of any existing or proposed County or State park or other recreation area; or
 - (3) the right-of-way of any County or State highway, or
 - (4) the right-of-way of any existing or proposed stream or drainage channel owned by the County or for which the County has established channel lines; or
 - (5) the boundary of any existing or proposed County or State land on which a public building or institution is situated; or
 - (6) the boundary of a farm operation in an Agricultural District.

3.3 Sketch Plans for Major Subdivisions

The Sketch Plan should be at a scale sufficient to show the entire tract on one sheet, and should show or include the following:

- 3.3.1 The location of that portion which is to be subdivided in relation to the entire tract.
- 3.3.2 An existing and natural site features analysis which depicts all structures, wood area, stream, natural features, stone walls, wetlands, outstanding views and other aspects of the property around which a subdivision plan should be designed.
- 3.3.3 The name of the owner and of all adjoining property owners as disclosed by the most recent deed or tax records.
- 3.3.4 All streets or roads, streams, water, sewage and gas and power lines within 500 feet of the subdivision.
- 3.3.5 The tentative layout of the remainder of the tract owned by the subdivider.
- 3.3.6 North Point, graphic scale, date and name/address of subdivider and landowner.
- 3.3.7 A location map with sufficient information to enable the locating of the property.
- 3.3.8 Proposed open spaces.

3.4 Preliminary Plat Requirements for Major Subdivisions

- 3.4.1 The Preliminary Plan shall be clearly and legibly drawn and ordinarily shall be not less than 11" X 17" nor more than 24" X 36" in size and should, when possible, show the entire tract to be divided.
- 3.4.2 The Plat shall be based on the concepts presented in the Sketch Plan and contain

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the following information:

- (1) Proposed name of the subdivision. This name shall not duplicate in spelling or pronunciation any recorded subdivision within Sullivan County. The name and address of landowner and subdivider shall also be provided.
- (2) Location by Town, County and State. The plan shall also include tax map numbers for affected and adjacent parcels and a 1" = 2000' location map.
- (3) North point, date and graphic scale.
- (4) Boundaries of total tract and acreage contained within it. (Also see Section 3.6.7)
- (5) Locations, and where appropriate, dimensions of parks and public grounds, permanent buildings in, or adjacent to, the subdivision, open space easements and other significant existing site features.
- (6) Approximate locations of existing sanitary sewers, public water mains, storm sewers, electric power and transmission lines, gas lines, and all other items above or below ground with direction of flow and pressure.
- (7) Names of owners of abutting properties, and lines showing where they intersect.
- (8) Existing contours at intervals of at least every twenty feet. U.S.G.S. maps may suffice for the basis of this item. The Town reserves the right to request greater detail when the scope or nature of the development demands the same.
- (9) Proposed layout of streets, alleys and other public rights-of-way, including widths and proposed names which shall not duplicate existing names by spelling or pronunciation. The street proposals shall be accompanied by a submission of plans as required by the Town Road and Street Encroachment Laws, including profiles, cross-sections, and preliminary designs for bridges and culverts.
- (10) The proposed layout, numbering and approximate dimensions and acreage of lots.
- (11) Parcels to be dedicated to the public, or reserved for their use, or to be reserved by covenant for residents, shall be shown and marked as such.
- (12) Building setback lines. Where lots are located on a curve, or side lines are not parallel, the width at the building line shall be shown.
- (13) All drainage easements shall be shown and marked as such.
- (14) Approximate final grades in areas of cut or fill shall be shown.
- (15) Any lots designated for uses other than residential shall be indicated.
- (16) Proposed covenants and restrictions.
- (17) Evidence of water supply. In cases where no public water supply is planned as part of the subdivision, the subdivider shall supply acceptable evidence of

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the availability of other potable water source. This evidence may be in the form of logs existing wells established by professional well drillers.

- (18) Letters from each utility servicing the area indicating that the utility company is aware of and will provide service to the proposed subdivision.
- (19) An erosion and sedimentation control plan indicating those measures to be employed during construction and as may be necessary to prevent loss of soil from erosion and to prevent resulting property damage, siltation and contamination of water courses or impoundments.
- (20) A storm water management plan prepared in accord with the requirements hereof and DEC guidelines and standards (see "Reducing the Impacts of Stormwater Runoff from New Development").
- (21) Documentation as may be required by the New York State Department of Health or the Planning Board, along with a soils evaluation by the test pit method and/or other required supplemental data relating to sewage disposal.
- (22) All applicable zoning data.
- (23) Completed applications to Town of Bethel, County of Sullivan or the New York Department of Transportation, as the case may be, for street encroachment or highway occupancy permits.
- (24) Detailed landscaping plans for such common areas or improvements as may require new landscaping.

3.5 Requirements for Guarantee of Improvements

- 3.5.1 After approval of the Preliminary Plat, the subdivider, in a manner consistent with the New York State Town Law, shall provide for the installation of the required improvements (those physical additions and changes which may be necessary to provide usable and desirable lots). Before requesting Final Plat approval the subdivider must:
 - (1) Install all the improvements approved on the Preliminary Plat or required by § 4.0 standards, or
 - (2) File with the Town Board a performance guarantee to insure installation and construction of those improvements at the standards required. Such guarantee shall meet with the approval of the Town Attorney as to form and procedure.
- 3.5.2 The subdivider shall meet with the Town Engineer to develop a schedule, so that at the time each improvement is to be installed and upon its completion, adequate inspections can be made.
- 3.5.3 This Section is designed to be consistent with § 277 of the New York State Town Law and the Town of Bethel hereby incorporates all authorities and requirements contained therein as part of this Law.
 - (1) Posting - The performance guarantee must be approved by the Town Board and Town Attorney, with the advice of the Town Engineer, and must:
 - (a) Be a corporate surety bond, irrevocable letter of credit from a bank or

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certified check, provided the same is satisfactory to the Town Board and Town Attorney and meets Town Law § 277 requirements.

- (b) Be payable to the Town of Bethel.
 - (3) Be in an amount sufficient to complete the improvements in compliance with these regulations plus any expected cost increases over the period of the guarantee. Costs shall be assumed to escalate a minimum of 10% per year for purposes of determining the amount of a guarantee.
 - (4) In the case of cash or its equivalent, be held in an escrow fund in the name of the Town of Bethel.
 - (5) Specify a satisfactory completion date for improvements which shall, unless extended by mutual consent of the subdivider and the Planning Board, be not more than three (3) years from the date of the Final Plat approval. Should an extension be granted the amount of the guarantee shall be increased as may be required to cover further cost increases as provided in subsection (3) above. Provisions may also be made, pursuant to the aforementioned Town Law § 277, for completion of improvements in phases.
 - (a) Return - When the improvements have been completed and approved for conformity with these regulations by the Planning Board and Town Engineer or other qualified individual designated by the Town and accepted by the Town Board, the guarantee must be released and returned. When any of the required improvements have been completed and approved or materials for the same have been secured on-site, a portion of the security commensurate with the cost of these improvements, may be released and returned.
 - (b) Default - In the event of default, the obligor and surety shall be liable thereon to the Town of Bethel for the cost of the improvements or parts thereof not installed. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Town Board may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the subdivider, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.
 - (6) Prior to the certification of any improvements or release of any guarantee, the subdivider shall pay all inspection and related costs (for professional services, meetings, advertisements and expenses) associated with the improvements or guarantees. These costs will be assessed as a special fee apart from the regular fees provided for in this Law. Said payment shall be made to the Town of Bethel.
- 3.5.6 Where improvements are being dedicated to the Town, the subdivider shall comply with the applicable requirements of any other Town Laws governing dedication of improvements and submit a maintenance bond or other approved performance guarantee to guarantee maintenance and repair of those improvements for eighteen (18) months from the date of dedication. The maintenance bond shall generally be a

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maximum of 15% of the costs of improvements, subject to approval of the Town Board. Similar maintenance agreements may be required for private streets and nothing herein shall be deemed to require acceptance of dedication by the Town under any circumstances.

3.6 Final Plat Requirements for Major Subdivisions

The Final Plat shall be prepared on one or more sheets of a uniform size coinciding with requirements of the Sullivan County Clerk's office. Final Plat attachments and exhibits shall be numbered and labeled in accordance with the requirements of this Section and a "subdivision checklist" to be developed by the Town. The Final Plat shall include, in addition to the information required for the Preliminary Plat submission, the following:

- 3.6.1 Exact locations, widths and names of all streets and all crosswalks within the subdivision.
- 3.6.2 Complete curve data for all curves included in the Plat.
- 3.6.3 Exact descriptions of all easements being provided for services or utilities in the subdivision, and any limitations placed on the use of such easements.
- 3.6.4 Accurate outlines of any lots or areas to be reserved or dedicated for common use by residents of the subdivision, or for general public use, with the purpose indicated thereon, including all open space, conservation or drainage easements.
- 3.6.5 Front building lines, shown graphically with dimensions.
- 3.6.6 A final version of all restrictions and covenants, if any, the subdivider intends to place in the deeds to the lots in the subdivision. If no such restrictions or covenants are to be imposed, a statement to that effect shall be included.
- 3.6.7 The total tract boundary lines of the area being subdivided, with accurate distances to hundredths of a foot and bearings to one minute. These boundaries shall be determined by accurate survey in the field; provided, however, that the boundary(s) adjoining additional unplatted land of the subdivider (for example, between separately submitted Final Plat sections) are not required to be based upon field survey, and may be calculated. The location of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer or surveyor shall certify the placement of the monuments.
- 3.6.8 The Final Plat shall contain a certificate signed by the project engineer indicating that all improvements have either been installed and approved by the proper officials or agencies, or that a guarantee in an amount satisfactory to the Town Engineer and sufficient to ensure their installation has been submitted to the Town.
- 3.6.9 Complete final construction plans and profiles of installed or proposed public sanitary sewage disposal systems and storm drains, with grades and pipe sizes, unless on-site sewage disposal systems are to be used.
- 3.6.10 Complete final construction plans of installed or proposed public water distribution systems showing pipe sizes and locations of valves and fire hydrants, if any, unless private wells are to be used.
- 3.6.11 Evidence of actual arrangements made with utility companies or agencies for supplying each lot in the subdivision.

