



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 January 4, 2016 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, Steve Simpson, Vice Chairman, Michael Cassaro, Susan Brown Otto, David Biren, Robert Yakin, Alternate, Bette Jean Gettel, Code Enforcement Officer, Jacqueline Ricianni, Attorney, Jannetta MacArthur, Recording Secretary, Daniel Sturm, Supervisor, Vicky Vassmer-Simpson, Liaison, and Glenn Smith, Engineer.

Pledge to the flag.

David Slater – excused

Wilfred Hughson – absent

Daniel Gettel: Let the record show that we will be seating Robert Yakin as an alternate.

Motion to approve the minutes of the December 7, 2015 Planning Board meeting by Steve Simpson, second by Robert Yakin.

All in favor – 6

Opposed - 0

Agreed and carried

Daniel Gettel: BJ, did anyone sign in to speak at the public hearing?

Bette Jean Gettel: No.

Proof of mailings have been received

Daniel Gettel: For those of you in the audience, the first item on the agenda tonight is a Public Hearing for the replacement of the Kitchen/Dining Room Building at Camp Kasho. For the record the project also includes the construction of a new Shule/Classroom building, but this building can be constructed by right without the Planning Board's approval, as it is to be reconstructed in the footprint of the existing building. In a moment I will open up the meeting for public comment. If anyone in the audience would like to speak at this hearing please raise your hand at that time, step forward to the microphone, and make your comments. As soon as

everyone has been heard we may close the public hearing and go back to our regular meeting to discuss the project. This is not a public debate. It is only a public hearing, our chance to get some comments from the public. Mr. Fisher, I don't know if you want to give a presentation. We are pretty much familiar with it and most of the audience is also.

1) Public Hearing for a Site Plan Review for a Bungalow Colony located at 212 Mount Hope Road, known as Bethel Tax Map #: 8-1-3.2, proposed by Camp Kasho. (Fisher)

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

All in favor – 6

Opposed - 0

Agreed and carried

Mr. Fisher: It is a two-story building. There is kitchen/lunchroom, classrooms.

Daniel Gettel: Is there anyone from the audience that would like to speak on this application?

No one

Jacqueline Ricciani: Do we have any written comments?

Bette Jean Gettel: No.

Motion to close this public hearing and return to regular meeting by Mike Cassaro, second by Steve Simpson

All in favor – 6

Opposed - 0

Agreed and carried

Daniel Gettel: As a board we are relatively familiar with this. This is the fourth time we have seen it, the second time you (Mr. Fisher) have been here. Are there any comments from the board? I think it is pretty self-explanatory.

Susan Brown Otto: Is there any signage?

Daniel Gettel: There is no new signage as part of this application.

Susan Brown Otto: Is there any bonding for the trees?

Daniel Gettel: If we approve this application tonight we will approve it with a number of conditions, based on what we spoke about in the past, making sure you tear down one building in order to replace it and we have to acknowledge the ZBA approval. Typically when a project

involves landscaping we ask that you post a bond with the town for \$1,500 for one year to make sure whatever you plant lasts at least that first year. It gives us the ability to step in if you don't replace any trees that die in the first year, that don't make it through the planting. Yes Susan that would be one of the conditions.

Susan Brown Otto: Great.

Daniel Gettel: Glenn, I know you have been working closely with the applicant. Do you have any comments? I know you have your December 10th letter. That was your latest, I believe.

Glenn Smith: Yes, December 10th was my latest comments. It looks like the majority of the comments were addressed. The one thing, by the two dormitories on the hill, there is an emergency vehicle turnaround shown, and one of my comments was that it wasn't built. I guess it was supposed to be like a loop roadway for cars and truck access to get around, but Mr. Fisher says it is really not a good roadway there, so they are showing the emergency turnaround back on this current plan, so that should probably be a condition of approval that the emergency turnaround be constructed as part.....

Daniel Gettel: It was part of the approval for the dormitories.

Glenn Smith: Yes, that is over here. The dormitories are there. They should clear some brush and put in a gravel turnaround. That was my first comment. My second was about the grease trap. I suggested they show a properly sized grease trap for the new kitchen. Mr. Fisher says they are going to have grease traps inside the building. The Mechanical Engineer is laying it out with interior grease traps. They are acceptable as long as they are maintained. If you don't it causes problems with the sewer system.

Daniel Gettel: That is also a Health Department issue that goes with every kitchen.

Glenn Smith: Right. I asked for a current copy of the SPDES permit, which Mr. Fisher says was submitted to the Town.

Bette Jean Gettel: Yes, I have it.

Glenn Smith: I was questioning the two Shule buildings, A and B, on the opposite side of Mount Hope Road. They were shown on a separate (tax) parcel.

