



(845) 583-4350 Ext 105

(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 Monday June 3, 2019 at 7:00 PM at the Dr. Duggan Community Center, 3460 State Route 55, White Lake, New York. A regular meeting of the Planning Board followed on the same date at 7:30 PM. On the agenda at that time were the following;

In attendance: Daniel Gettel, Chairman, Mike Cassaro, Susan Brown Otto, David Biren, Wilfred Hughson, David Slater, Bette Jean Gettel, Code Enforcement Officer, Jacqueline Ricciani, Attorney, Jannetta MacArthur, Recording Secretary, and Glenn Smith, Engineer.

Excused: Steve Simpson, Robert Yakin, Jr. and Vicky Vassmer Simpson, liaison.

Pledge to the flag.

*We do have a quorum*

***Motion to approve the minutes from the May 6, 2019 Planning Board meeting by Mike Cassaro, second by David Slater.***

***All in favor – 6***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: This evening we have two public hearings. In a minute I will entertain a motion to open the meeting up for a public hearing for the first item on the agenda. At that time I will ask the applicant's representative to make a brief presentation to the audience to describe their proposal. There was a sign-in sheet at the back of the room which is blank at this point. As soon as the applicant's presentation is over I will call the names off that list if there are any. If anyone in the audience would like to speak after the presentation just simply raise your hand, I'll just ask you to come up to the microphone to the front of the room, state your name for the record and make your comments. After public comment is received we will close that public hearing and go back to our regular agenda. The second public hearing will be held after we finish item #1.

**1) Public Hearing for a Special Use Permit with Site Plan Approval for a Retail Use to be located at 6 Plank Road, known as Bethel Tax Map #: 38-2-81, proposed by Black Oak Buildings. (Noeth)**

*Return receipts received*

***Motion to open the meeting up for a public hearing for Black Oak Buildings by Susan Brown Otto, second by Wilfred Hughson***

***All in favor – 6***

***Opposed - 0***

***Agreed and carried***

Jay Zeiger: The purpose of what we are trying to do is open a retail business to sell sheds and outdoor storage facilities. We had a brochure from the storage company, which had pictures of the sheds. There will be a license from the company. This is the property over here and this is Dr. Noeth's Chiropractic office. The idea is to do the shed business on the adjacent parcel that Dr. Noeth also owns. Basically this is what the site plan will look like when it's all done. These are pictures of the sheds. There is no major construction. There is no work that will be done other than the sheds will be installed or built. The sheds will be shipped from the manufacturer, installed and built. The sheds will be ordered and delivered to the customers. These sheds will not be moved.

Daniel Gettel: It's a pretty straightforward proposal. Under our zoning it's a retail use, which is subject to a site plan and a special use permit review which we have been working on recently. Does anyone from the audience wish to make a comment?

*No one*

***Motion to close this public hearing and go back to the regular meeting by Susan Brown Otto, second by David Slater***

***All in favor - 6***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: Jay, just a bit of information for the record. The project was subjected to a County M239 review. The County Planning Department came back as local determination. The County DPW came back with the comment that the applicant must submit plans to them in the event that they propose any improvements along the existing driveway off of Route 17B, which they have not.

Jay Zeiger: We are not proposing to use it.

Daniel Gettel: No standing or parking would be allowed within the bounds of Route 17B, which we don't think is the most convenient place to stop and visit anyway.

Jay Zeiger: We are not proposing that.

Daniel Gettel: At the last meeting we did talk about the landscaping and other standards.

Section 345-16 are the landscaping standards. The applicant did meet with Sullivan Renaissance who came up with the minimal plantings shown on her application.

Section 345-18 – Route 17B Gateway Design Standards – Most of this section does not pertain to this application. It pretty much discusses new construction, especially buildings. Even though the proposed buildings are not permanently installed they should be installed level to show continuity, which we discussed at the last meeting. Walking paths should be provided and be at a minimal, a crushed stone pathway between the parking lot and proposed model buildings be provided to allow for limited handicap accessibility. This proposed use will not include any additional lighting outside the chiropractic building.

Section 345-22 – Parking, Loading, Access and Traffic Standards – Off-street Loading – Parking is to be accommodated on the adjoining lot, which is clearly adequate for the two uses. If a customer likes a certain model that model will be shipped directly from the manufacturer, something Jay mentioned during the public hearing. Once the models are delivered to the site there will only be occasional loading and unloading of newer models.

Section 345-23 – Signage – No Multiple Signs – Board Approval of Main Business Sign – There shall not be numerous signs, and no waving, cloth or other signs permitted that may be considered to be a distraction to nearby passersby.

Jay Zeiger: Currently we had said no signs.

Daniel Gettel: The current application is for no signs except for maybe a sign on the building stating the model and the price or some kind of specifics on that building, but nothing large.

Susan Brown Otto: No electronics.

Daniel Gettel: Nothing electronic. They are not permitted in the Town of Bethel.

Section 345-30 – Special Use Procedures – which I will touch on later.

Section 345-31 – Site Plan Approval – Traffic Access, Parking, Site Grading, Plan Requirements – We do have a simplified version of a plan prepared by the business owner, which is something that we typically do try to support. Local businesses can do their own applications.

Daniel Gettel: Glenn, we have a short environmental assessment form that has been on file in the Building Department, so I won't read through Part 1, but I don't think you reviewed this.

Daniel Gettel: Reading through the Short Environmental Assessment Form Part 2.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulation?

No. The proposed use is permitted by zoning. The Town of Bethel Zoning Board did grant this application an area variance as the existing vacant parcels combined add up to approximately 1.5 acres, where 2.0 acres of land is required for the use. The area variance was granted to allow the application to proceed.

2. Will the proposed action result in a change in the use or intensity of use of land?

Small Impact, any approval would result in the change of use of the land.

3. Will the proposed action impair the character or quality of the existing community?

No. The use is permitted in this commercial district.

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?

No. None exist in the Town of Bethel.

5. Will the proposed action result in an adverse change in the existing level of traffic or affect infrastructure for mass transit, biking or walkway?

No. There will not be a noticeable impact.

6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities.

No. There shall not be an increase in the use of energy associated with this proposal.

7. Will the proposed action impact existing:

- a. Public / private water supplies?

No. There will be no impact.

- b. Public / private wastewater treatment utilities?

No. There will be no impact.

8. Will the proposed action impair the character of important historic, archeological, architectural or aesthetic resources?

No. None exist on this site.

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora or fauna)?

No. There will not be an adverse change.

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

No. There are no anticipated impacts.

11. Will the proposed action create a hazard to environmental resources or human health?

No. There will be no negative impact associated with this use.

Daniel Gettel: That is the end of the short EAF. Are there any comments from the board?

Mike Cassaro: I would like to make a comment. This project is a vast improvement over what was there before. I personally welcome this type of change.

Daniel Gettel: There is no question the site has been cleaned up dramatically in the last couple of years.

Jacqueline Ricciani: Although it was mentioned last time the applicant was here, but just for the record and mentioned before, Mr. Cassaro is a neighbor of this project.

Daniel Gettel: None of the questions on the EAF resulted in an answer of moderate to large impact may occur demonstrating that the proposed action will not result in any adverse environmental impacts.

***Motion to grant this application a negative declaration under SEQR by Susan Brown Otto, second by Wilfred Hughson***

***All in favor – 6***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: The Special Use Procedures are listed in Section 345-30 I & J. If we were to approve the Special Use Permit tonight we would be doing so with conditions. I typically have to run through Section 345-30 paragraphs I & J.

- I. The Planning Board, in reviewing the site plan, shall consider its conformity to the Comprehensive Plan and the various other plans, laws and ordinances of the Town. Conservation features, aesthetics, landscaping and impact on surrounding development as well as the entire Town shall be part of the Planning Board review. Traffic flow, circulation and parking shall be reviewed to ensure the safety of the

public and of the users of the facility and to ensure that there is no unreasonable interference with traffic on surrounding streets. The Planning Board shall further consider the following:

1. Building design, lighting, location and signs insofar as suitability for the use intended and impact on and compatibility with the natural and man-made surroundings.