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- 3.6.12 A key map for the purpose of locating the site to be subdivided, at a scale of not less than 2000 feet to one inch, showing the relation of the property to adjoining property and to all streets, roads and municipal boundaries existing within 4000 feet or any part of the property proposed to be subdivided. U.S.G.S. quadrangle maps may suffice as a base for such a key map.
- 3.6.13 Blank approval blocks for the Town Planning Board stamp and signatures shall appear on every sheet of the set of plans.
- 3.6.14 A statement that Erosion and Sedimentation and Storm Water Management Plans, as required, have been prepared and where appropriate approved by the Sullivan County Soil and Water Conservation District.
- 3.6.15 Copies of street encroachment or highway occupancy permits and complete final construction plans, including agreements as may be required to ensure maintenance of private streets.
- 3.6.16 Each Final Plat submission shall, in addition to the items required above, include new submissions of Preliminary Plat data in any instance where there has been a change in the plans or the circumstances surrounding them.

3.7 Lot Improvements

Lot improvements shall be exempt from the requirements contained herein provided three (3) copies of a plan prepared by a licensed Land Surveyor or Professional Engineer have been submitted describing the conveyances involved by metes and bounds and in sufficient detail to determine the situation fits the criteria below.

3.7.1 Parcels shall, to qualify as lot improvements:

- (1) Involve the addition of land to an existing parcel so as to:
 - (a) Improve ability of that parcel to comply with setback or other building standards; or
 - (b) Increase suitability of the parcel for building development; or
 - (c) Add to the availability of open space; or
 - (d) Resolve a boundary line dispute or produce a corrected deed if a map reflecting the same is desired for recording purposes.
- (2) Not substantially reduce the ability of the lot, from which the lot improvement parcel is taken or reconfigured, to comply with the applicable standards of this Law.
- (3) Include a map restriction to the effect the improvement parcel will never be considered a separate building lot apart from the tract to which it is being added.

3.7.2 Parcels shall, to qualify as a natural subdivision, be separated by an existing Town, County or State highway that is improved to passable condition for vehicular traffic.

The Planning Board shall, within thirty-one (31) days of the receipt of the lot improvement plans, determine whether they comply with the exemption criteria found above. Should the Planning Board

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fail to act in the provided time or make a finding that the plans do not meet the criteria, such plans shall be deemed rejected unless an extension is granted by the Planning Board. If the Planning Board finds they do qualify as a lot improvement, the Board shall sign the plans with the following notation: "These plans are acknowledged by the Town of Bethel, and for recording purposes only, to represent an exempt lot improvement in accordance with Section 3.7 of the Town of Bethel Subdivision Regulations. No subdivision approval is required or given." No person shall record plans for any lot improvement without so first obtaining the Planning Board's clearance.

3.8 Fees

At the time an application for subdivision approval is filed, a fee shall be paid to the Town by the subdivider; such fee to be determined from a schedule of fees as adopted by the Town Board by resolution. Additional fees may be imposed to cover the costs of inspections, professional reviews and SEQRA compliance, as well as the expenses connected with notices and hearings.

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4.0 Design Standards

4.1 Application

The design standards and requirements set forth in this Article shall be observed as minimums by the subdivider in the design of each subdivision within Town of Bethel. The Planning Board shall require more-restrictive standards where necessary to protect health, safety and welfare of the public, and where circumstances unique to the property so dictate.

4.2 General Site Requirements

- 4.2.1 Those areas which are subject to such hazards of life, health, or property as may arise from fire, flood or noise, or are considered to be uninhabitable for other reasons, may not be subdivided for building purposes unless the hazards have been eliminated or the plans show adequate safeguards correcting the hazards.
- 4.2.2 In addition, the Town may rely upon information contained in its Comprehensive Plan and, in determining and evaluating potential hazards use historical records, soil evaluations, engineering studies, expert opinions, established standards used by licensed insurance companies or in professional practice, and Federal, State, or local policies.
- 4.2.3 All portions of a tract being subdivided shall be taken up in lots, streets, public lands, dedicated open space or other proposed uses, so that remnants and landlocked areas shall not be created. The layout of a subdivision shall also be planned with consideration to existing nearby developments or neighborhoods, so that the development is coordinated in terms of traffic movement, drainage, and other reasonable considerations.
- 4.2.4 In all subdivisions, care shall be taken to preserve natural features such as trees, water courses, views, and historical features which will add attractiveness and value to the remainder of the land. Where a subdivision of land is on a site that has a slope of more than 15% the Planning Board may require larger lot sizes than the minimum standards set forth herein.
- 4.2.5 Damming, filling, relocating or other interference with the natural flow of surface water along any surface water drainage channel or natural water course shall not be permitted except with the approval of the Planning Board and, where appropriate, DEC.
- 4.2.6 Wherever possible, lot lines shall follow Town boundary lines rather than cross them, and reserve strips controlling access to lots, public rights-of-way, public lands or adjacent private lands are prohibited.

4.3 Blocks and Lots

- 4.3.1 Blocks shall ordinarily not exceed 1,200 feet in length.
- 4.3.2 Pedestrian interior walks or trails may be required, where necessary to assist circulation or provide access to community facilities and open space. Such walks or trails shall have a right-of-way width of not less than 6 feet and be all-weather-surfaced for not less than 3 feet in width.
- 4.3.3 Blocks shall be of sufficient width to permit two tiers of lots of appropriate depth, except where an interior street parallels a major street, or where it backs up to a railroad, creek, or other natural barrier unsubdivided area.

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- 4.3.4 Where a subdivision adjoins a major highway (one which is designated and marked for two lanes or more and carries at least 1,000 vehicles per day), the greater dimension of the block shall front along said highway, and interior streets may be required to minimize the number of points of access. Such streets may be required whenever topographic conditions, traffic density or lack of proper sight distance dictate for reasons of health and safety. Any subdivision of five lots or more with frontages averaging less than 300 feet along the highway shall be subject to this requirement, if the Planning Board determines, after inspection, that safety demands restricting access.
- 4.3.5 Cul-de-sac streets, permanently designed as such, shall not exceed 2,500 feet in length and shall furnish access to not more than 50 dwelling units. Cul-de-sac streets shall have, at the closed end, a turnaround with the right-of-way having an outside diameter of not less than 80 feet and not more than 120 feet and shall be paved to a diameter of not less than 80 feet and not more than 100 feet. An inside landscaped area of not more than 60 feet in diameter shall be encouraged. Drainage of cul-de-sacs shall preferably be toward the open end. The Planning Board shall have authority to require the use of loop streets and other alternatives to cul-de-sacs where such alternatives are available and preferable as a means of providing safe access to lots, making street connections or limiting environmental impacts.
- 4.3.6 All side lines of lots shall be at approximate right angles to straight street lines and radial to curved street lines, except where a variation to this rule will provide a safer layout.
- 4.3.7 Double frontage lots shall ordinarily not be platted, except as specifically provided herein. In that event, a planting strip of at least 20 feet in width may be required along the back of the lot.
- 4.3.8 If remnants of land exist after subdividing, they shall be incorporated in existing or proposed lots, unless designated as common area or dedicated to open space.
- 4.3.9 Either of the two sides of a corner lot may be designated as the front, provided the rear yard shall always be opposite the frontage so designated.
- 4.3.10 All lots shall front on a public or private street (existing or proposed) and the right-of-way of the principal access to any subdivision shall be a minimum of fifty (50) feet in width. However, upon written request by the subdivider, the Town may grant a waiver from this and other street requirements of this Law to permit access to no more than four (4) single-family residential lots from a private drive, provided a release has been given the Town and approved by the Town Board making clear that the Town is exempted from all responsibility for the maintenance of the same and that the lot in question is not capable of being subdivided further or is so restricted. Evidence of satisfactory shared arrangements for ownership and maintenance of the drive shall also be provided. See Section 4.9.18 hereof.
- 4.3.11 Monuments shall be placed at perimeter corners and the corner of each street, and markers set at the corner of each lot, consistent with surveyors' professional practice, to permanently and accurately define the metes and bounds of the block and lots created.

4.4 Common Open Space

Except where such area would be less than one acre or the Planning Board shall waive the

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requirement, not less than 10% of the gross area of the entire tract, exclusive of lakes or ponds, shall be reserved for common open space directly accessible from the lots to be created. Such open space shall be suitable for recreational use of the residents of the subdivision or the general community. The following and similar facilities shall meet this requirement: swimming pools, tennis courts, riding and cycling paths, playgrounds, community centers, and other open areas. Such areas as are designated for play lots, parks and other outdoor recreational facilities shall be of a size, shape and other physical characteristics so as to be free of health and safety hazards and suitable for the designated use. No portion of the 10% requirement shall be met with wetlands, slopes exceeding 15% in grade or other otherwise undevelopable areas. Sites so dedicated shall not be deemed to be accepted by the Town unless and until the Town Board has taken formal action to accept the same. The subdivider and the Town may also agree to otherwise provide recreational land for the use of residents pursuant to the authority of § 277 of the Town Law including fees in lieu of dedication.

4.5 Water supply

- 4.5.1 Where a central water supply is available within 1,000 feet of the proposed residential development, the subdivider shall, if legally and practically feasible, construct a system of water mains tied to such system and provide a connection for each lot.
- 4.5.2 Plans and specifications for central water systems (i.e. extension of an existing system or a proposed new facility) shall be prepared by a professional engineer and shall conform to requirements of the New York State Department of Health and the local fire district(s). Suitable agreements shall also be established for the ownership and maintenance of such distribution system.
- 4.5.3 The applicant proposed a central water supply must demonstrate ability to provide a minimum of 100 gallons of water per capita per day (GPCD) and/or 400 gallons per day (GPD) for each residential dwelling unit to be serviced. Service to industrial or commercial establishments shall meet standards established by the American Water Works Association or insurance industry underwriting standards.
- 4.5.4 New central water supply wells shall be sited, drilled, and tested under the direct supervision of a professional engineer or a professional groundwater geologist. Wells shall be so located that no potential pollution sources can exist within a 100 foot radius (200 feet if located downslope from the pollution source). Wells shall also be located on reserved parcels.

