

(845) 583-4350 Ext 15



(845) 583-4710 (F)

## ***Town of Bethel Planning Board***

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

The Town of Bethel Planning Board held a Work Session on February 5, 2018 at 7:00 pm at the Dr. Duggan Community Center, 3460 State Route 55, White Lake, New York. A regular meeting of the Planning Board followed on the same date at 7:30 pm.

In attendance: Daniel Gettel, Chairman, Steve Simpson, Vice Chairman, Michael Cassaro, David Biren, Wilfred Hughson, David Slater, Robert Yakin, Alternate, Vicky Vassmer-Simpson, Councilwoman, Daniel Sturm, Supervisor, Jacqueline Ricciani, Attorney, Bette Jean Gettel, Code Enforcement Officer, and Jannetta MacArthur, Recording Secretary.

Excused: Susan Brown Otto and Randy Wasson, Engineer.

Seated: Robert Yakin, Jr

Pledge to the flag

***Motion to approve the minutes from the January 8, 2018 by Steve Simpson, second by Mike Cassaro.***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***

- 1) Public Hearing for a major subdivision to be located off of Mountain Laurel Trail, known as Bethel Tax Map # 55-1-9.3 & 13.1, proposed by The Preserve at Chapin Estate – Phase 5B. (Smith)***

*Return receipts received.*

Daniel Gettel: In a minute I'll open up the meeting for a public hearing. I don't know if anyone has signed up to speak. Mrs. Teitelbaum is here if she would like to speak. Would you like to speak?

Jennifer Teitelbaum: Not at this time.

Daniel Gettel: Glenn if you would give a brief presentation. If anyone walks in and wants to comment I will have them raise their hand.

Glenn Smith: Steve Dubrovsky, the applicant is also here tonight. Basically as I have discussed in prior meetings, this is roughly a 160 acre parcel on the south shore of Toronto Reservoir. The Town of Highland line is here on the bottom. This is actually Lot 180 of the 180 lots that were approved, officially approval back in 2007, and Lot 180 was left. There was almost 200 acres, but since 2007 there has been a property line adjustment with Iroquois Hunting and Fishing Club, which borders the property. The balance of Lot 180 is now 160 acres. What the intent is for is for that to be subdivided into 19 lots. Eighteen lots will be about 5 to 7 acres. The 19<sup>th</sup> lot is a balance of the property which is about 56 acres. That is being left large as there are several wetlands on it, it is difficult to access and it is not really a desirable house lot. It might be good for hunting, or someone may want to put a house in there. We have done perc tests on it, and the septic system can be installed in there as needed. Mountain Laurel Trail, which comes in at the bottom of the property is a road .... The original approval of 2007 comes in off of the Preserve Road, which is actually an extension of Pine Grove Road over here to the east. So Mountain Laurel Trail has originally been approved and into a cul-de-sac down here. The intent is to build about 5,000 feet of new road up into this property into a cul-de-sac, just south of Toronto Reservoir to serve all 19 lots. Each lot is set up for a single family house. A septic system, drilled well. We have done perc tests on all the lots. We have done a study on the adjacent wells in the area, and it shows there is ground water in the area. The other houses down by the damn we have drilled wells, 300, 400, 500 feet deep. They have plenty of water. The road going in will cross a narrow finger of wetland, a small stream that goes into Toronto Reservoir. We are filing for a wetlands permit crossing for that location right there. The DEC has been to the site, they have walked the property, and they adjusted the size of the wetland in the area a while back. That is essentially it Mr. Chairman.

Daniel Gettel: Just so the public is aware, this is considered a major subdivision in our zoning. It is subject to two public hearings. This is the first public hearing. There will be another public hearing. We are really here tonight for a preliminary review and a possible preliminary approval with this being the preliminary public hearing.

*Motion to open the meeting up for a public hearing by Steve Simpson, second by Mike Cassaro*

*All in favor - 7*

*Opposed - 0*

*Agreed and carried*

Daniel Gettel: Let the record show that there is no one signed up to speak. If nobody in the audience wants to speak.... would anyone like to speak?

*No one indicated they would like to speak and there are no written comments.*

Daniel Gettel: No one has come in to Town Hall to check the file either.

***Motion to close this public hearing and go back to regular meeting by David Biren, second by David Slater.***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: Glenn, just for the record, you and I both received a review letter from Randy Wasson today. The only outstanding question as far as he is concerned at this time is with the driveway grading. Some fall between 11.5% and 15%. Some of the driveways are up to 500 feet long. He also points out that it is typical for Chapin Estates where some of the driveways are fairly long, and some are fairly steep.