There will be no permanent structures on the site. Site lighting, if any, will be for security purposes only and will not be allowed to shine onto adjacent roadways. As we mentioned, those exist on the building next door.

2. Storm drainage, flooding and erosion and sedimentation control.

Storm runoff, flooding and erosion and sedimentation control is not anticipated to be a problem. The site had previously been graded and stabilized.

3. Adequacy of community services and utilities, including police protection, emergency services and the educational system.

There will be no impact on community services or utilities and there are no anticipated impacts on the educational system.

4. Environmental impacts in any form.

The application was subjected to an environmental review and a negative declaration was granted.

5. Impacts on housing availability.

There is no anticipated negative impact on housing anticipated with any approval.

6. The potential for nuisance impacts such as noise, odors, vibrations or glare.

There are no anticipated nuisance impacts such as noise, odors, vibrations or glare.

7. The adequacy of the trees, shrubs and other landscaping to buffer or soften a use in terms of visual or other impacts on adjoining property owners, Town residents and those visitors on whom the local economy often depends.

The applicant worked with Sullivan Renaissance to come up with a landscaping plan. The building situated on the adjoining lot will be used, in part, as an office for this proposed use and no buffer zones will be installed.

8. Impacts on nearby property values.

There are no anticipated negative impacts on property values.

9. Traffic impacts (see § 345-22H).

Section 345-22H - Access to Route 17B and Route 55 reads:

(1) No tract shall provide direct access to Route 17B or Route 55 if adequate alternate access can be reasonably provided by way of another road.

The site is to be accessed via an existing driveway off Plank Road. The driveway off Route 17B is not to be utilized.

(2) No driveway shall be permitted within 100 feet of a public highway intersection on Route 17B or Route 55.

The driveway is existing and at its closest point is just over 100 feet from the white line of Route 17B at the Plank Road intersection. Regardless, the driveway most likely predated the change in zoning.

10. Any other factors which reasonably relate to the health, safety and general welfare of present or future residents of the Town of Bethel.

There are no known factors that would relate to the health, safety and general welfare of residents.

J. The Planning Board, in acting upon the site plan, shall also be approving, approving with modifications or disapproving the special use permit application connected therewith taking into consideration not only the criteria contained above but also the following:

1. Whether the proposed use will result in an overconcentration of such uses in a particular area of the Town or is needed to address a deficiency of such uses. The Board shall, in this regard, consider the suitability of the site proposed for a particular use as compared to the suitability of other sites in the immediate area.

The proposed use is unique, but is permitted in the zoning district.

2. Whether the proposed use will have a detrimental or positive impact on adjacent properties or the health, safety and welfare of the residents of the Town of Bethel.

The use is anticipated to have a positive impact on residents and the Town of Bethel and is not anticipated to have any impact on the safety or welfare of residents.

3. If the proposed use is one judged to present detrimental impacts, whether an approval could be conditioned in such a manner as to eliminate or substantially reduce those impacts.

The proposed use is not anticipated to be detrimental.

4. Whether the use will have a positive or negative effect on the environment, job creation, the economy, housing availability or open space preservation.

The proposed use is not anticipated to have any negative impacts.

5. Whether the granting of an approval will cause an economic burden on community facilities or services, including but not limited to highways, sewage treatment facilities, water supplies and fire-fighting capabilities. The applicant shall be responsible for providing such improvements or additional services as may be required to adequately serve the proposed use and any approval shall be so conditioned. The Town shall be authorized to demand fees in support of such services where they cannot be directly provided by the applicant. This shall specifically apply, but not be limited to, additional fees to support fire district expenses.

There are no anticipated economic burdens associated with any approval.

6. Whether the site plan indicates the property will be developed and improved in a way which is consistent with that character which this chapter and the Comprehensive Plan are intended to produce or protect, including appropriate landscaping and attention to aesthetics and natural feature preservation.

The proposed use is commercial in nature and has been proposed in a commercial area. The use fits the smaller size of the parcel.

Daniel Gettel: That is it for paragraphs I & J of the special use conditions. Are there any comments from the board at this time?

*none*

Daniel Gettel: We have seen the application a number of times and we are familiar with the site. If we were to approve this application tonight, Jay and Dr. Noeth, we must note one of the comments from the DOT. They did require that there be no parking on State 17B. We don't think it will be an issue, but if it becomes an issue, what we would require is maybe a planting or

some kind of fencing similar to what they did at the flea market across from the Citgo, to not make it convenient for them to do that. If we approved this tonight, the following conditions would be required.

1. The applicant is to take measure to insure that there is no parking or stopping on Route 17B. This may involve, if it becomes necessary, erecting fencing or a landscaping barrier to make it less convenient to access the site from Route 17B. There shall be no direct driveway access to Route 17B.
2. There shall not be numerous signs, and any waving, cloth or other signs permitted that may be considered to be a distraction to nearby passersby.
3. Even though the proposed model buildings are not permanently installed they are to be installed level to show continuity.
4. The tax maps that make up this application are to be combined as conditioned by the Zoning Board of Appeals.
5. All fees are paid to the Town of Bethel.

Jay Zeiger: Is there any way we can talk about not combining the parcels?

Daniel Gettel: That is the condition that was agreed upon with the Zoning Board. You had that on the other application. What would you be looking to do?

Jay Zeiger: Leave as it is.

Daniel Gettel: And the benefit of that? You're going to have setback issues with that. You are going to have buildings straddling different tax lot lines.

Jacqueline Ricciani: This project is dependent on the neighboring parcel that had the business office where some of the work is going to be done. If one of these parcels were sold separate....

Jay Zeiger: We could make it a condition.

Jacqueline Ricciani: It is already conditioned by the ZBA.

Daniel Gettel: The two parcels are to be combined. That is our intent with item #4. Her office is independent.

Jacqueline Ricciani: The ZBA said all three parcels be combined, 80.1, 81, and 80.2 because the office is being used as part of the business.

Daniel Gettel: You agreed to the ZBA conditions, we can't change that. Can you live with that Jamie?

Jamie Noeth: My preference is to combine the two lots, and not have to combine the office lot.

Jacqueline Ricciani: The ZBA took a different position.

Jay Zeiger: If we go back to the ZBA, and ask them if we ask them to modify that condition to just combine the two tax lots do we have to come back here?

Daniel Gettel: I would say you don't have to. If you want to resolve that issue with them and they decide it can be left as two instead of three that's fine.

Jacqueline Ricciani: Just make a condition to comply with the conditions from the ZBA, and then whatever those conditions are will carry over.

***Motion to approve the application for a special use permit with site plan review as per the five referenced conditions by Susan Brown Otto, second by David Biren.***

***Roll call vote:***

***David Slater – Yes***

***Wilfred Hughson – Yes***

***David Biren- Yes***

***Susan Brown Otto – Yes***

***Michael Cassaro – Yes***

***Daniel Gettel - Yes***

***Motion passed 6-0.***

Daniel Gettel: Good luck.

Daniel Gettel: I noticed that some people came in after the meeting started. We are moving on to our second public hearing. If you would like to speak after the applicant makes their presentation, please raise your hand, and I will call you up to the microphone and have you state your name for the record and make your comments.

***2) Public Hearing for a Special Use Permit with Site Plan Approval for a Summer Camp to be located at 347 Old White Lake Turnpike, Swan Lake, known as Bethel Tax Map #: 13-1-12.1 and 14-1-2.10, proposed by David Weiss for Camp Machne Shalva. (Wasson)***

*Return receipts received*

***Motion to open the meeting up for a public hearing for Camp Machne Shalva by Susan Brown Otto, second by Wilfred Hughson.***

***All in favor - 6***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: We have seen this application several times. Please address the audience, tell them what you are proposing, what is existing, and what the changes are going to be.