4.6 Sewage Disposal

- 4.6.1 All residential lots shall contain suitable areas for on-site sewage disposal systems or be served by an approved central sewage disposal system. Plans and specifications for central systems, as required by the New York State Department of Environmental Conservation ("DEC"), shall be submitted with all preliminary subdivision plats and design standards shall meet DEC requirements. Formal approval of DEC shall be required prior to final plat approval.
- 4.6.2 When a central sewage disposal system is located within 1,000 feet of the proposed residential development, the subdivider shall, if legally and practically feasible, provide a system of collection lines to connect to said system. Regardless of this requirement, all subdivision and land developments shall be provided with an adequate sewage disposal system(s). Central sewage disposal systems shall also be required for all residential lots and non-residential developments where on-site soil conditions are unsuitable for on-lot subsurface sewage disposal systems.
- 4.6.3 Where connection to a central sewage disposal system is not required, on-site

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systems shall be provided in accordance with criteria set forth by the New York Department of Health. The applicant's professional engineer, subject to the approval of the Planning Board, shall determine the number and location of test pits and soil percolation tests necessary to determine the general suitability of soils throughout the subdivision for on-site subsurface sewage disposal.

4.6.4 Sanitary sewers shall not be used to carry storm water.

4.7 Erosion and Sedimentation

In the event that any subdivider shall intend to make land changes by grading, filling, excavating or the removal or destruction of the natural topsoil or vegetative covering thereon in accordance with a subdivision plan submitted to the Town, the same shall only be approved and accomplished after the developer has submitted to the Town an Erosion and Sedimentation Control Plan. Erosion control measures shall be employed as necessary to prevent loss of soil from erosion and also to prevent resulting property damage, siltation and contamination of water courses or impoundments. Erosion control measures may include hay bales, silt fences or other provisions or combinations thereof.

4.8 Storm Drainage

4.8.1 A storm water drainage plan shall be required for major subdivisions. Such a plan shall be prepared using DEC guidelines and standards (see "Reducing the Impacts of Stormwater Runoff from New Development"), but complying with the following standards.

4.8.2 Stormwater drainage facilities shall be designed to accommodate storms of a 25 year frequency unless a more stringent standard shall be required by the Planning Board. The general performance standard shall be that the amount of uncontrolled stormwater leaving the site along any property line after development shall not exceed that estimated for the site prior to development. In instances where stormwater facilities are impractical for engineering reasons the Town may modify this standard as it applies to a particular project but shall provide for the maximum practical reduction in flow which can be achieved under the circumstances. The subdivider shall provide full information, prepared by a professional engineer, regarding the predevelopment stormwater flows and estimates at the time of application.

4.8.3 The following additional requirements shall apply:

- (1) Lots shall be laid out and graded to prevent cross-lot drainage away from proposed building areas. Natural drainage courses shall be maintained.
- (2) The existing points of natural drainage discharge onto adjacent property shall not be altered, nor shall the rate of water runoff be increased because of development, without the written approval of all affected land owners.
- (3) No storm water runoff or natural drainage water shall be so diverted as to overload existing drainage systems, or create flooding or the need for additional drainage structures on other private properties or public lands, without complete approval of provisions being made by the developer for properly handling such conditions.
- (4) Stormwater calculations and design shall be prepared by a professional engineer, land surveyor, landscape architect or others certified to perform such work.

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- (5) Storm drainage facilities should be designed to handle the anticipated peak discharge from the property being subdivided.
- (6) Where a subdivision is traversed by a watercourse, there shall be provided a drainage easement of at least 25 feet to each side of the stream from that stream bank, or such additional width as will be adequate to preserve the unimpeded flow of natural drainage.
- (7) Drainage structures that are located on State highway rights-of-way shall be approved by the New York State Department of Transportation, and evidence of the same shall be provided to the Town prior to final plan approval.
- (8) All streets shall be so designed as to provide for the discharge of surface water from their rights-of-way. The slope of the crown on proposed streets shall be 1/4" per foot away from the center line.
- (9) All proposed surface drainage structures shall be indicated on the preliminary plan.
- (10) Drainage plans shall include all appropriate designs, details and dimensions necessary to clearly explain proposed construction materials and elevations.
- (11) Whenever storm drains are required by the Town, such storm sewer systems shall be separate from the sanitary sewer system. Storm drains or storm sewer facilities may be required in any development situation where the Town Board determine that surface drainage facilities are inadequate to prevent excessive erosion and lot or road maintenance problems.
- (12) Drainage systems shall be designed in accordance with engineering practice, using hydraulic computations to show effects of the flow of water. The general standard shall be that the amount of stormwater leaving the site along any property line after development shall not exceed predevelopment stormwater flows for that area. In no case shall any pipe system of less than 15" in diameter be used underneath a street or driveway.
- (13) Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a drainage easement conforming substantially with the line of such water course, drainage way, channel or stream, and of such width (minimum 20 feet) as will be adequate to preserve the unimpeded flow of natural drainage, or for the purpose of widening, deepening, relocating, improving or protecting such drainage facilities.
- (14) All drainage systems and structures shall be subject to the approval of the Town Engineer, or any such other qualified person as may be appointed for this purpose by the Planning Board.

4.9 Street Requirements

- 4.9.1 The arrangement, character, extent, width, grade and location of all streets shall conform to the provisions found herein. Every subdivision shall have access to a public right-of-way.
 - (1) In general, all streets shall be continuous and in alignment with existing streets and shall compose a convenient system to insure circulation of vehicular and pedestrian traffic.

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- (2) Streets shall be logically related to the topography so as to produce usable lots and reasonable grades as required by this Law.
 - (3) Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as cul-de-sacs.
 - (4) Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provision for the extension of streets.
 - (5) Streets shall be laid out to intersect as nearly as possible at right angles; in any event, no street shall intersect another at less than sixty (60) degrees. Intersections of more than two streets shall be avoided. Where this proves impossible, such intersections shall be designed with care for safety, and suitable curbs, barriers, signs and other devices as may be required. Streets entering opposite sides of another street shall be laid out directly opposite one another or offset a minimum of one-hundred-twenty-five feet (125').
 - (6) Street and driveway intersections with arterial streets shall not be so numerous, nor so close to each other, as to impede the flow of traffic.
 - (7) Clear sight triangles shall be provided at all street intersections. Within such triangles, no structure or vision-obstructing object other than utility poles, street lights, street signs, or traffic signs shall be permitted which obscures vision above the height of thirty-six (36) inches and below ten (10) feet measured from the centerline grade of intersecting streets. Such triangles shall be established from a distance of seventy-five (75) feet from the point of intersection of the centerlines.
 - (8) Whenever, in connection with a major subdivision, the principal access (whether public or private) to such subdivision, by virtue of bridge weight limits of less than ten (10) tons or other comparable limitations, would restrict access to the property by emergency vehicles or school buses, the subdivider shall so indicate in writing on the final plats to be recorded and shall provide for notification to prospective lot buyers through deed covenant provisions which shall be approved by the Planning Board as to form.
- 4.9.2 Alleys may be permitted in residential areas under special circumstances, but in no case shall an alley provide the only means of access to a lot. Alleys are required on the rear of all commercial and industrial lots, if no other provisions are made for adequate service access or for parking.
- 4.9.3 Profiles: No street grade shall be less than one (1) percent or exceed the following, with due allowances for reasonable vertical curves:

Type of Street or Way	Maximum Grade
Major Traffic Streets	8% (10% for up to 250 feet)
Collector Streets	10% (12% for up to 250 feet)
Minor Streets	12% (15% for up to 250 feet)

Streets shall have a grade not to exceed two percent (2%) for a distance within fifty (50) feet of the street right-of-way line of any intersecting street.

- 4.9.4 Cross Section: The cross-section gradients of streets shall be not less than two percent (2%).

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- 4.9.5 Minimum vertical and horizontal visibility (measured 3.5 feet eye level to tail lights 1.5 feet above ground level), for curves.

Type of Street or Way	Minimum Visibility Distance
Major Highways	500 feet
Collector Streets	300 feet
Minor Streets	300 feet
Streets shorter than 500 feet	150 feet

- 4.9.6 The minimum right-of-way widths for streets are as follows:

Type of Street or Way	Minimum Right-of-Way Width
Major Streets	50 feet
Collector Streets	50 feet
Minor Streets	50 feet
Alleys	25 feet
Private Drives	(See § 4.9.18)

- 4.9.7 On all dead-end roads a turnabout area with a eighty (80) foot diameter right-of-way and sixty (60) foot diameter traveled portion shall be provided.

- 4.9.8 The entire width of the travel way of each street in a proposed subdivision shall be graded and suitably prepared for installation of paving and drainage structures, in accordance with the appropriate standards for the class of street. The subgrade shall be free of sod, vegetative matter, or other similar material. Where poor subsurface drainage conditions exist, adequate drainage shall be installed. The subgrade construction shall conform to minimum standards of the Town Road Specifications.

- 4.9.9 The width of pavement required shall vary, depending upon the character of the development served and the amount of traffic expected to utilize the street. The following are minimum street pavement widths:

Type of Street	Minimum Shoulder Width	Minimum Clearance Beyond Shoulder	Minimum Pavement Width
Major Streets	5 feet	2 feet	24 feet
Collector Streets	5 feet	2 feet	24 feet
Minor Streets	3 feet	2 feet	18 feet
Private Drives	(See § 4.9.18)	None	(See § 4.9.18)

- 4.9.10 Unless otherwise specified herein, pavement construction shall be in accordance with specifications and standards contained in the Town Road Specifications.

- (1) Street shoulders shall be constructed with materials as specified by the Town Road Specifications. The entire shoulder area shall be uniformly and thoroughly compacted by rolling and must be level with the top of the road paving, or as directed by the Town Engineer.
- (2) Embankments at the sides of streets and cross-sections of drainage ditches shall not exceed a maximum slope of three (3) feet horizontally to one (1) foot vertically in a cut or fill section. In special cases, the Town Engineer may require more-rigid standards.