Glenn Smith: There are about six of the lots that have somewhat steep driveways coming off the road down to the house sites. I have done profiles of the driveways. They are all 15% and under. Most town highway specs are 12% to 13%. Driveways at 15% are not that unusual, but straight down the hill you have a 25% grade. Several drives switch back down the hill to get to the houses. They have existed on the Swinging Bridge side in Bethel and in Lumberland for years and I have not heard of any problems.

Daniel Gettel: I also think that. Randy also has a comment here about the rear property corner being set at 50feet.

Glenn Smith: The property line along the Toronto Reservoir side is set 50 feet horizontally back from the 1225 contour elevation. Randy is suggesting that corner markers, with the side lot lines that meet that property line on the reservoir, be staked. He was suggesting that some bench marks set back there. A surveyor can do that anytime weather permits. The problem is that the 1225 contour elevation around the entire reservoir changes over time with shore erosion, so those lines constantly move a little bit.

Daniel Gettel: So he is also suggesting maybe a benchmark be placed on the road. That is all Randy comes back with. We gave a negative declaration at the last meeting, so we don't have to talk about that. A County 239M went out and came back as local determination. We haven't heard from the Town of Highland, but they were notified of this meeting. That is not atypical for municipalities, to not answer some of our letters. Robert would you like to speak a little about the fire district?

Robert Yakin: The subdivision falls within the White Lake Fire District. What it did was it brought back an old issue that the fire districts recognize. It is largely what happens when you have a modern subdivision when you have 1940's and 1950's fire districts. In essence what we have is a situation where Smallwood Mongaup Valley Fire Department happen to cover Top Ridge down to the damn which is on the White Lake side of Chapin. These lots would be in

White Lake District on the Smallwood side of Chapin. Both fire companies.... Smallwood currently protects the homes along Top Ridge but they have to respond now through Route 17B down Route 55 to get there. It is a lot easier than taking the dirt roads. We have kind of the same situation here. We are more than capable of covering the lots but we recognize we can make things a lot better for the fire districts, and ultimately for property owners, by swapping properties. With White Lake and Smallwood these lots would go to the Smallwood District and some of the lots that they are covering would go to White Lake. It would serve two purposes. One, it would put the properties much closer to the firehouses, and therefore reduce the response times which would have secondary effect on fire insurance on these lots. White Lake Fire District has started a conversation with Smallwood. Over this issue they are in agreement. We have to figure out how to do it legally. The process we have to go through to do it, we have asked our attorney (from White Lake Fire District) to look into that. We expect to continue this process. We think it is a better solution for everyone all the way around.

Daniel Gettel: I think the bottom line is that clearly they can provide the protection that you need, and we are going to suggest they go ahead with looking into adjusting the boundary lines and maybe resolving the old problems, with the old district lines. I don't know if the property was owned by one individual at the time, it is hard to tell how the district boundary was set. It is something we are going to suggest they go ahead and look into. It won't hold up your approval, but it may be a condition that it be resolved.

Robert Yakin: White Lake doesn't see it as a barrier for any potential approval. It is just something... It is an issue where we can create better fire protection for the town.

Daniel Gettel: Does the board have any questions? Clearly we have seen this before. In order to move the process along our next step would be to grant the application a preliminary approval.

***Motion to grant this application a preliminary subdivision approval by Steve Simpson, second by Mike Cassaro***

***Roll Call Vote:***

***Michael Cassaro – Y***

***Robert Yakin – Y***

***Daniel Gettel - Y***

***Steve Simpson – Y***

***David Biren – Y***

***Wilfred Hughson – Y***

***David Slater – Y***

***Motion approved 7 – 0***

Jacqueline Ricciani: We should probably discuss the conditions.

Daniel Gettel: The conditions will be with the final approval. What we talked about in the past is that they have to get all governmental approvals. I think we are a little ahead of ourselves, because that is more for a final approval. You will have to get all governmental approvals, including the DEC crossing. All fees must be paid. We also understand that you will appear before the Town Board for a waiver of the street standards because you are going to build the road instead of bonding it but it is not built to a full town specification. The Town Board has granted that waiver in the past, and we expect you are going to the Town Board to get that resolved. Jacy, I think those are the ones we were talking about.

Terresa Bakner: Just so I understand, the condition that pertains to preliminary is getting a waiver of the street standards.

Daniel Gettel: I think that would be more of a final approval. We wouldn't grant a final until that is addressed. I think we are past the preliminary stage. Just to keep the process moving. Glenn, your timing for a second public hearing, you'll let us know?