Randy Wasson: This project is basically a conversion of a former hotel to a Boy's summer camp. It was formerly known as Hotel Otrynode. It is in this area right here (showing on map). It includes both sides of the road, this being Old White Lake Turnpike. The proposal is to have a camp with 185 people on the site, 48 are staff and 137 would be campers. They will all be housed in the existing buildings. They will be using the existing kitchen and dining rooms for meals. They also will be using the two existing driveways, one in the center just for deliveries for the kitchen, and one to the north will be access for buses. There will be approximately 70 day campers as well using the site and the facilities. Also, there will be parking in the rear for staff, in two locations here. Then this red rectangle is a proposed multiuse building, primarily a gymnasium for rainy days.

Jay Zeiger: All of the buildings in here are all here already. Many of those buildings will be renovated, and cleaned up. The swimming pool is already there. The only new building is back here. The existing buildings are grayed out, you really can't see them. The new main entrance, the bus parking, is new. Staff parking is new. There will be fences and gates between the road and the campers. That is basically it. This is the existing sewage treatment plant. It is being renovated as we speak. We are basically rebuilding the whole plant with the exception of the septic tanks, which we will be putting covers on. The filters are being rebuilt. The sand is being replaced. That's about it.

Daniel Gettel: Jay you're good?

Jay Zeiger: Yes.

Daniel Gettel: Is there anyone that signed up to speak?

Bette Jean Gettel: Bonnie Marina – Butrick Road.

Daniel Gettel: I don't see her.

Jacqueline Ricciani: Let's check the hall and see if she is there.

Bette Jean Gettel: She is not here.

Daniel Gettel: Does anyone else wish to speak?

*No one*

***Motion to close this public hearing with the understanding that if Ms. Marina comes back we will reopen the hearing, by Susan Brown Otto, second by David Slater.***

***All in favor – 6***

***Opposed - 0***

***Agreed and carried***

Susan Brown Otto: Where on the map is the Ag District?

Randy Wasson: It is marked with a check.

Daniel Gettel: That is the district line.

Susan Brown Otto: And the red building is the new building? It's a brand new building. It's being built on Agricultural property?

Jay Zeiger: Yes.

Daniel Gettel: That is the gymnasium that we required. The ZBA had suggested, and it doesn't appear on the record but it is my understanding Jay, that the ZBA did have a discussion about not allowing construction on that property. That was going to be vacant.

Jay Zeiger: That was in the early stages.

Daniel Gettel: We were considering if we were to move forward that we would just simply state that with the exception of what is existing and what is shown on this plan there will be no further construction on the property unless it is approved by the Planning Board. I think that would be a site plan amendment anyway. We are trying to protect what Agricultural land we have, even though it doesn't have an Agricultural use at this time, it is in an Ag Zone. There are people applying to be in the Ag Zone this year, so the Ag Zone might be getting a little bigger.

Susan Brown Otto: What type of parking lot are you intending to put in on the Ag property? Is it asphalt or is it crushed stone?

Randy Wasson: Crusher run for the parking lots. The driveway coming up will be asphalt. That is already there. The parking area where the Ag District is would be gravel.

Susan Brown Otto: I'm just concerned about the Ag property.

Daniel Gettel: I think the driveway being paved is beneficial when you consider the slopes on the property. Even the emergency access drives in a lot of places aren't travelable after a good rain. So the parking area itself in the Ag Zone would be gravel, it would not be paved. Let the record show that the application was subjected to a County M239 review. The County Planning Department came back as local determination. It should be pointed out that the County does mention that there is some development in the Ag Zone even though the property is not currently used for Agricultural land. I would suggest that, if approved the Planning Board, we request no improvements outside what is shown on the plan be permitted. I think the applicant has agreed to that. Are there any board comments before I move on to the environmental?

David Slater: You say 185 people total, 70 day campers. Where do those 70 day campers go at night? Are they staying there?

Jay Zeiger: They are going away.

David Slater: At night there will be 185 people sleeping over, that's it?

Jay Zeiger: Including staff.

David Slater: Including staff and family, or just staff.

Jay Zeiger: Just staff.

David Slater: No kids there at night outside of the campers?

Jay Zeiger: There are no kids that are being bused in.

David Slater: Let's go back to our definition. I am still stuck on this definition. I would love the Zoning Board to someday resolve the definition of a summer camp. "The development or use of a lot, tract or parcel of land for recreation or instruction on a seasonal basis within the approximate time period of May 15 to October 15 offering access to recreational or educational facilities and which includes any or all of the following features: temporary or permanent shelters, buildings or structures that are designed for warm weather, seasonal use, including cabins, dormitories, cafeterias, gymnasiums, community centers, administration buildings, and similar structures designed for use by the camp attendees, ball playing fields, basketball courts, tennis courts, running tracks, swimming pools, horseback riding facilities, hiking or riding trails and similar recreational or educational facilities. The seasonal occupants of a summer camp shall be limited to the owner and his or her immediate family, the caretaker, children under the age of 18 years who may pay a fee or tuition to attend as campers and persons employed by the owner or operator of any such camp to support its functions, including counselors, cooks and maintenance personnel. A summer camp shall not include temporary or permanent shelters, buildings or structures designed for use or occupancy by family members of the children who are attending the summer camp or the employees who work there."

David Slater: If your staff are bringing their families with them....

Jay Zeiger: The staff will all be participants in the camp program. If the child is not participating in the camp program he won't be there.

David Slater: So there won't be any two year olds running around at this camp. What is the age group of your camp?

Randy Wasson: 11 to 15 years.

David Slater: Boys, girls or combined?

Ben Halberstam: We put them in a special program, the children.

David Slater: All those younger children are in the numbers?

Ben Halberstam: Everyone is accounted for.

Jacqueline Ricciani: The 137 campers include these younger children. The day campers are 11 to 14, and then the....

Jay Zeiger: The boy campers are to be 14.

Ben Halberstam: Some kids come for sleep away.

Jay Zeiger: The kids that are sleeping are independent. The campers in the dorms are ages 11 to 14.

Ben Halberstam: It is not a different age group.

David Slater: If you have a 3 year old, where do they go?

Ben Halberstam: They are not allowed to come.

David Slater: So no younger children are allowed to come?

Jacqueline Ricciani: But you said you have a special program for young children.

Daniel Gettel: Are those bused in specifically to come to this camp? Those are people who are already on the site? They are not kids being brought up? They are actually kids of the staff?

David Slater: So we are back to they are kids of the staff which is against what our definition says.

Ben Halberstam: But they are part of the camp program.

Jacqueline Ricciani: There may be some overlap. So the two year old is not sleeping with the parent?

Jay Zeiger: Yes.

Daniel Gettel: The younger children will be with the parent, but they will be in their own program within the camp.

Jacqueline Ricciani: The total number of campers sleeping is 137, regardless of their age.

Ben Halberstam: Correct.

David Slater: How do we keep track of that? That is a logistical nightmare for anybody. You have 137 beds, correct, for your campers? Let's say if you bring a child with you, if you bring a child with you, are you are going to take a child out of those dorms?

Jay Zeiger: Yes.

David Slater: I don't see that happening. If you have three children sleeping in your house you are going to take three kids out of those dorms and take that money away? How is that controlled?

Ben Halberstam: The bunks are controlled. Your question of the smaller children, if they don't fit in the age group of the 11 – 14, they have to sleep with the staff.

David Slater: Every kid that sleeps with their parent you pull a kid out of the dorm?

Ben Halberstam: There is the same amount of campers. We are not bringing in any more campers.

David Slater: I don't know how BJ goes in there and counts the number of campers, 137 beds, and you have four kids sleeping with their parent, and you say wait, you take four beds out of here, and put it in there. That's not happening. We are setting up a nightmare for BJ or whoever who goes in there. We are setting up a precedent that shouldn't happen. I think it is a numbers game.