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- 4.9.11 In commercial or multi-family subdivisions or any other case where other similar intensive uses exist or are anticipated, curbs may be required, if such construction is deemed necessary for public safety by the Planning Board, based on consultation with the Town Engineer and shall be constructed to according to good engineering practice. Curbs shall not be constructed, however, where pavements are less than 22 feet in width.
- 4.9.12 Where the grade of the street is above or below the grade of the adjacent land, walls or slopes shall be constructed in a manner satisfactory to the Planning Board, and shall be sufficient to support the street or the adjacent land, as the case may be. Where the grade of the street is three (3) feet or more above the grade of the adjacent land, guards shall be built to protect travel, if required by the Town Engineer.
- 4.9.13 All streets, including cul-de-sacs and alleys, shall be constructed as shown on the Preliminary and Final Plat approved by the Planning Board and in conformity with the Town Road Specifications. Where such Law does not provide a clear standard, the Town may rely upon the standards promulgated by the New York State Department of Transportation for local streets.
- 4.9.14 Four-way street name signs of a design approved by the Planning Board will be installed at each street intersection by the subdivider at his own expense. Streets that are extensions of, or obviously in alignment with, existing streets shall bear the name of existing streets. Street names shall not be repeated within the Town and shall be subject to Planning Board approval.
- 4.9.15 Street lighting is the responsibility of the applicant to provide, and the lot owners to maintain and operate. The Town Engineer will determine when and if street lighting is necessary, evaluating need on the basis of safety considerations and commonly accepted standards of lighting. Whether or not street lights are initially installed, the developer shall be responsible for providing utility easements for future street lighting installation, upon consultation with the public service utility company involved.
- 4.9.16 Shade trees and other natural buffers along any proposed street right-of-way shall be retained to the maximum extent possible and cuts and fills which would necessitate removing such cover shall be minimized. Wide swath cuts or removal of natural vegetation shall not be permitted without compelling safety reasons.
- 4.9.17 No driveway, street or drainage facility or structure shall be constructed or altered within a state right-of-way, and no drainage facility of the New York State Department of Transportation shall be altered or connected onto without first obtaining a permit from the New York State Department of Transportation. No driveway, local road or drainage facility or structure shall be constructed or altered within a Town right-of-way, and no drainage facility of the Town of Bethel shall be altered or connected onto without first obtaining a permit from the Town of Bethel Highway Superintendent.
- 4.9.18 Individual driveways serving only one single-family each shall not be subject to street improvement requirements of this Law or on the Town Road Specifications. Also, private drives (as distinguished from private streets allowed in all circumstances, provided they meet the standards of this article) shall be permitted provided they do not more than four (4) single-family dwellings and meet the specific standards of Section 4.3.10 hereof, and further provided that the Town of Bethel is given satisfactory evidence, in the form of a declaration of restrictive covenants, that the private status of said road is permanent and that the following construction standards are met:

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Type of Street or Way	Minimum Right-of-Way Width
Minimum Right-of-Way	50 feet
Minimum Pavement Width	16 feet
Minimum Shoulder Width	3 feet

Pavement may consist of any all-weather surface satisfactory to the Town Engineer (if one shall be appointed) and Town Highway Superintendent. All drainage plans shall also be subject to approval of the Town Engineer (if one shall be appointed) and Town Highway Superintendent.

- 4.9.19 Nothing contained herein shall be construed in any way to require the Town of Bethel to accept dedication of any street. These regulations are intended, rather, to set standards of construction for private streets and a proposed dedication of any such streets shall be subject to the specific dedication requirements of the Town Road Specifications.
- 4.10 Conservation Subdivisions
- Conservation subdivisions shall be processed pursuant to Section 130-24 of the Town of Bethel Zoning Law.
- 4.11 Manufactured Home Subdivisions
- Manufactured home subdivisions shall be processed pursuant to Section 130-26 of the Town of Bethel Zoning Law.
- 4.12 Multi-Family Residential Subdivisions
- Multi-family residential subdivisions shall be processed pursuant to Section 130-26A of the Town of Bethel Zoning Law.
- 4.13 Planned Unit Developments
- Planned unit developments shall be processed pursuant to Section 130-25 of the Town of Bethel Zoning Law.

TOWN OF BETHEL COMMUNITY SURVEY

Please help us plan for the Town of Bethel's future by checking the appropriate box or by writing in the answer. Some questions will ask for only one response while others will ask for multiple answers. Also, if more than one person in your household would like to respond to the opinion questions, please feel free to pick up an additional survey form at the Town Hall.

- 1) Please tell us where you reside in the Town of Bethel by checking the appropriate boxes below.

School District:		
142	Monticello	58.2%
59	Sullivan West	24.2%
43	Liberty	17.6%
244	TOTAL	100.0%

Fire District:		
70	Smallwood	26.6%
60	White Lake	22.8%
57	Kauneonga Lake	21.7%
40	Swan Lake	15.2%
20	Kenoza Lake	7.6%
16	Jeffersonville	6.1%
263	TOTAL	100.0%

- 2) How many years in total have you lived in the Town of Bethel? 3) How many years have you lived in Sullivan County?

32	Less than 5 years	11.7%
31	5 to 9 years	11.3%
33	10 to 14 years	12.0%
28	15 to 19 years	10.2%
23	20 to 24 years	8.4%
83	More than 25 years	30.3%
44	Part-time	16.1%
274	TOTAL	100.0%

21	Less than 5 years	7.7%
23	5 to 9 years	8.4%
28	10 to 14 years	10.3%
25	15 to 19 years	9.2%
15	20 to 24 years	5.5%
117	More than 25 years	42.9%
44	Part-time	16.1%
273	TOTAL	100.0%

- 4) What most influenced your ORIGINAL decision to live here? (Please check no more than 5)

1	2	3	4	5	Total		
34	44	46	22	8	154	Rural atmosphere/farmland	25.0%
22	31	17	9	0	79	Affordable housing costs	12.8%
76	1	0	0	0	77	Born or raised here	12.5%
59	14	0	0	0	73	Other	11.9%
37	26	3	0	0	66	Close to friends/relatives	10.7%
19	20	13	1	0	53	Low crime rate	8.6%
0	2	13	7	12	34	Low taxes	5.5%
23	10	0	0	0	33	Close to work	5.4%
1	7	5	2	0	15	Quality of Town services	2.4%
0	6	2	6	0	14	Quality of schools - Elementary School	2.3%
0	0	0	7	4	11	Quality of schools - High School	1.8%
0	0	4	2	1	7	Quality of schools - Middle School	1.1%
271	161	103	56	25	616	TOTAL	100.0%

- 5) Why do you continue to live in the Town of Bethel? (Please check no more than 5)

1	2	3	4	5	Total		
34	30	60	20	7	151	Rural atmosphere/farmland	24.8%
59	30	6	0	0	95	Close to friends/relatives	15.6%
58	22	2	0	0	82	Other	13.4%
13	31	13	1	0	58	Low crime rate	9.5%
50	2	1	1	0	54	Born or raised here	8.9%
38	10	0	1	2	51	Close to work	8.4%
8	18	17	4	0	47	Affordable housing costs	7.7%
5	1	7	10	4	27	Low taxes	4.4%
2	12	7	5	0	26	Quality of Town services	4.3%
0	2	0	6	0	8	Quality of schools - Elementary School	1.3%
0	2	0	3	2	7	Quality of schools - High School	1.1%
0	0	2	0	2	4	Quality of schools - Middle School	0.7%
267	160	115	51	17	610	TOTAL	100.0%

TOWN OF BETHEL COMMUNITY SURVEY

6) Please indicate your level of satisfaction with the following for the Town of Bethel:

	Very Satisfied	Satisfied	Not Satisfied	Not Sure
Property attractiveness	38	106	76	10
Quality of Town services	12	129	76	34
Quality of schools	11	94	46	63
Retail selection	9	55	136	18
Costs of local taxes	8	111	124	10
Housing costs	7	128	49	31
Quality of County services	6	124	74	38
Job opportunities	0	44	118	44

What do you like most about the Town of Bethel?

Rural atmosphere - 67
Peace and quiet - 17
Attractive scenery - 15
Friendly - 13

What do you like least about the Town of Bethel?

Properties, poorly maintained - 29
High taxes - 21
Tax-exempt properties - 21
Code enforcement, poor - 10

7) So we can learn if the Town qualifies for certain grants, can you give us your household income range?

24	Less than \$20,000	10.2%
53	\$20,000 to \$40,000	22.6%
47	\$40,000 to \$60,000	20.0%
45	\$60,000 to \$80,000	19.1%
26	\$80,000 to \$100,000	11.1%
40	More than \$100,000	17.0%
235	TOTAL	100.0%

8) Please indicate the importance of each of the following aspects of the Town's environment:

	Very Important	Important	Somewhat Important	Not That Important	Overall Rating
Air quality	224	41	3	0	757
Drinking water quality	211	38	6	1	716
Streamwater quality	187	55	10	8	689
Wildlife habitat	156	67	26	9	637
Scenic views	149	76	25	7	631
Mature forests	142	84	26	8	628
Stream corridors	149	75	20	10	627
Farmland	129	88	34	11	608
Historic buildings	135	68	40	13	594
Wetlands	116	86	40	21	581
River access	108	89	37	22	561

9) How important is it for the Town to regulate or review each of the following aspects of development?

	Very Important	Important	Somewhat Important	Not That Important	Overall Rating
Density of development	165	59	32	4	649
Impact on streams	161	77	19	2	658
Proximity of commercial development to residences	157	67	27	8	640
Protection of farmland	139	83	31	5	619
Preserving existing trees at new development sites	142	71	33	16	617
Scenic impact	128	100	29	3	616
Commercial site design	139	73	35	12	610
Landscaping	119	97	43	5	599
Business signs	122	88	41	13	596
Historic character	119	83	43	17	583
Hillside development	112	76	45	13	546

TOWN OF BETHEL COMMUNITY SURVEY

- 10) Is there a need for the Town to provide MORE recreation, NEW facilities or ADDITIONAL support for recreation programs? Consider "increase support" as your wish to have the Town spend more of your tax money on these facilities or programs. The Town currently has a Town Park and pool on Old White Lake Turnpike.

	Increase Support	Continue As Is	Decrease Support	Undecided	Score
Youth activities center	84	147	9	17	297
Public beach	77	147	11	26	279
Senior activities center	68	153	15	22	259
Playground facilities	75	142	22	18	248
Trail systems	75	134	22	22	240
Picnic facilities	56	160	19	19	234
Baseball/softball fields	43	171	22	20	213
Basketball courts	43	162	29	21	190

- 11) Would you favor spending your tax money ADDING, EXPANDING or IMPROVING the following public services and facilities?