Glenn Smith: If we could do it at the March meeting. The town board meeting is before the next Planning Board meeting.

Daniel Gettel: It was also discussed during the work session that there is no public hearing for the waiver, so the Town Board can discuss it and possibly approve it that night. We don't have to give them a waiver for the street length. We just have to acknowledge that we have the ability to approve it. I think the waiver is your next step with the Town Board. I don't have a problem with the March 5<sup>th</sup> final public hearing.

***Motion to grant this application a final public hearing for March 5, 2018 by David Biren, second by Wilfred Hughson***

***All in favor - 7***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: We will see you next month for a public hearing. You'll do the same hearing mailings again.

***2) Application for a Special Use Permit with Site Plan review for a Hotel with Amenities to be located at 338 Chapin Road, known as Tax Map # 55.E-2-16 & 28, proposed by Chatwal Lodge / Chapin Hospitality, LLC. (Smith)***

Glenn Smith: Mr. Scott is going to do a brief presentation.

Allan Scott: On behalf of Steve Dubrovsky, I would like to thank the board for this opportunity to make this conceptual presentation for the board to see. I will be making some brief opening remarks which will be followed by a short video presentation. Before we get into the video I would like to lay out briefly what we would like in terms of this presentation. Tonight we would like to present a project for development to you that is a new plan that represents a vision of Steve Dubrovsky of Chapin Estates, together with a fellow by the name of Stan Chatwal of Dream Hotels. This project can serve to create a commitment for economic development in the Town of Bethel and continue the good work that Steve has done with Chapin Estates over the years. Mike you can roll the video. Glenn Smith will follow-up.

*Applicant showing a brief video.*

Allan Scott: Glenn Smith can now get into the engineer details of the project.

Glenn Smith: So the Chatwal Lodge that you just saw was.... what that zeros in is it is Steve's past residence. Here is the Toronto Reservoir here (showing on map) it is a mile and half in from the Gate House on Route 55, on Chapin Trail, on the north side of Toronto Reservoir. This raised knob here (shown in red) is where the prior project is, the subdivision is going, on the south side of Toronto Reservoir itself. To give you an idea where things are. Basically the Chatwal Lodge is here, the Toronto Reservoir is on the south side. This is two parcels that are owned by Steve and Mr. Chatwal. That totals about 21 acres. Currently the former house you saw on the video is up here near Chapin Trail. There is the boat house on the bottom. The horse stable is on top. There will be guest houses here by the reservoir and there is a pavilion down here by the reservoir. That is it for the existing buildings. What is proposed is the existing lodge building which will be the main building, a restaurant. The kitchen addition will be put on that. The stables will be converted into a spa, a wellness center. With two one bedroom units, a pool in that area up here, it is a proposal for four cabins on the westerly side of the parcel by Toronto Reservoir. They range from a three bedroom cabin, a one bedroom cabin, a two bedroom cabin, and another one bedroom cabin. That is the orange squares. The guest house that exists now will be three separate units. There will be three one bedroom units, including a bridal suite, in the guest house which exists down by the reservoir. There are four additional cabins along this side that are all one bedroom cabins proposed on this side of the property here. There are three glamping tents, kind of luxury tents sites, proposed in this area right here. Last but not least is the Gebel house. That is owned by Steve's partner and is a four bedroom house. That will be converted and upgraded to contain a total of two two bedroom units, and two one bedroom units. There will be a total of twenty five between the existing and proposed buildings and cabins on the property. My job, from an engineering standpoint, is mainly sewer and water as usual. We have done perc tests all along the property. On 21 acres it is not hard to find septic system areas. The perc is good. I sized septic systems for the main lodge restaurant building. The event center down here in the middle of the property will be expanded to have wedding functions and things like that. We have sized septic systems for all of these cabins, and the event pavilion, and the lodge, restaurant, the wellness center that would fit on the property. There are two wells on the property now. One is a high yield well, and one kind of a poor well, there will be another well because we need Health Department approval for the water system on the property. So it would require drilling an additional well. Basically getting water for this facility and providing sewer services shouldn't be a problem. Steve owns a five acre parcel across Chapin Trail, which we

can use for overflow parking. That is my understanding. There will be valet parking for the restaurant and the main lodge building, and that parking would be across the road on that five acre parcel. That is essentially it, Mr. Chairman, in a nutshell.

Daniel Gettel: Just so the record is clear we did have a preapplication meeting on this application on January 8<sup>th</sup>, and a minority of the board has been out to the site. There was some discussion about how people would arrive to the facility because it is a gated community. I think that is something we might want to touch on.