Jay Zeiger: It is no different. There is supposed to be 137 beds. They decide to put in 145, it is the same strategic question, BJ inspects, the DOH inspects. The conditions on the map and the site plan state the number of kids that are allowed to be sleeping there. If they add beds that aren't on the site plan, they violate the site plan.

Daniel Gettel: I think it is like every other program in the County or in the State. You have the campers registered for summer camp and you take a certain number of people. Once that capacity is reached that's the capacity. That's how it works in every other camp. I don't know a better way to do it. You have to have the kids registered. The kids just don't just show up on camp day and nobody knows they are coming.

Jay Zeiger: They will know with the staff that they hired how many kids are below the ages, and only add campers less the number of kids.

Daniel Gettel: If you want a number of staff, you have to accommodate their families clearly, because that has always been a stickler with our code. So that is kind of your incentive to accommodate the younger children in a program. BJ, do you have any comment? I know it falls on the Building Department. I don't think it is uncommon.

Bette Jean Gettel: When I do my inspection with the DOH we count the beds. One bed, one child. That includes the structures that the staff are in. The cribs are counted as beds.

Daniel Gettel: If we looked at this as a hotel, we would be counting beds.

David Slater: I have mentioned it before. I don't want to set a precedent here that is going to burn us in five years or whatever. It's in the Zoning. Maybe it is something that needs to go

back and someone explains this, and make it black and white.

Jay Zeiger: We are interpreting this consistent with any interpretation that every kid that stays overnight at this camp is participating in a camp program. We are not trying to find a loop hole in the interpretation. Every kid that is sleeping there is in a camp program. We have said it three times.

David Slater: What are you going to do if you have a one year old there? Explain that to me. It is written as a summer camp, it is not written as a bungalow colony converted over, not to use that term out there.

Jay Zeiger: I don't think we come anywhere near a bungalow colony. There are dormitories for a 137 beds. If there are younger kids, they will be in a program designed for young children. One year olds, two year olds, I don't know if there are going to be any that ages.

Daniel Gettel: It has always been a stickler with this board the way that section of code is written and the way it is interpreted. You say you are not looking for a loophole, but I think it is kind of a loophole you are looking for Jay. That is just me saying that. Glenn, any comments on this? I guess you are not really involved in the interpretation of the Zoning.

Glenn Smith: Here they are all in the general population, the staff.

David Biren: Where is the staff living here? Are they in separate buildings?

Randy Wasson: Separate buildings.

Susan Brown Otto: Where on the map?

Bette Jean Gettel: They are in separate buildings, spread all over the camp.

Jay Zeiger: Some cases there are going to be more than...

Ben Halberstam: The typical staff household is three or four families. Some are singles.

Daniel Gettel: A staff building is a staff building.

Ben Halberstam: They are mixed in.

Jay Zeiger: This one staff housing has 15 people. Which is more than one family.

David Biren: The definition that we have doesn't sit well.

Jay Zeiger: Every adult that is there is going to have employment at the camp. They must be part of the camp. Every kid that is there has to be part of the camp under your definition.

David Slater: Reading definition of a camp from code:

“A summer camp shall not include temporary or permanent shelters, buildings or structures designed for use or occupancy by family members of the children who are attending the summer camp or the employees who work there.”

Daniel Gettel: Jay, let me ask you, Randy and Ben. If I am working as staff at this camp, and I am a parent of a 9 year old who wants to be in a program that is offered down the street, are you busing them out?

Ben Halberstam: They are all part of the camp. As far as I know everybody is employed and their children are in the camp. I don't know of any situation...

Daniel Gettel: So, in reality you are not busing a single person out of this camp? Everybody is here for the duration of the summer. Ben, (*Ben speaking with member of audience*), we are not picking up any of this on the record. BJ, if any kids are bussed out, are they in violation?

Bette Jean Gettel: Correct.

Daniel Gettel: That goes counter to what Jay is saying. Jay do you want to come back and revisit this? I can't have your applicants disagreeing on what is being proposed.

Ben Halberstam: Some children will not fit into the program. A girl, if she is 8 or 9, it is not clear cut. The program should work, but there might be exceptions.

Daniel Gettel: I agree with David, and I agree with Jay you are in violation of the special use permit. You are going against what you are telling us as part of the approval. Jay what I think is that you have a public hearing that was opened and closed. I would suggest we table this until you work it out better with your applicant and what the program is going to be? I am not comfortable with this. David (Slater) would you agree? If they are busing people out...

***Motion to table this application to our next Planning Board meeting by Susan Brown Otto, second David Biren.***

***All in favor – 6***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: I guess, Jay, work it out with your people. I don't know what to tell you. It seems like you are not clear what the proposal is.

Jay Zeiger: This is the first I am hearing this. Thank you.

***3) Application for a License to allow for Transient Camping with 30 campsites and 42 parking spaces to be located at 38 Dr. Duggan Road, known as Bethel Tax Map #: 26-1-14, proposed by Roberta Reynolds. (Reynolds)***

Daniel Gettel: This is being presented by the property owner. Ms. Reynolds is here. Do you want me to take the lead, how do you want to work it? It is up to you. As with the first application this application is being presented by a property owner. We do encourage this in the Town of Bethel, but it does add a little bit to our workload. Ms. Reynolds has proposed 30 campsites. Do you have any idea of what your maximum occupancy would be with 30 campsites? Can we assume four people per site, a maximum of 120 people? What have you had in the past?

Roberta Reynolds: I had a handful of people there last year.

Daniel Gettel: How many is a handful?

Roberta Reynolds: I had about 20. It's the 50<sup>th</sup> reunion, and there are a lot of people coming to town.

Daniel Gettel: Glenn, you looked at this as far as the number of campsites, 30 campsites can be accommodated as well as enough parking for the 30 campsites?

Glenn Smith: Yes, with the sketch plan that was provided, with 30 sites and parking, water and porta johns it seemed like it would fit on 5 acres.

Daniel Gettel: BJ, as far as the acreage goes, they need to have 5 acres, but that doesn't say that they can have "x" number of campsites per acre. They just have to have the acreage to accommodate it.

Jacqueline Ricciani: The campsite has to be 1,250 square feet.

Glenn Smith: It is roughly 30 feet x 42 feet, I think, roughly.

Daniel Gettel: It is not a question that they are very close to their capacity.

Susan Brown Otto: Is it wet there?

Roberta Reynolds: Right now it is. Everything is wet now.

Daniel Gettel: If we were to approve we would approve with a maximum of 120 people. The application is for a transient camping, the applicant has applied for a camping license without outdoor recreation. Our role is to evaluate the use, and either recommend to the Building Department to issue or deny a license application. We discussed, before the meeting that the property is next to Hectors and has had camping in the past although it has not been permitted. Typically, Hectors has a concert event. By right they are entitled to have outdoor recreation as part of their zoning, since they have food service I believe. They are allowed to have a concert on their property but they are not allowed to have camping. People have in the past camped next door on Ms. Reynolds property. Mostly across the road. That property across the road has since been sold and there is no application in front of us for camping at that property. We did look at the application before. Our camping code is pretty extensive but there are a lot of things that we

don't need for a license. We have to keep in mind that you have had camping before and that it is a three day event. It will not go over the 60 hours cumulative because the Health Department won't allow that. We have to keep that in mind. We are not going to ask you for permanent parking, we are not going to ask you for permanent shower facility, things of that nature. I think tonight we really have to establish what is important to the board. Glenn, what has she provided, and I think the basic utilities have to be in place for public safety. We have a couple of comments on the parking arrangements. I will run through the section of transient camping.

Daniel Gettel: Reading Section 120-3

A. No person, partnership, association, limited liability or other company, entity or corporation, being the owner, user, operator or occupant of any land within the Town of Bethel, shall use or allow the use of such land for a transient campground or transient RV park unless a license has been obtained as herein provided.

B. License application procedure:

(1) Each application for a transient campground or RV park license shall be in writing, signed by the applicant and accompanied by the required license application fee.

Daniel Gettel: BJ you have this, I'm going to skip ahead a little bit.