	Strongly Support	Support	No Opinion	Oppose	Score
Town roads	154	89	14	5	383
Schools	65	90	59	48	161
Library services	49	103	69	41	132
Town Park and Pool	33	102	56	71	112
New Town Hall	14	65	85	96	8

- 12) If you have or are planning to establish a home occupation from which you earn your living, please indicate what type.

11	Internet related business	19.6%
9	Contractor business	16.1%
7	Professional office with no employees	12.5%
7	Greenhouse or agricultural	12.5%
6	Craft or other specialty retail shop	10.7%
6	Repair service (auto)	10.7%
4	Professional office with employees	7.1%
3	Health related service	5.4%
2	Repair service (other)	3.6%
1	Other	1.8%
56	TOTAL	100.0%

- 13) As the Woodstock Festival site is developed as the Bethel Performing Arts Center there will be increasing interest in development along Route 17B. Please tell us how you feel about this development and how it should be addressed by the Town.

	Agree	Disagree	Not Sure	% Agree
Protect agricultural districts in the vicinity of the project and along Route 17B from incompatible development (higher density residential, high traffic commercial, etc.)	207	22	22	82.5%
Allow some commercial development but establish strict landscape and site design criteria to apply to such development.	202	26	17	82.4%
Establish an Architectural Review Board or similar board to review the design of new buildings and site plans along the Route 17B, based on design standards that that will achieve high quality development.	192	40	23	75.3%
Restrict the range of new commercial uses along 17B to less intensive activities (bed and breakfasts, sit-down dining, small shops, professional offices, etc.) excluding big box stores, convenience stores and gas stations, fast-food, auto dealers, etc.)	166	59	24	66.7%
Restrict all new commercial development to the White Lake vicinity.	59	119	44	26.6%
Allow full range of commercial uses all along Route 17B.	59	167	27	23.3%

TOWN OF BETHEL COMMUNITY SURVEY

14) Where is the last place you lived prior to moving to your current address?

94	NYC/Westchester/Rockland/Long Island	35.9%
52	Elsewhere in Sullivan County	19.8%
37	Always lived where I do now	14.1%
26	Pennsylvania/New Jersey/Connecticut	9.9%
22	Elsewhere in Bethel	8.4%
20	Elsewhere in Upstate NY	7.6%
11	Elsewhere in U.S. or outside U.S.	4.2%
262	TOTAL	100.0%

15) Are there any children under age 18 years living at home with you?

59	Yes	22.5%
203	No	77.5%
262	TOTAL	100.0%

16) Which of the following best describes your current employment status?

Principal Householder:		
90	Employed by others full-time	34.0%
10	Employed by others part-time	3.8%
55	Self-employed full-time	20.8%
10	Self-employed part-time	3.8%
96	Retired	36.2%
0	Student	0.0%
4	Unable to work	1.5%
0	Unemployed, seeking work	0.0%
265	TOTAL	100.0%

Second Householder:		
56	Employed by others full-time	29.8%
19	Employed by others part-time	10.1%
20	Self-employed full-time	10.6%
9	Self-employed part-time	4.8%
77	Retired	41.0%
0	Student	0.0%
3	Unable to work	1.6%
4	Unemployed, seeking work	2.1%
188	TOTAL	100.0%

17) Please indicate where you work.

Principal Householder:		
50	The Town of Bethel	27.2%
58	Elsewhere in Sullivan	31.5%
6	Orange County	3.3%
1	Ulster County	0.5%
45	New York City	24.5%
12	Elsewhere in NY	6.5%
12	Another state	6.5%
184	TOTAL	100.0%

Second Householder:		
27	The Town of Bethel	22.5%
50	Elsewhere in Sullivan	41.7%
3	Orange County	2.5%
2	Ulster County	1.7%
23	New York City	19.2%
10	Elsewhere in NY	8.3%
5	Another state	4.2%
120	TOTAL	100.0%

18) Please indicate your age bracket (principal householder only).

0	<25 years	0.0%
4	25-29 years	1.5%
8	30-34 years	3.1%
13	35-39 years	5.0%
25	40-44 years	9.6%
33	45-49 years	12.6%
28	50-54 years	10.7%
34	55-59 years	13.0%
41	60-64 years	15.7%
35	65-69 years	13.4%
17	70-74 years	6.5%
18	75-79 years	6.9%
3	80-85 years	1.1%
2	> 85 years	0.8%
261	TOTAL	100.0%

TOWN OF BETHEL COMMUNITY SURVEY

19) How would you describe your present occupation?

Principal Householder:		
12	Clerical/administrative support occupation	4.6%
44	Executive/administrative/managerial	16.8%
14	Farming, forestry or mining	5.3%
4	Handler, cleaner, helper or laborer	1.5%
5	Homemaker	1.9%
1	Machine operator/assembler/inspector	0.4%
4	Precision production, craft or repair	1.5%
5	Private household occupation	1.9%
59	Professional occupation	22.5%
86	Retired	32.8%
7	Sales occupation	2.7%
9	Service occupation	3.4%
4	Technician or support occupation	1.5%
8	Transportation or material moving	3.1%
262	TOTAL	100.0%

Second Householder:		
17	Clerical/administrative support occupation	9.4%
19	Executive/administrative/managerial	10.6%
3	Farming, forestry or mining	1.7%
3	Handler, cleaner, helper or laborer	1.7%
18	Homemaker	10.0%
0	Machine operator/assembler/inspector	0.0%
0	Precision production, craft or repair	0.0%
5	Private household occupation	2.8%
37	Professional occupation	20.6%
56	Retired	31.1%
5	Sales occupation	2.8%
12	Service occupation	6.7%
4	Technician or support occupation	2.2%
1	Transportation or material moving	0.6%
180	TOTAL	100.0%

20) How would you rate the quality of the following public and semi-public services?

	High	Good	Fair	Poor	Score
Fire protection	73	159	10	3	544
Utilities (e.g. electric)	45	140	51	11	455
Ambulance services	45	142	36	16	439
Town police protection	39	126	53	24	398
Health care services	15	81	107	24	290
Maintenance of Town roads	25	95	68	64	269
Town code enforcement	20	77	81	51	244

21) If you are a farmer, please rate the following for importance to farming in the Town.

	Very Important	Important	Not Important	Score
Agriculture district protections	20	2	0	42
Limit increases in property taxes	19	4	0	42
Right to farm laws	18	4	0	40
Restricting development in or near agricultural districts	16	4	0	36
Help with environmental compliance (CAFO & NYC)	13	9	0	35
Farm neighbor education	13	7	0	33
Youth agricultural education	12	9	0	33
Access to support businesses	11	10	0	32
Purchase of development rights programs	12	8	1	31
Availability of skilled labor	12	8	1	31
Agricultural land cost	11	9	0	31
Direct marketing of products to consumers	12	8	2	30
Development of new products and markets	10	10	0	30
Financing availability	11	8	2	28
Consumer "buy local" education	7	14	0	28

TOWN OF BETHEL COMMUNITY SURVEY

22) Should the Town establish or improve local controls with respect to the following:

Protecting the right to farm	242	Yes	93.8%	16	No	6.2%
Regulating dog kennels and large numbers of dogs	239	Yes	91.9%	21	No	8.1%
Regulating signs on Route 17B	236	Yes	91.5%	22	No	8.5%
Protecting right to timber using sound management practices	224	Yes	91.4%	21	No	8.6%
Regulating mobile home parks?	234	Yes	90.7%	24	No	9.3%
Regulating used car sales on private lots?	224	Yes	86.5%	35	No	13.5%
Regulating the construction of cellular communications towers	204	Yes	81.6%	46	No	18.4%
Restricting building heights on hotels and other large buildings	201	Yes	77.6%	58	No	22.4%
Restricting the size of commercial buildings on Route 17B	198	Yes	77.3%	58	No	22.7%
Regulating flea markets and yard sales	170	Yes	65.6%	89	No	34.4%
Eliminating jet ski operations on Lake Superior	158	Yes	65.3%	84	No	34.7%
Eliminating jet ski operations on White Lake / Kauneonga Lake	144	Yes	58.5%	102	No	41.5%
Eliminating jet ski operations on Toronto Reservoir	131	Yes	57.2%	98	No	42.8%
Eliminating jet ski operations on Cliff Lake	123	Yes	55.2%	100	No	44.8%

23) Where would you like to see the Town of Bethel in the next 10-20 years - what is most important?

	Very Important	Important	Not Important	Score
A "clean and green" environment	202	52	6	450
Profitable farms and farmland preservation	128	117	9	364
Preservation of historical heritage	129	94	29	323
Higher quality development	116	109	31	310
Improved recreational facilities for residents	92	130	37	277
Development of the tourism industry	101	112	43	271
More local shopping opportunities (e.g. groceries, gifts)	117	78	59	253
More small-scale industrial jobs	78	111	68	199
More second-home development	55	93	107	96
A thriving timber industry	34	103	114	57

Additional Comments:

Town Codes, enforce/remove old buildings	15	15.2%
17B, upgrade	11	11.1%
Tax exempt properties, too many	7	7.1%
Economic development, needed	5	5.1%
Junkyard laws, enforce	5	5.1%
Yards sales, none w/o parking area	5	5.1%
Character of Town, preseve	4	4.0%
Taxes, lower	4	4.0%
Growth, control	3	3.0%
Pharmacy, needed	3	3.0%
Home-based businesses, control	2	2.0%
Jet skis, prohibit everywhere	2	2.0%
Livery service, needed	2	2.0%
Parking regulations, enforce	2	2.0%
Public beach, needed	2	2.0%
Public transportation, increase	2	2.0%
Roads (other), upgrade	2	2.0%
Sidewalks on Rt. 55, needed	2	2.0%
Trucks, limit before 7 AM!	2	2.0%

Youth center, needed	2	2.0%
Assessments, unfair	1	1.0%
Casinos, don't need in Bethel	1	1.0%
Garbage, town pickup needed	1	1.0%
Newsletter, resume sending	1	1.0%
Performing Arts Center, a problem	1	1.0%
Police force, needed	1	1.0%
Pool, needed	1	1.0%
Power boats, regulate	1	1.0%
Schools, improve	1	1.0%
Senior housing, needed	1	1.0%
Summer residents, create problems	1	1.0%
Summer residents, needs ignored	1	1.0%
Supermarket, needed	1	1.0%
Trees cut along roadsides, remove	1	1.0%
Water park, needed	1	1.0%
Woodstock, stop destroying	1	1.0%
Yasgur's, stop harassing	1	1.0%
TOTAL	99	100.0%

**Town of Bethel, Sullivan County, New York
Model Sidewalk Law**

A Local Law to promote the health, safety and welfare of the citizens of the Town of Bethel, Sullivan County, New York, and establishing standards for constructions and maintenance, of sidewalks in the Town of Bethel.