Terresa Bakner: Sure we can do that. Did you have anything else you wanted to act on?

Glenn Smith: No.

Terresa Bakner: As you know it is a gated community and the intention is to continue it like that and have people come in and go to the gate house before they proceed into the restaurant. So it wouldn't be people coming in there just off the street. It would be people coming in having reservations, so you knew they were coming and expected. They would be an anticipated guest. Many years ago when I came to Bethel with Steve and his partners, we worked here with Herm Bressler and the board, and I know BJ. She is still here. The idea then was to have a hotel. I think using Steve's house... is just gorgeous for the restaurant and for the hotel. Steve wanted me to talk to you tonight. We are looking for some expression of conceptual approval or if you think this is a great idea. Not an approval, but sort of an indication that we are headed in the right direction with this. We know it is just conceptual now, and we don't have final answers on the cabins and the locations and things like that. We would like to know in concept if you think it is a good idea to move forward with the hotel in this location. That would enable us to plan and move forward. If you have any questions...

Daniel Gettel: Glenn and I have had some discussion of the location. We will call it the accessory buildings, the glamping tents, things like that. We do need the final location on those. We have to check the zoning. That has always been an outstanding thing. As far as the hotel goes we have heard that there was always going to be a hotel at Chapin. It has never been a big secret. I personally think it is a good idea. I'm glad to see it actually materializing. I can't speak for the public, or the people in Chapin, but as far as I am concerned, it is an interior Chapin amenity. I think it will improve the development as a whole.

Terresa Bakner: We really appreciate that the zoning code remains fairly consistent, that will allow a hotel by a Special Use Permit. It gives the town the flexibility and makes sure that it meets all the requirements that you want to see. I think you can see from the video that it will be absolutely beautiful.

Daniel Gettel: We talked briefly at the work session. We have had these applications before and they always bring a little bit of camping and little bit of hotel, a little bit of give and take, but I think it is a good application. I think it is a good project. I would like to see it materialize. We have to take public comment. I am not endorsing it tonight.

Terresa Bakner: I appreciate that. It's good to know we are headed in the right direction. Does

anyone else have any other questions?

*No comment*

Daniel Gettel: Robert (Yakin) and Michael (Cassaro) were at the meeting and the house. The rest are seeing it for the first time tonight. Clearly any hotel would be a plus. Bethel needs a hotel. Clearly we need a hotel.

Terresa Bakner: The Wellness Center, you need to have those types of amenities with a hotel.

Daniel Gettel: I would like to see some information of what the cabins are going to look like. There are a lot of glamping tents we have seen in the past. None exist in Bethel yet. So if you have some idea of what they are going to look like.

Terresa Bakner: That should be easy enough. Steve do you have any questions?

Steve Dubrovsky: Unless someone has any questions.

Jennifer Teitelbaum: Can the public ask questions?

Daniel Gettel: Not at this time. We should wait for the public hearing. What is your timetable as far as new applications or submittals, or opening day?

Steve Dubrovsky: We are gearing for the weekend of the Woodstock 50<sup>th</sup> anniversary.

Daniel Gettel: A lot of people are shooting for that time. Thank you.

Daniel Gettel: Are there any comments from the board? Vicky you have a town board meeting in two Wednesday's, not this Wednesday?

Victoria Vassmer Simpson: The following Wednesday. We don't have an agenda yet.

Daniel Gettel: I believe you have a public hearing set for the change in the Solar Law.

Victoria Vassmer Simpson: Yes we do. We discussed that at the last Town Board meeting.

Daniel Gettel: Do you need anything from the Planning Board on the Solar Law? There is a word change in the Solar Law. The way the Solar Law reads now is that anyone that proposes a solar project in the Town of Bethel has to negotiate a PILOT with the Town. At the time that made sense, but now the County is negotiating pilot for the County. The IDA is doing it for the County and the Schools, so we might as well include the Town as part of that. So they are changing the wording for that in the Solar Law. And there is an exemption for Veterans....

Victoria Vassmer Simpson: That ran out.

Daniel Gettel: The State extended it (Cold War Veterans Exemption) so the Town has to follow suit. Mr. Sturm, it is a pleasure having you here tonight.

Daniel Sturm: It is a pleasure being here.

Daniel Gettel: Do you have anything to add?

Daniel Sturm: No.

*Motion to adjourn by David Slater, second by Robert Yakin.*

*All in favor - 7*

*Opposed - 0*

*Agreed and carried*

8:07 pm

Respectively submitted,

*Jannetta MacArthur*

Recording Secretary