120-4B (1) Each application shall contain the information.

Daniel Gettel: BJ correct me if you don't have it.

120-5A (1) The name and address of the applicant, or the name and address of the partner.

Daniel Gettel: The applicant is the owner, so we have the applicant information.

(2) The description of the land that is proposed for use as a campground or RV park.

Daniel Gettel: We do have the number of parking spaces, we do have a general idea of what the site is like.

(3) Number of campsite RV lots to be provided.

Daniel Gettel: We have that.

(4) The name and address of the owners.

Daniel Gettel: We have that.

120-5C The applicant shall be accompanied with 10 copies of a site plan showing the following:

Daniel Gettel: Again, we have a general map, but we do encourage, as a homeowner, not to have to hire an engineer. I believe there was an engineer involved early on.

(1) The location width of all entrances, exits, and streets.

Daniel Gettel: We know where the streets are, we know the entrances along the existing driveway and the access off of your existing driveway to the woods is going to be a footpath, I'm assuming. Would you have people drive back there, or would you not have people drive there?

Roberta Reynolds: Just camping there.

Susan Brown Otto: This driveway, is it marked? Is it not really a driveway?

Roberta Reynolds: I've had RV's back there.

Susan Brown Otto: How do people get to the parking lot?

Roberta Reynolds: There is a driveway. That's where we pull them in. There are parking spaces.

Daniel Gettel: It's a little confusing because the actual driveway isn't on the plan. The spaces are shown but the driveway isn't shown. I would suggest that the cars can't back out of a parking space onto Dr. Duggan Road, they are going to have to pull in and then face out. That has always been an issue with cars pulling out of parking lots like this. So, what you want to do is when you have someone drive into your property, they then back in and park. Not back directly off the street, you know what I'm saying? You can't be on the side of the road. There have been issues with Dr. Duggan Road in the past.

Roberta Reynolds: They aren't going to be on the side of the road. They will be on my property.

Jacqueline Ricciani: The first row right along the street is problematic.

David Biren: You would be better off getting rid of that row.

Daniel Gettel: I would suggest moving forward that we just clarify the number. Glenn you had a number of parking spaces didn't you?

Glenn Smith: The Zoning says one space per campsite.

Roberta Reynolds: There is a front parking lot, put the people that will be there the entire weekend. I have a golf cart.

Daniel Gettel: What I would suggest is so it is clear that you have 30 parking spaces without people parking on the street, and a way to drive them in there. We can help you at Town Hall with that.

Jacqueline Ricciani: If you had arrows showing which way going in and out, showing the flow, I think that would be helpful.

Daniel Gettel: I would suggest that you just show the number of parking that you need. We just want to make sure you are able to accommodate the people that are visiting your site. If Hector's has overflow and you are able to accommodate, that is between you and Hector's, it doesn't really affect your application. We want to make sure that your camping event has enough parking.

Roberta Reynolds: I definitely have enough parking. Where it ends here, this is where my neighbor Pete and his cows are. We are not going to go anywhere near the cows.

Daniel Gettel: No, we are an Agricultural board, we don't mess with cows here.

(2) Location size arrangements of each lot or camping space within the campground or RV Park.

Daniel Gettel: That is shown.

(3) Lighting.

Daniel Gettel: Are you proposing any lighting? It is more for safety.

Roberta Reynolds: No big lights, no fires.

David Slater: When are you opening and closing for the weekend?

(4) The locations and plan of all proposed structures or improvements.

Daniel Gettel: We spoke before the meeting. There are none.

(5) Plan for landscaping.

Daniel Gettel: We don't require landscaping for a three day event.

(6) Storm water drainage.

Daniel Gettel: It is not an issue for an event like this.

(7) Utilities.

Daniel Gettel: They are temporary in nature.

(8) Water supply.

Daniel Gettel: This would also be temporary.

(9) Portable toilets.

Daniel Gettel: Glenn, you kind of outlined that. Porta johns. I believe there are 6?

Glenn Smith: Six are sufficient.

Daniel Gettel: That is adequate for what is shown.

(10) Shower facilities

Daniel Gettel: There are no showers required for a three day event. You don't need to provide that.

(11) Upon request of the applicant, and at the discretion of the Planning Board, the Planning Board may:

- a) waive any of the items set forth in Section 120-5 C 1-10.

Daniel Gettel: Those are the ones we just put into the record.

Daniel Gettel: What I would suggest is that for a three day event we don't need to have a location of proposed structures because there are none. Plants or landscaping, storm water drainage, there will be nothing permitted for the three day event. Utilities, water supply portable toilets, Glenn we have them shown, so we don't have to do a waiver on those. But the shower facilities we agreed that there would be no need for shower facilities, so we would be interested in waiving that one also. Jacy I don't think we need to do a vote on that. I think we just need to show on the record that we show after a three day event we don't typically ask for things like that.

Jacqueline Ricciani: You really should do in the form of a motion. It doesn't have to be so formal, but there should be a motion because it does need to be the unified decision of the board.

***Motion that since it is a three day event, and we have not required on any other application, that we waive the following requirements for showing proposed structures, which there are none, proposed landscaping, since there is none, and storm water drainage, which there will be no improvements to, and no shower facilities, because they are not required by Susan Brown Otto, second by David Slater***

***All in favor – 6***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: There is a lot of bookkeeping. For this three day event, we don't really need an engineered plan, we will allow a sketch plan. Section 120-5 C 11b says that we may allow an applicant for a transient license to submit a sketch site plan in lieu of a formal engineered plan.

Daniel Gettel: Again, I think a three day event like this, I think it is kind of foolish to ask for a full engineered plan. Clearly this could be a little clearer, but I don't think there is anything that would prevent her from cleaning it up herself so we will allow a sketch plan.

Daniel Gettel: Section 120-5 C 12 say the Planning Board in its sole discretion, may require the site plan to show any elements required by Town Code Section 345-30 B, or 345-31 E. I think the information we just outlined in the previous one is what we need. The number of porta johns, location of campsites, setback distances, things of that nature. Access to the site, and no parking on Dr. Duggan Road. The application and plans related to the information should be filed with the Code Enforcement Officer in accordance with requirements of 345-31 D & E which basically says that the application for site plan shall be made directly to the secretary of the Planning Board which has to be signed, and copied. The Short Environmental Assessment form, which I believe we have, or are working on.

Bette Jean Gettel: We are working on it.

Daniel Gettel: That isn't something that should hold up the application. It is a short form. We do have payment of the fees, so that is addressed. BJ we just have to push for the Short Environmental Assessment Form, so that is on record.

Bette Jean Gettel: We'll get it tomorrow.

Daniel Gettel: Section 345-31 E talks about site plans. Again, if we were requesting a formal site plan, which we already said we don't need to require, that would talk about the scale of the plans drawn by name and address of applicant. I think we have what we need on that. The street, location of owners of adjoining properties, location of easements, zoning districts, key maps, I think it is much more for a permanent campground. I think we agree we don't need to go with that since we waived the other requirement. We also have the ability to waive the formal site plan requirement, Section 345-31 E. is that correct Jacy?

Jacqueline Ricciani: Yes.

Daniel Gettel: I think in this instance it kind of pays to not require a full blown site plan, that it doesn't have to be done by a professional, we have the right to waive Section 345-30 B and 31E.

***Motion to waive Section 345-30 B and Section 345-31 E by David Slater, second by Mike Cassaro.***

***All in favor – 6***

***Opposed - 0***

***Agreed and carried***

Jacqueline Ricciani: So the motions were to waive 30 B and 31 E?

Daniel Gettel: Yes. Our role as the Planning Board is to look at the adequacy and arrangement of the traffic and circulation including intersections. Again that would be simplified for a three

day event. Location of off-street parking, there are no other uses. We will be looking at the environmental effect. I think it is pretty clear that the board is suggesting that they continue on this track. Clean up the parking a little bit so it is more understandable how you will be accessing the property and how the traffic will circulate. Give BJ and environmental assessment form, which I understand you will be submitting soon. Glenn, do you have any comments?