Be it hereby enacted as follows:

§ 108-1. Sidewalks Required.

Sidewalks shall be provided on certain streets as specified in this law or hereafter designated by resolution of the Town Board of the Town of Bethel.

§ 108-2. Widths Reserved for Sidewalks.

There shall be area reserved for sidewalks on at least one side of each street in that portion of the Town of Bethel described and depicted on the map attached hereto, from the property line to the curb line in such widths as the Town Board shall determine. The Town Board may also require sidewalks on both sides of a given street where traffic and pedestrian safety considerations so warrant.

§ 108-3. Sidewalk Construction, Repair and Maintenance.

The following standards shall apply to all sidewalks in the Town of Bethel:

- A. Sidewalks shall be repaired and maintained by the owner of lands fronting on the streets and avenue. Where sidewalks are constructed by a governmental entity such land owners shall, nonetheless, be responsible for repairing and maintaining sidewalks.
- B. All new sidewalks shall be not less than three (3) feet in width. Existing sidewalks of less than three (3) feet may be maintained but shall not be narrowed.
- C. Sidewalks shall be constructed of such material as the Town shall have by resolution designated for the respective streets and avenues. The Town may adopt plans for streets, curbing and sidewalks on a block by block basis and require that all such improvements within the areas conform to the plans provided that elements of said plans are directly related to the health, safety and welfare of residents and pedestrians and do not impose an unreasonable cost burden.

§ 108-4. Curbing Height and Width.

All curbing, where used in this Town, shall be sixteen (16) inches deep by four (4) inches thick and set to line of grade given.

§ 108-5. Use of Fill Material on Sidewalks.

No earth, dirt, ashes or any other material shall be used or put upon any sidewalk within this Town, except to fill to within two (2) inches of the top. Grass strips may be used in conjunction with sidewalks provided a paved surface equivalent to the normal sidewalk requirement is maintained.

§ 108-6. Permission Required to Change Sidewalk Grade or Width.

No person shall alter or change the grade or width of any sidewalk in said Town, or cause the same to be done, without first having obtained the consent of the Town Board to do so.

**Town of Bethel, Sullivan County, New York
Model Sidewalk Law**

§ 108-7. Destruction to Sidewalks Prohibited.

No person shall break or destroy any sidewalk in said Town unless such sidewalk is in need of repair and destruction is so ordered by the Town Board.

§ 108-8. Portion Not Used for Sidewalk May be Improved.

It shall be lawful for the owner or occupancy of any property fronting on any street or avenue in said Town to use such part thereof as is hereby reserved in front of his or her premises, except that part thereof used for a sidewalk, and to improve and beautify the same.

§ 108-9. Permission Required to Build Sidewalks; Duties and Compensation of Engineer.

Before any new sidewalk shall be constructed, the owner or applicant thereof shall seek permission of the Town Board to construct the same. If the Town Board shall act favorably thereon, it shall give the applicant written permission, showing width, length and the thickness of the same, and shall instruct its engineer to furnish by sufficient stakes, well set, the grade and all necessary information for the proper laying of the same. The Town Board shall by resolution establish a permit fee. The engineer shall receive such compensation for his services as agreed upon by the Town Board and which shall be paid directly by the property owner.

§ 108-10. Notice to Construct; Effect of Noncompliance.

It shall be the duty of the Town Board to designate, from time to time, where sidewalks, trees, curbs, etc. are required and the manner and material thereof, and to give written notice thereof to the owner or occupants of property, requiring them to cause the same to be made or done within six (6) months after said notice or the same will be done by the Town with a charge of twenty percent (20%) added thereto.

The Town Board may also install sidewalks and curbs on its own initiative and assess the costs, thereof by resolution on individual property owners pursuant to provisions of the Town Law. Such assessments shall be based on a front foot allocation of costs and credit may be provided to owners supplying a portion of the labor or materials for the same.

§ 108-11. Repair Required Upon Notice; Effect of Noncompliance.

If any sidewalk shall be out of repair, the Town Board shall notify the owner or occupant of the land in front of whose premises the same may be to repair the same within thirty (30) days from the date of such notice (with extensions where necessary as determined by the Town Board), and if such persons shall neglect or refuse for such a period to put such sidewalk in repair, such repair shall be made by said Town Board and such persons all be liable to pay the cost and expense of such repair.

§ 108-12. Obstructions.

No person shall allow any vehicle to stand on the sidewalks or stretch any line, string or other obstacles across any sidewalk. No person shall encumber or obstruct any sidewalk in the Town with boxes, carts, wheelbarrows, baskets, barrels, signs, goods or other articles, except with the permission of the Town Board or such that a clear walking space of the width required for the sidewalk (three feet minimum) is maintained. No steps, signs, platforms, passageways, enclosures, windows, porches or any other obstruction shall be placed in or upon any sidewalks.

§ 108-13. Penalties for Offenses.

- A. Any person, partnership, association or corporation who violates any provision of this chapter shall be guilty of an offense against this Law and subject to a fine of not more than five-

Town of Bethel, Sullivan County, New York
Model Sidewalk Law

hundred (\$500) dollars. Each day of continued violation after notice thereof shall constitute a separate and distinct violation.

- B. In addition to the above-provided penalties, the Town Board may also maintain an action or proceeding in the name of the town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of any portion of this Law.

Town of Bethel, Sullivan County, New York
Sample Design Guidelines and Zoning Provisions for Rt. 17B Gateway District - Discussion Draft

DESIGN GUIDELINES
(Adapted from Saratoga County)

Structures:

The height, mass, roof forms and materials of structures in the Gateway Overlay District-1 should reflect rural design characteristics.

- (a) Rural roof form options include symmetrically pitched or hip roofs with or without gables and horse barn type roof ends.



Figure 1. Rural roof form types.

- (b) The build-to-line from the right-of-way should be a minimum 30 feet and maximum 50 feet in commercial nodes (Zone A). Outside the commercial nodes (Zone B) the minimum setback should be 50 feet with actual setback varied in response to natural features. In a commercial node only the front buildings should meet this standard.

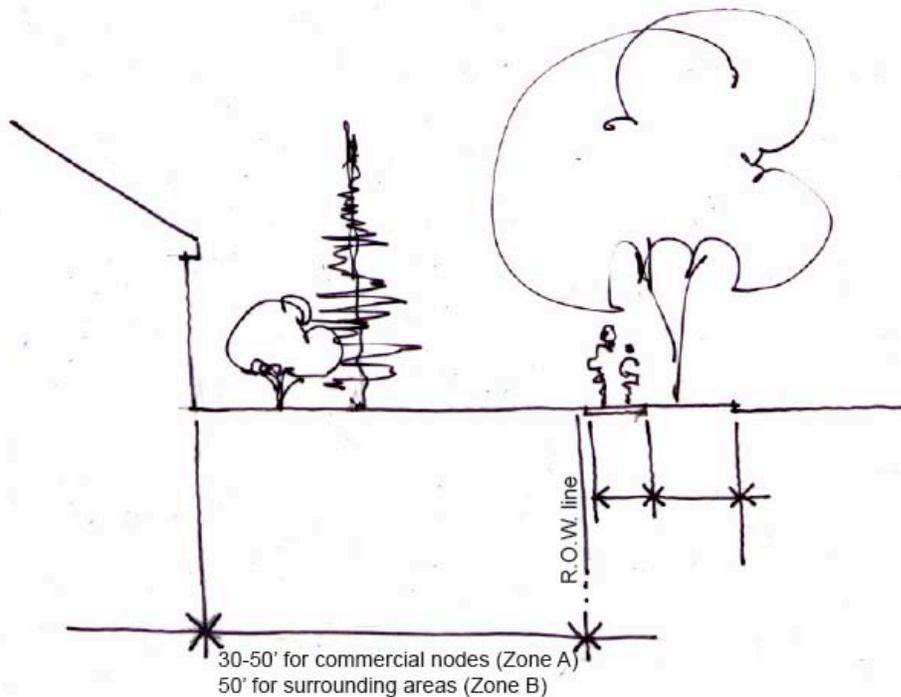


Figure 2. Build-to line dimensions.

Town of Bethel, Sullivan County, New York
Sample Design Guidelines and Zoning Provisions for Rt. 17B Gateway District - Discussion Draft

- (c) No front building wall should be more than 80 feet in width unless interrupted by a recess or other vertical modulation at least 4 feet in depth and 20 feet in width.

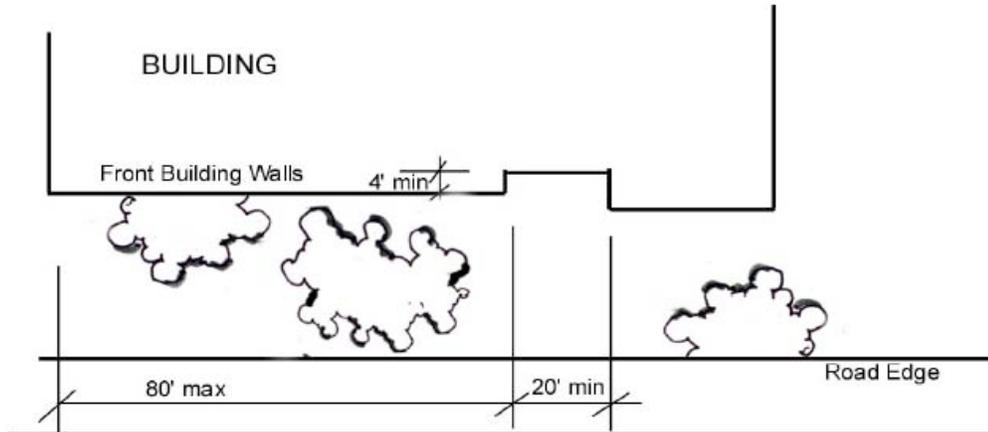


Figure 3. Front building wall articulation requirements.

- (d) Building exteriors and signs should be constructed primarily of natural materials, such as wood and stone. Multiple uses sharing a single curb cut or off-street parking should use complementary building, signage and lighting forms and materials.
- (e) Buildings should be sited in clusters, with varying setbacks in order to maximize open space and help preserve scenic views of the surrounding rural landscape.

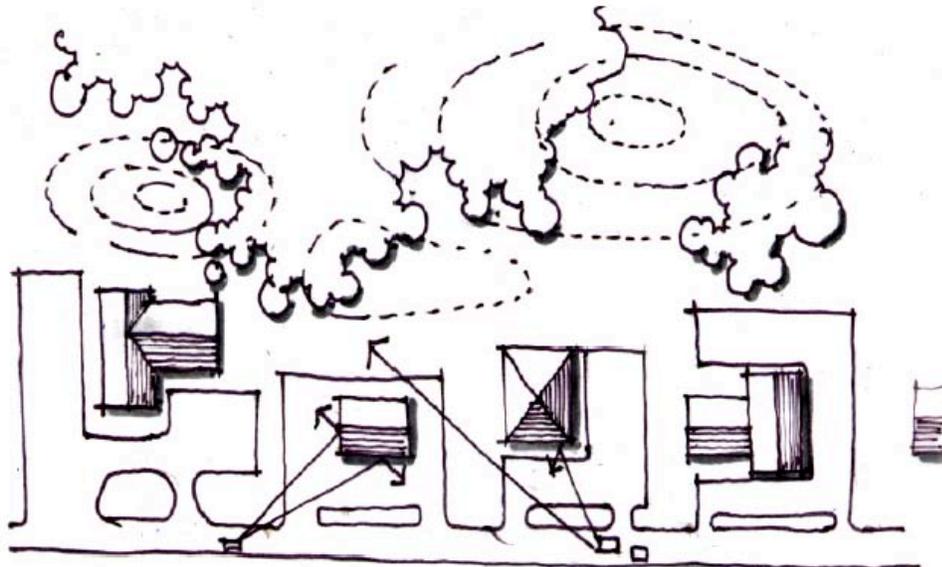


Figure 4. Plan illustrating how linear type of development limits views of rural resource characteristics (i.e. vegetation, water bodies, topography, etc.)

Town of Bethel, Sullivan County, New York
Sample Design Guidelines and Zoning Provisions for Rt. 17B Gateway District - Discussion Draft

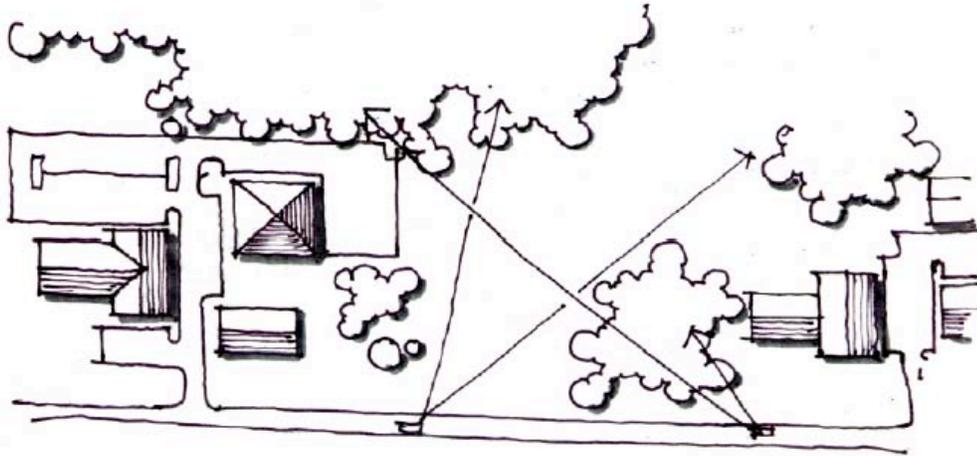


Figure 5. Plan illustrating how cluster development opens views of rural resource characteristics (i.e. vegetation, waterbodies, topography, etc.).

- (f) Buildings should have a maximum height of 40 feet and 2 stories. Buildings with footprints greater than 20,000 square feet should have 30% of each structure 2 stories. A typical rural roof form should also be applied to this additional story.

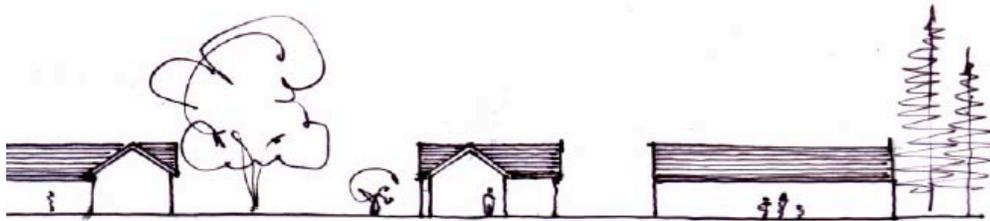


Figure 6. Elevation illustrating consistent one-story building height that does not provide interest in the landscape and is not recommended for the rural landscape.

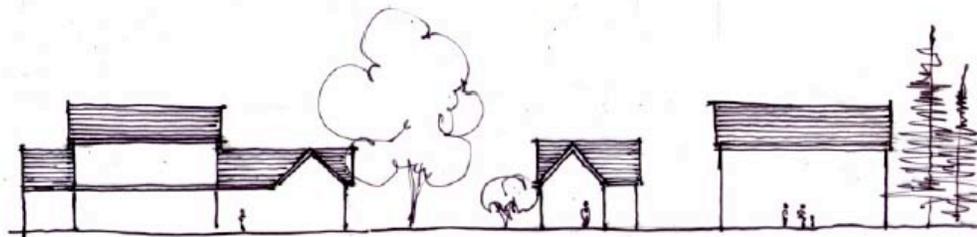


Figure 7. Elevation illustrating varied building heights which is recommended in the rural landscape because it achieves visual interest and enhances site build-out capacity.

- (g) Maximum impervious surface coverage should be 80% in Zone A. Maximum impervious surface coverage in Zone B should be 70%.

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Vegetation:

When inside commercial nodes (Zone A) vegetation should occur in structured patterns. When outside the commercial nodes (Zone B), the type, form, mass, and configuration of vegetation should reflect rural design characteristics.

- (a) Existing vegetation and topography should be retained to buffer and screen new buildings if possible.
- (b) New landscaping, especially plantings for screening and buffering, should consist primarily of indigenous plant species.
- (c) Street tree plantings should be a consistent species planted geometrically within the commercial nodes (Gateway Overlay Zone A) and a mix of species planted in clusters elsewhere (Zone B).

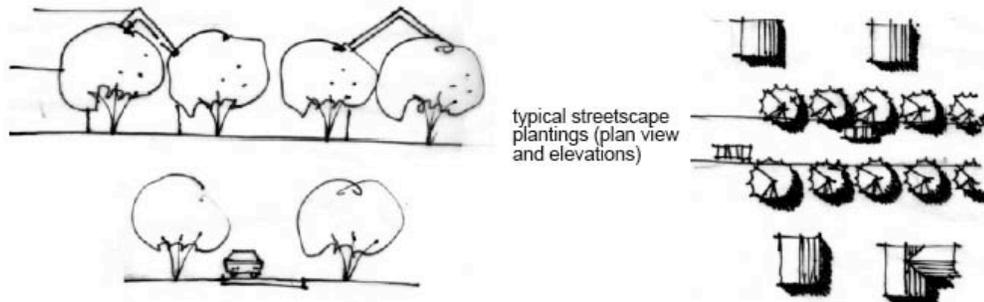


Figure 8. Planting concepts inside commercial nodes (Zone A). Structured alignment with regular spacing and single-species horticultural communities are used in commercial nodes and urban residential areas (Zones A).

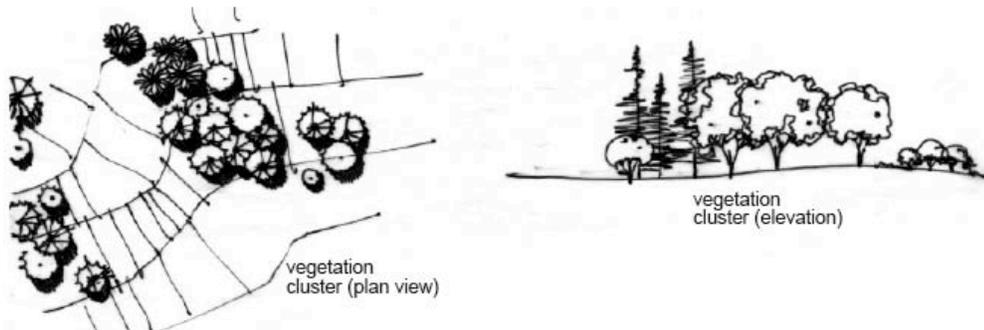


Figure 9. Planting concepts outside commercial nodes (Zone B). Diverse species and clustered vegetation reflect rural design characteristics.

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ZONING PROVISIONS
(Foundation for Design Guidelines)

(1) Purpose and Findings.

The Town of Bethel recognizes the area along State Route 17-B as an important Gateway to the Town and its performing arts district. The Town finds that development of this area in a visually attractive manner with a focus on architectural and landscaping design, enhancement of traffic and pedestrian safety along Route 17-B, and provision of appropriately scaled site lighting and signage is of public concern and is required for the protection of the general welfare of the community. The purpose of this District is to allow for a variety of uses which can enhance and promote the aesthetic standards set forth for this District, ensure traffic safety for vehicles and pedestrians, and provide an appropriately designed visual transition between the rural areas of Town and the cultural activities and venues associated with the performing arts district.

(2) Definition of District

The Gateway overlay zone shall encompass those properties as mapped by the Town's official map of its zoning districts. The Gateway Overlay District-1 shall apply to designated parcels along the Route 17-B corridor as shown on the map entitled "Route 17-B Gateway Overlay District". The Gateway Overlay District is divided into two sub-zones as follows:

Zone A: The underlying zoning is commercial and intended to accommodate a commercial node or hamlet-type development. To encourage development of clustered commercial uses in these areas, higher impervious surface coverage is allowed than in Zone B.

Zone B: Designates land where underlying zoning is commercial and intended to continue to accommodate low density development with a rural character.