Glenn Smith: Have her revise from 50 parking, remove that one strip from Dr. Duggan Road.

Daniel Gettel: BJ, we would suggest that she work closely with you. Get you the EAF, come up with a better circulation plan for the parking, off-street, getting the people off the street.

Bette Jean Gettel: Okay.

Daniel Gettel: We wouldn't have the ability to waive the public hearing. We have to get a public hearing. This is for the anniversary weekend. We have to get on the agenda for a public hearing. The Town Board did reach out to a number of people through the newspaper to come to the Planning Board. Thank you for coming and submitting a plan.

***Motion to schedule a public hearing for this application on July 1<sup>st</sup> at 7:30 pm by David Slater, second by David Biren***

***All in favor – 6***

***Opposed - 0***

***Agreed and carried***

Jacqueline Ricciani: David Slater did have a very good question. When does the applicant anticipate people will be arriving, and when will they be leaving. Is it Friday to Sunday? Do you have times in mind? You will have to work that out when you come back. It can't be more than 60 hours.

Daniel Gettel: It has to be less than 60 hours, or the Health Department will get involved. If they come on a Friday, and you count the 60 hours to when they have to leave on Sunday. Provide us with that information when you come next time, the arrival times and when they leave.

Susan Brown Otto: Are there going to be signs? Are people going to know how to get there?

Bette Jean Gettel: No signage.

David Slater: Glenn, I have questions on the porta johns up front. Are they close enough there?

Glenn Smith: They should be 100 feet away from the campsite. They should be spread around a little bit.

Bette Jean Gettel: There wasn't a problem when they were in that location last year.

David Slater: I don't want to see the farmer picking up...

Roberta Reynolds: I get along well with my neighbors.

Daniel Gettel: We do have conditions that we put on other applications when you have a farm next door that you take measures to make sure that people don't trespass on the adjoining properties, things like that. I'm sure BJ would be more than happy to show an approval from the past, with some of the conditions. They will be similar if we were to approve this application at the next meeting. I don't think anything would be a problem with the property, but we do have to look at the neighbors.

Susan Brown Otto: If it is dry, it's been wet since last July. I'm thinking of the farmer's hayfield.

Daniel Gettel: We have a motion to schedule a public hearing. Get together with BJ to get the couple of things we need in order to have a complete application. A 239M review is not required. The applicant does certified returned receipt mailings to be sent to the neighbors within 500 feet. BJ will help you with that. That has to go out 10 days prior to our next meeting. She will give you direction. Thank you for coming in. We will see you on July 1<sup>st</sup>.

*The applicant for Item #2 is still here. We will get back to them after item #4.*

***4) Application for a Special Use Permit with Site Plan Approval for a Group Home to be located at 3207 State Route 55, known as Bethel Tax Map #: 40-1-25.2, proposed by Pinnacle Community Residential Care, LLC. (Stoloff)***

Daniel Gettel: As in the past, I am recusing myself at this time. I believe I have an association with the owner. Michael Cassaro will be taking over at this time.

*Dan has left the table.*

Richard Stoloff: This application is a little bit different than a normal site plan review. I know when the statute was amended. All of the buildings here are constructed. The building permits have been issued... the efficiency of the well and the septic system that is on the property. This map was created initially, George Fulton was asked to locate the structures on the property. Since then we added location with certain items such as, for example, if there was a septic tank that was located. I believe a lot of that information is in the town file. At the time the permit was given for the prior owner. Can it be added, yes, but it will be a cost to the client. As far as the number of occupants, basically building #11 is where the girls are going to be occupying. BJ inspected where the 10 residents will be sleeping. The rooms have been appropriately renovated. The girls are located in that location. Staff can sleep in that location, if they need to. It is only constructed for 10 residents in the facility.

Jacqueline Ricciani: Building #11 is described as a living area for horses and staff upstairs.

Richard Stoloff: Okay, I had the wrong number. The residential house is #1. Building #11 is for the horses. Thank you. A staff member can also stay overnight with the 10 residents.

Jacqueline Ricciani: So 11 total.

Richard Stoloff: But it isn't permanent for the staff. As far as the other inquiries that Glenn indicated. The staff parking is around the house and around the garage.

Jacqueline Ricciani: Is it shown on the plan?

Richard Stoloff: It is not on the plan. I asked BJ whether it is necessary to show it on the plan she indicated to me that at the time she was aware where the parking was, if you decide, we can indicate where that generally is on the plan.

Mike Cassaro: Would you be able to provide the Planning Board with a site plan that reflects all these different things that you are talking about?

Richard Stoloff: We basically have an existing location right now with all of these existing facilities that have been there and approved by the Town for many years.

Mike Cassaro: It's a new use though.

Richard Stoloff: If it is necessary we can do that. We are basically asking for a waiver because of the fact that the Town files show that information. If you need an overlay of that information on the plan it can be accomplished. I'm not saying it can't be done.

Jacqueline Ricciani: Do you have a copy of Mr. Smith's letter?

Richard Stoloff: Yes I have a copy, it is dated the 22<sup>nd</sup>.

Mike Cassaro: If we had a site plan, it would give us a chance to look at what you are proposing for this special use. We will be able to go over. It would give us better picture.

Richard Stoloff: I don't think that would do that. This special use is a residential care facility for girls. The site plan would show you where the septic is located, as Mr. Smith indicated. It can identify on #1 that there are 10 residents and 1 staff member that can reside there. It can indicate that. We have been working with BJ for many many months to create the facility. In accordance with both the Town Code and the State Code, it has been inspected by BJ multiple times. Yet it can be done.

David Biren: I think it should be done. That is what we are requesting.

Richard Stoloff: If you are requesting that, then we will place that on the plan. It was not my

understanding, just so you know I am not trying to be argumentative. It wasn't actually my understanding especially when we were here the last time. Now you are indicating what you want.

David Biren: Can you tell me what is in Mr. Smith's statement?

Richard Stoloff: Sure. Mr. Smith states he indicates we follow 345 -31, so we will go back to the town files, and it is with the Department of Health, and accepted by the Town, we will do an overlay of the town files. I don't know if we can show exactly where the piping goes into the building. I don't know, because we didn't construct the building. He is asking for staff parking. We will put that on the plan. We can write that on the plan. We can put down the number of beds. The building functions, we told you what the building functions are. The fencing is shown on the property.

Jacqueline Ricciani: Mr. Stoloff, the description of the building functions could potentially be more descriptive. Building #7 says office, from my understanding of this project there is also going to be therapeutic areas, there is going to be yoga, and other kinds of things and these descriptions of the building uses don't really describe the therapeutic services that are going to be taking place, and some of the other things that are described, so if you are going to be amending this plan, the descriptions should probably more closely address the use. Is the chicken coop still being used?

Richard Stoloff: Yes. For the horses, horse therapy. The sheds are being used in connection with the horses, the operation of the facility. If you are asking for the therapeutic identification, we basically provided the town. We proposed an outline of this.

Jacqueline Ricciani: We have the management plan, and the description, and the employee handbook. But the site plan....

Richard Stoloff: We will do it Jacy, that's fine.

Glenn Smith: It's not a huge job. Most of the work is done, it needs to be compiled.

Mike Cassaro: With all due respect it is good that you have a good working relationship with BJ, but it is the board who has to approve it, and we have to be filled in on all of these different operations that are going on with the property in order to do that. A site plan would be a step in the right direction to inform us as to what is going on there.

Richard Stoloff: Fair enough. Glenn, do you have any other comments that I haven't discussed?

Glenn Smith: Just follow my letter. Being in BJ's office is not helping you guys.

Mike Cassaro: Exactly. That is my point. We would need that in advance, so we can look at it prior to the meeting.

Richard Stoloff: We just need to overlay this onto this plan.

Mike Cassaro: This is the first time we are seeing it.

Bette Jean Gettel: Please give a description of the main house on the site plan.