These standards and guidelines are to be used during the subdivision, site plan, building permit and architectural review approval process.

(3) Compliance with Other Zoning Regulations.

The provisions of this overlay district will be enforced in addition to the requirements currently in place in these underlying zoning districts. In the case of conflicts between the Overlay District and the underlying zoning, the provisions of the Route 17-B Gateway Overlay District shall prevail.

(4) Design Review and Design Standards.

- (a) Design Review. All development within the Route 17-B Overlay District shall comply with the foregoing ***Design Guidelines***.
- (b) Design Standards. All new development within the Route 17-B Overlay District shall be in accordance with the design standards set forth below:
 - (i) Building placement and site development layout shall respectfully incorporate the site's topography, existing vegetation and other unique features. Spatial relationship between buildings and other structures shall be geometrically logical and/or architecturally formal (i.e., not haphazard or random). On a lot with multiple buildings, those located on the interior of the site shall front towards and relate to one another, both functionally and visually, and may be

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organized around features such as courtyards, greens or quadrangles. Smaller, individualized groupings of buildings are encouraged. Buildings shall be sited to provide adequate and safe fire and emergency access.

- (ii) New buildings constructed in Zone A within this overlay district shall have a minimum front yard setback of 30 feet from the right of way and a maximum front yard setback of 50 feet. New buildings constructed in Zone B within this overlay district shall have a minimum front yard setback of 50 feet with actual setback varied in response to natural features.
- (iii) New construction affecting existing buildings of acceptable architectural design shall respect the existing height, bulk, scale and style of the existing architecture. Materials used may be required to be of a similar color, texture and style of the existing architecture.
- (iv) Buildings shall relate in scale and design features to the surrounding buildings, showing respect for existing and neighborhood architecture. Buildings shall avoid long, monotonous uninterrupted walls or roof planes. Building wall offsets, including projections, recesses, and changes in floor level shall be used in order to add architectural interest and variety, and to relieve the visual effect of a simple, long wall. Similarly, roof-line offsets shall be provided, in order to provide architectural interest and variety to the massing of the building and to relieve the effect of a single, long roof.
- (v) All materials, colors and architectural details used on the exterior of the building shall be compatible with the building's style and with each other. A building designed of an architectural style that normally includes certain integral materials, colors and/or details shall incorporate such into its design.
- (vi) The architectural treatment of the front facade shall be continued, in its major features, around all sides of a building. All sides of a building shall be architecturally designed to be consistent with regard to style, materials colors and details. Blank walls or unscreened service areas along side and/or rear elevations is discouraged.
- (vii) All areas of the site not occupied by buildings, parking areas and access drives, other improvements or textured paving shall be intensively planted with trees, shrubs, hedges, ground covers and/or grasses. and annuals are encouraged.
- (viii) Site landscaping shall maintain landscape continuity with community selections. Placement of landscape materials shall be appropriate to adjacent land use activities. Preservation of existing mature plants, hedge rows, wood lots, and wetlands is encouraged, as is low maintenance planting. Existing trees over 8" dbh shall be incorporated in the site design to preserve existing vegetative resources. Landscaping plans shall consider seasonal plantings in planters, planting beds and hanging baskets.
- (ix) Plant suitability, maintenance and compatibility with site and construction features are critical factors which shall be considered, in particular for the following areas:
 - a. Along the building foundation;
 - b. Between the building and sidewalks and between the sidewalk and the roadways;

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- c. Within and around parking areas; and
- d. Between the sidewalk and front of building (front of building is the side that faces the main road, street or route).

(5) Site access and sidewalks.

- (a) Driveway, sidewalk/walkway and curb materials shall be functional and compatible with the style, materials, colors and details of the surrounding buildings. The selection and use of pavement and curb materials shall consist of a stable material. Modular masonry materials such as brick blocks, slate and concrete pavers, or cast-in-place materials such as exposed aggregate concrete slabs shall be used, whenever possible, on sidewalks, pedestrian walkways and pathways. Granite, concrete or Belgian block shall be used for curbs. Asphalt shall not be permitted for sidewalks or curbs. Transitions in paving patterns or materials shall provide a smooth and continuous surface.
- (b) Site access is required to be located at the point closest to the side property line to provide for a shared entrance with the adjoining property. If an adjacent property is already developed with an existing appropriately located access, opportunities for the shared use of the existing access shall be exhausted prior to consideration of separate access to the property. The Planning Board may require the establishment of easements as appropriate.
- (c) Sidewalks with a minimum width of 5 feet shall be provided along the property's street frontages and at least 8 feet shall be provided between the edge of the sidewalk and the back of curb or shoulder and shall be designed in accordance with applicable standards.

(6) Parking and Loading.

In addition to the parking standards associated with the underlying zoning, parking areas within the Route 17-B Overlay District may be unpaved partially or wholly except for handicap accessible parking areas and travelways, but shall be of an appropriate material as set forth therein.

- (a) Off-street parking and loading facilities shall only be placed to the rear and / or on one side and shall not be located between the front lot line and the buildings, except for necessary access drives. Corner parking lots shall not be permitted.
- (b) At the time of change of use, or expansion, alteration or renovation of an existing use, existing parking at the front of the property of preexisting buildings shall require, at minimum, a 10-foot wide landscape buffer consisting of a hedgerow, berm or combination to screen the parking area from the adjacent road.
- (c) Parking lot layout, landscaping, buffering and screening shall prevent direct views of parked vehicles from streets and sidewalks, avoid spill-over light, glare, noise or exhaust fumes onto adjacent properties, in particular adjacent to residential properties.
- (d) Parking areas shall be accessed by means of shared or common driveways, preferably from side streets or lanes. Off-street parking areas of less than 25 spaces shall, wherever possible, shall be interconnected with parking areas on adjacent properties. Cross-access easements for adjacent lots with interconnected parking areas shall be required.

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(e) Parking areas shall be landscaped to provide shade and visual relief, and shall include planting islands and peninsulas within the perimeter of the parking areas. Plantings shall constitute a minimum of 10% of the total parking area and a minimum of one deciduous shade tree shall be planted for every six parking spaces, although parking lots with ten or less spaces may not require interior landscaping if the Planning Board determines that there is adequate perimeter landscaping. Curbs, wheel stops, planters and raised planting beds shall be utilized to organize and control parking areas.

(7) Buffers, screening, and open space.

- (a) Buffer Zone. A minimum buffer zone of at least 20 feet in width shall be provided on any commercial site, use or building which is located adjacent to any residential use, building or residential district. Such buffer shall be thickly planted with trees and native shrubs to provide adequate screening, in accordance with the landscaping design guidelines set forth herein.
- (b) Open space. A minimum open space area of 35% is required. Terraces and courtyards may be considered as open space if visible and accessible to the public.

(8) Lighting.

Adequate lighting which provides security and visual interest shall be provided, while minimizing adverse impacts, such as overhead skyglow and glare on adjacent properties and the public rights-of-way. The maximum height from the ground to top of any lighting fixture shall be sixteen (15) feet if not mounted on a building. Lighting shall be decorative and blend with the architectural style of the development and surrounding area. Lighting fixtures attached to the exterior of the building shall be architecturally compatible with the styles, materials, colors and details of the building. Any outdoor lighting fixture shall be shielded in such a manner that:

- (a) the edge of the shield is below the light source;
- (b) direct rays from the light source are confined to the property boundaries, except for access areas to commercial uses where additional lighting may be needed where such access intersects with a public road or walkway. In no instance shall site access lighting spill into the roadway of any public roads; and
- (c) direct rays are prevented from escaping toward the sky.

Lighting on all externally lit signs shall be mounted above the sign and focus on the sign from above the sign.

(9) Signs.

Signs shall be compatible with building style in terms of location, scale, color and lettering, and in proportion with the size of the building and existing area signage. Signs shall fit within the existing facade features, shall be confined to signable areas, and shall not interfere with door and window openings, conceal architectural details or obscure the composition of the facade where they are located. Signs located along highway must be integrated into site landscaping. New and alteration of signs shall be subject to Site Plan review. New signs shall be modified to comply.

- (a) Not more than one (1) sign shall be permitted per establishment. Such sign shall be located on the establishment's principal facade.

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- (b) Wall signs (with or without borders) may be as large as 1 square foot per 3 linear feet of an establishment's front building wall length or a maximum of twenty-five (25) square feet, whichever is less.
- (c) Projecting signs as large as four (4) square feet on each of two (2) sides; maximum projection of 4 feet from the building face; minimum clearance from the ground 8 feet and maximum clearance 10 feet.
- (d) Window signs as large as fifteen percent (15%) of the total window area of the principal facade, with a maximum of four (4) square feet. Lettering up to eight (8) inches high.
- (e) Awning signs projecting at least five (5) feet into the sidewalk but no more than seven (4) feet. Lettering is allowed up to six (4) inches in height and on the valance only. The extent of lettering may cover a maximum of eight (8) feet in width or fifty percent (50%) of the valance width, whichever is less.
- (f) Neon signs and freestanding internally lit signs are prohibited from this district.
- (g) As indicated in the section on lighting, all externally illuminated signs must be lit from above.
- (h) A Master Sign Plan is required of establishments that share a lot, parcel or are part of a shopping center. The Plan is a sign system to create visual unity among the signs within the Plan area and to ensure compatibility with surrounding establishments and structures. The Plan shall include specifications to which all signs within the Plan area shall conform, including: sign size, height, shape, materials, lighting, and location on the establishment.
- (i) Aside from individual establishments, the shopping center shall be allowed one free standing monument-style of no more than 5 feet in height above the existing finished grade level that contains the name of the center and/or its principal tenant. Directory signs are prohibited.

(10) Utilities.

Utilities for new projects must be installed underground if on same side of the road. When possible existing above grade utilities shall be placed underground

(11) Street Furniture and Art Features.

The inclusion of street furniture and art features on a site must be shown to be appropriate to the historic, architectural and visual character of the site and adjacent areas and shall require Site Plan Approval. Art features may be located in a required yard if determined appropriate by the Planning Board and provided that said features do not impede sight lines for ingress/egress.

(12) Site Maintenance.

Sites shall be maintained in accordance with the approved plans and shall be free of litter. Landscaping shall be appropriately maintained; dead, dying or diseased landscaping shall be replaced as needed.