Richard Stoloff: The kitchen, the dining room etc.? Do you want it drawn on it, or an addendum?

Bette Jean Gettel: Is that fine with the board?

*Yes*

Mike Cassaro: Any questions from the board?

*None*

Jacqueline Ricciani: Is there an EAF?

Glenn Smith: Yes, there is an EAF.

*Daniel Gettel is back to the table for requested continuance of Item #2.*

***2) Public Hearing for a Special Use Permit with Site Plan Approval for a Summer Camp to be located at 347 Old White Lake Turnpike, Swan Lake, known as Bethel Tax Map #: 13-1-12.1 and 14-1-2.10, proposed by David Weiss for Camp Machne Shalva. (Wasson)***

David Biren: You guys are back?

Daniel Gettel: For the record, item #2 is back on the agenda. Jacy I think it is proper to at least hear them out, not that we are going to change the motion, they did ask to come back to clarify one statement that they made.

Jacqueline Ricciani: It is up to the board if you want to entertain it.

Daniel Gettel: I think it makes more sense to entertain it tonight that they want to clarify what was said earlier. It doesn't mean we are going to change our vote.

Jay Zeiger: We appreciate that you are going to listen to us. After we left the meeting, we were outside and had a discussion, for clarification purposes the gentleman checked with his management office and supervisors. We are going to come back to where we were earlier in the

meeting, everybody that is living in this camp will either be staff or part of one of the programs that are in camp onsite. There will be no busing of children to other camps. We can't make it any clearer than that. If somebody has a job that doesn't fit within the code of this camp, they will not be residing on site.

Daniel Gettel: My question to you would be if I have a family and one of my children happens to be an 11 year old girl who just doesn't fit into the camp program, are you going to make her fit into the program on site, or are you not going to hire the people?

Jay Zeiger: They will either have programs designed onsite for that girl, and presumably others who are similarly situated or they will not be living on site.

Jacqueline Ricciani: So the staff would be commuting.

Daniel Gettel: No, They would not be hired to be staff.

Jay Zeiger: No, he didn't say they wouldn't be hired, he said they wouldn't be living on site.

Daniel Gettel: I'm sorry, I asked that question in the hallway, and maybe I shouldn't have. Jay you indicated that they simply wouldn't be hired. It's not that they would be commuting to the site.

Jay Zeiger: They are not going to be working on site.

Jacqueline Ricciani: Are there staff working there who are not sleeping there?

Ben Halberstam: There could be ...if you have a staff... a person coming to the camp for a special event but he would not sleep at the camp. There could be a special situation. Like a puppet show.

Jacqueline Ricciani: So more than 48 staff.

Jay Zeiger: Living on site no more than 48 staff.

Daniel Gettel: If they have a special event, I wouldn't fault you for that having an occasional... somebody on the site for a special event like that.

Jay Zeiger: The full time employees will all be living on site.

David Biren: Have you hired all of your staff?

Ben Halberstam: Yes.

David Biren: So you know one of them may have a girl?

Ben Halberstam: That's what we did now. We checked it out. Everyone on the camp is

employed at the camp or part of the camp program. I have a camp, have employees, and campers.

David Biren: If you have a girl, she will be in the program, you are going to make an exception and make a program?

Ben Halberstam: We checked it out, and it's good.

David Biren: Before they were getting bussed off.

Ben Halberstam: We had a question about it...

Daniel Gettel: I don't think they said anyone was getting bussed off the site. It was my understanding once you came you stayed for the summer. So I don't think it was ever people being bussed off.

David Biren: The girl was being bussed off. That was my understanding.

Daniel Gettel: We didn't specifically speak about if there was a girl on the property.

David Biren: My understanding it was. So the ballgame changed.

Mike Cassaro: They are going to a different program.

David Biren: Because certain persons didn't fit the scheme of things.

Daniel Gettel: If they didn't fit, they wouldn't be there. They wouldn't be bussed off.

Jay Zeiger: They wouldn't be part of the program.

David Slater: If you have this already in place, not that we need to see it, but if BJ said if she needs a list of all of the residents, and how they fit into that camp, you should be able to provide to her say this house has this many residents, with a 2 year old, a 5 year old, or whatever they are in every residence. Realistically you should provide that to BJ.

Daniel Gettel: It is something they can provide.

David Slater: That would make me feel better.

Jacqueline Ricciani: And the ages of all the children.

David Slater: Yes. Then I can see how it all fits. If you have this all in place, that shouldn't be a hard task to do.

Daniel Gettel: That has been offered by other people with applications in front of us, with actual names, and how they fit into the organization.

Bette Jean Gettel: Don't you have to submit that to the Department of Health?

Ben Halberstam: Yes.

Daniel Gettel: Ben, What is your opening day?

Ben Halberstam: June 26<sup>th</sup>.

Jay Zeiger: Can I propose that we come back next month and provide it and in the meantime give us a special permit?

Daniel Gettel: We can't do that. We can continue with the review, that I can offer you.

David Slater: We can continue to next month. Can we untable a table? Even though we tabled nobody from the public was here to speak?

Jacqueline Ricciani: Yes.

Daniel Gettel: We should make part of the record that no one did comment during the public hearing.

Jacqueline Ricciani: Even the woman that signed up never came back and it's almost 9:30 pm.

Daniel Gettel: It should be on the record even though we tabled it and some audience members have left they were given the opportunity to address the board and they didn't. We had already closed the public hearing, so we couldn't take public comment anyway except from her who has not come back. In fairness to the applicant, I can read through the EAF. I don't know that it will change anything, but we do have it here to read. Jacy, any comment?

Jacqueline Ricciani: Mr. Slater is correct. This application was tabled for the meeting. If this board wants to continue its consideration of this project by doing environmental review and other special use factors granting the permit or not, then someone needs to make a motion.

***Motion to reopen this application, or un-table it per the previous motion and bring back to the agenda by David Biren, second by Mike Cassaro***

***All in favor – 6***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: Jay, where we left off, we were talking about the short environmental assessment form. We have Part 1 on file, we've had it for quite a while. Glenn, correct me if I am wrong, we did accept the short form so I have to read Part 2 of the short form?

Glenn Smith: As an Unlisted Action, yes.

Daniel Gettel: Reading Part 2 – Short Environmental Assessment Form

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulation?

No. The proposed use is permitted by zoning. The Town of Bethel Zoning Board did grant this application a number of variances to allow the application to proceed.

2. Will the proposed action result in a change in the use or intensity of use of land?

Small Impact, any approval would result in the change of use of the land. The vast majority of this project's buildings exist and the use is changing.

3. Will the proposed action impair the character or quality of the existing community?

No. The buildings on the site have existed for a great number of years and the use is permitted and common in this district.

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?

No. None exist in the Town of Bethel.

5. Will the proposed action result in an adverse change in the existing level of traffic or affect infrastructure for mass transit, biking or walkway?

No. The use has operated in the past and there will not be a noticeable impact. The applicant has proposed a new parking area and bus drop-off zone off the roadway, which is anticipated to be an improvement.

6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities.

No. There shall not be an increase in the use of energy associated with this proposed change in use. The applicant has proposed some building upgrades that would be required to conform with today's code.

7. Will the proposed action impact existing:

- a. Public / private water supplies?

No. There will be no negative impact. The use has existed in the past and the private supply has proven to be adequate.

- b. Public / private wastewater treatment utilities?

No. There will be no negative impact. The applicant has proposed some improvements to the private sewage disposal system, which will be completed prior to the issuance of any Special Use Permits.

8. Will the proposed action impair the character of important historic, archeological, architectural or aesthetic resources?

No. None exist on this site.

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora or fauna)?

No. There will not be an adverse change.

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

No. There are no anticipated impacts.

11. Will the proposed action create a hazard to environmental resources or human health?

No. There will be no negative impact associated with this use.

Daniel Gettel: That is the end of Part 2 of the Short EAF. None of the questions resulted in an answer of moderate to large impact may occur demonstrating that the proposed action will not result in any adverse environmental impacts.

***Motion to grant this application a negative declaration under SEQR by Mike Cassaro, second by David Biren.***

***All in favor - 6***

***Opposed-0***

***Agreed and carried***

Daniel Gettel: If we were to approve the Special Use Permit tonight we would be doing so with conditions. I typically have to run through Section 345-30 paragraphs I & J.

- I. The Planning Board, in reviewing the site plan, shall consider its conformity to the Comprehensive Plan and the various other plans, laws and ordinances of the Town. Conservation features, aesthetics, landscaping and impact on surrounding development as well as on the entire Town shall be part of the Planning Board

review. Traffic flow, circulation and parking shall be reviewed to ensure the safety of the public and of the users of the facility and to ensure that there is no unreasonable interference with traffic on surrounding streets. The Planning Board shall further consider the following:

1. Building design, lighting, location and signs insofar as suitability for the use intended and impact on and compatibility with the natural and man-made surroundings.

All of the main buildings exist on this site. The applicant has proposed an upgrade/repair schedule for same, which will be provided to the building department which shall enforce that schedule. The gymnasium building will be constructed to meet today's code, but is not readily visible from adjoining uses. There is no proposal to add additional lighting or signage.

2. Storm drainage, flooding and erosion and sedimentation control.

Storm runoff, flooding and erosion and sedimentation control is not anticipated to be a problem as only one additional building has been proposed for construction.

3. Adequacy of community services and utilities, including police protection, emergency services and the educational system.

There will be no impact on community services or utilities and there are no anticipated impacts on the educational system.

4. Environmental impacts in any form.

The application was subjected to an environmental review and a negative declaration was granted.

5. Impacts on housing availability.

There are no anticipated negative impact on housing anticipated with any approval.

6. The potential for nuisance impacts such as noise, odors, vibrations or glare.

There are no anticipated nuisance impacts such as noise, odors, vibrations or glare.

7. The adequacy of the trees, shrubs and other landscaping to buffer or soften a use in terms of visual or other impacts on adjoining property owners, Town residents and those visitors on whom the local economy often depends.

The main site sits above the elevation of the roadway and the buildings are not readily visible. The existing natural buffer zones are to be maintained around the

perimeter of the property. The applicant is to relocate, or screen, the existing dumpsters so that they are to be shielded from view of passersby. It is strongly recommended that the dumpsters be relocated to the new driveway within the bounds of the developed area off the roadway entirely. The relocation and/or shielding of the dumpsters is to be approved by the building department prior to the issuance of any special use permit.

8. Impacts on nearby property values.

There are no anticipated negative impacts on property values.

9. Traffic impacts (see § 345-22H).

Section 345-22H refers to access on Routes 17B and 55. This facility has operated in the past and there should be no noticeable changes.

10. Any other factors which reasonably relate to the health, safety and general welfare of present or future residents of the Town of Bethel.

There are no known factors that would relate to the health, safety and general welfare of residents.

J. The Planning Board, in acting upon the site plan, shall also be approving, approving with modifications or disapproving the special use permit application connected therewith taking into consideration not only the criteria contained above but also the following:

1. Whether the proposed use will result in an overconcentration of such uses in a particular area of the Town or is needed to address a deficiency of such uses. The Board shall, in this regard, consider the suitability of the site proposed for a particular use as compared to the suitability of other sites in the immediate area.

The proposed use is not unique to the area, but is permitted in the zoning district.

2. Whether the proposed use will have a detrimental or positive impact on adjacent properties or the health, safety and welfare of the residents of the Town of Bethel.

The use is not anticipated to have any real impact on residents and the Town of Bethel and is not anticipated to have any impact on the safety or welfare of residents.

3. If the proposed use is one judged to present detrimental impacts, whether an approval could be conditioned in such a manner as to eliminate or substantially reduce those impacts.

The proposed use is not anticipated to be detrimental.

4. Whether the use will have a positive or negative effect on the environment, job creation, the economy, housing availability or open space preservation.

The proposed use is not anticipated to have any impacts.

5. Whether the granting of an approval will cause an economic burden on community facilities or services, including but not limited to highways, sewage treatment facilities, water supplies and fire-fighting capabilities. The applicant shall be responsible for providing such improvements or additional services as may be required to adequately serve the proposed use and any approval shall be so conditioned. The Town shall be authorized to demand fees in support of such services where they cannot be directly provided by the applicant. This shall specifically apply, but not be limited to, additional fees to support fire district expenses.

There are no anticipated economic burdens associated with any approval.

Robert's comments last meeting was that they needed to clean up the debris around the buildings, and from my understanding a lot of that has already taken place, so that would definitely help the firefight capabilities.

6. Whether the site plan indicates the property will be developed and improved in a way which is consistent with that character which this chapter and the Comprehensive Plan are intended to produce or protect, including appropriate landscaping and attention to aesthetics and natural feature preservation.

The use is proposed in an area where it was permitted by the comprehensive plan.

Daniel Gettel: That is the end of the Special Use Conditions. I think if we were to approve the project we would approve with the conditions as follows:

1. The proposed new parking area and bus drop-off zone off the roadway shall be installed prior to the issuance of any special use permits. Buses are not to drop off or pick up children at this facility on Old White Lake Turnpike.
2. The improvements to the private sewage disposal system are to be made prior to the 2019 summer season and are to be inspected by the Town of Bethel Planning Board Engineer to insure good practice prior to the issuance of any special use permits.
3. The existing dumpster located on Old White Lake Turnpike is to be relocated to within the bounds of the facility and is not to be visible to passersby.

4. The applicant is to provide the Building Department with a reconstruction/renovation schedule for the existing buildings who shall insure that the renovations are on schedule prior to issuance of any yearly operational permits.
5. The maximum number of occupants at this facility is to be 48 staff, 137 campers and 70 day campers for a total of 255 people. All adults residing at the facility shall be camp members or staff and all children on the site shall be enrolled in a program specifically provided on-site.
6. The portion of this parcel that is located in the agricultural zoning district shall remain vacant with the exception of the buildings and improvements shown on the approved Site Plan. A children's play area is to be provided within the bounds of the original facility.
7. The applicant's engineer shall work closely with the Planning Board's engineer to resolve all outstanding issues listed in May 30, 2019 Planning Board review letter prior to the issuance of any special use permits.
8. No standing or parking of vehicles shall be permitted on Old White Lake Turnpike.
9. The two (2) tax lot parcels that make up this application are to be combined.
10. All fees be paid to the Town of Bethel.

***Motion to grant this application a Special Use Permit with a Site Plan review subject to the previously referenced ten (10) conditions by Mike Cassaro, second by Wilfred Hughson.***

***Roll call vote:***

***Mike Cassaro: Yes***

Susan Brown Otto: Well, I'm still wrestling with the language in the law like Dave Slater said, whereby it says that "a summer camp shall not include temporary or permanent structures, buildings designed for use or occupancy by family members of the children who are attending the summer camp or the employees who work there". I know we've spent a lot of time discussing that, going back and forth, and I would like to go the record that I have problems with that. I am also not happy with the fact that we are losing agricultural land so I will go on the record in regards to that. I would like to repeat that there is only one building that is going to be built on this agricultural property, with no other buildings being built. The parking lot will not be asphalt, it will be crusher. I am going to vote no.

***Susan Brown Otto: No***

***David Biren: Yes***

***Wilfred Hughson: Yes***

*David Slater: With the same reason as Susan Brown, No  
Daniel Gettel: Yes.*

*Approved - 4*

*Opposed - 2*

*Motion passed.*

Daniel Gettel: Gentleman, meet with BJ, talk about what you need, and what is still outstanding.

Jay Zeiger: Thank you.

*10:15 pm*

*Motion to adjourn by David Slater, second and David Biren.*

*All in favor – 6*

*Opposed - 0*

*Agreed and carried*

Respectively submitted,

*Jannetta MacArthur*  
Recording Secretary