Bette Jean Gettel: They have been combined.

Daniel Gettel: Are you sure that is done? That is one of my approval comments also. I know it is in the works.

Bette Jean Gettel: It is in the works. The County doesn't do everything until March 1st.

Daniel Gettel: I will scratch that from my approval list then.

Glenn Smith: I had a comment on the double row of trees shown in front of the building. If you recall the prior plan showed them to be 50 to 80 feet high. The current planting schedule shows these hemlocks to be 25 feet at maturity, which is more reasonable. There is a double row, in front of the proposed kitchen/lunchroom building. I had suggested a detail be provided for the asphalt walk, which is showing from the new building up to the existing walk by the pool. There is a detail on sheet A2 that shows pretty hefty asphalt. It is really road asphalt. They could lighten up on the asphalt, but there is a detail shown. I had suggested a short EAF be completed and signed which Mr. Fisher says was submitted. My last comment was to show security lights on the proposed buildings. There is a detail on sheet A2 also.

Daniel Gettel: Are they more of a residential fixture?

Glenn Smith: It is shielded down. It will be fine. That was all I had on my comments.

Daniel Gettel: Glenn, you spoke about the short EAF. We do have an EAF on file for the application. We encourage applicants to complete as much of the application as possible. There are a number of issues with the EAF that I would like to point out. On Part 1, and I don't believe there are substantial changes, but I want to make sure you are aware of what I think the answers should be. First of all, I added the name Camp Kasho to the applicant. It is not actually on the EAF. In order to file it and keep track of it, I did add Camp Kasho to it.

Daniel Gettel: I also corrected the following:

1. Does the proposed action only involve the legislature's adoption of a plan, local law ordinance, administrative rule or regulation?

Daniel Gettel: You answered yes, but it is actually no. We are a regulatory board, not a legislative board. The Town Board actually adopts plans. We just have to approve the plan. It is not a substantial change, but we don't have the power to adopt land use plans.

Daniel Gettel: The other one is item #5 on your EAF:

5a. Is the proposed action a permitted use under the zoning regulations?

Daniel Gettel: That is actually a no because yours is not a permitted use in your district. You are a pre-existing non-conforming use. Part B of that same question is:

5b. Is it consistent with the adopted comprehensive plan?

Daniel Gettel: That is also a no because the comprehensive plan does not allow bungalow colonies in your district, that is why you are pre-existing non-conforming. I don't know if that makes a substantial change but I do think those errors should be pointed out. I did highlight them in yellow on the form that I will file with the Town so BJ you will know that the ones that are highlighted in yellow are the ones that I changed. I did Part 2 and I will read through it. Glenn, we weren't able to do Lead Agency at the meeting because we didn't have the EAF. We should do Lead Agency first, am I right?

Glenn Smith: Correct.

Daniel Gettel: It only makes sense for us to act as Lead Agency.

Jacqueline Ricciani: You are not going to notify anybody else?

Daniel Gettel: Not for a short form Unlisted Action.

Jacqueline Ricciani: Okay.

Motion to act as Lead Agency for this application by Susan Brown Otto, second by Robert Yakin

All in favor – 6

Opposed - 0

Agreed and carried

Daniel Gettel: As Lead Agency we need to run through Parts 2 and 3 of the short EAF. I will read through Part 2 at this time.

Part 2

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

No. Although this use is considered to be a pre-existing non-conforming use this proposal is for the replacement of an existing building.

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

No. This is a replacement building.

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

No.

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

No, there are none in the Town of Bethel.

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

No. This is a replacement of an existing building.

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. This is a replacement of an existing building.

7. Will the proposed action impact existing:

a. public / private water supplies?

No. This is a replacement building.

b. public / private wastewater treatment utilities?

No. This is a replacement building; it won't have a negative impact.

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

No, this does not involve the use of a historic building or resource.

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

No, there shall be no disturbance of wetlands or water bodies.

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

No. Not long term.

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

No, there shall be no hazard to human health.

Daniel Gettel: That is the end of Part 2 of the EAF. None of the questions resulted in an answer that was a moderate to large impact, so we do not have to address Part 3 of the form. I did, however, make a notation on Part 3 that this is the replacement of an existing building. They do ask you to give the information why you came to that conclusion.

Daniel Gettel: Glenn, nothing really stands out?

Glenn Smith: No.

Motion to grant this application a negative declaration by Steve Simpson, second by Mike Cassaro

All in favor – 6

Opposed - 0

Agreed and carried

Daniel Gettel: Are there any board comments at this time? Jacy, do you have any comments? If there are no board comments... Jacy, if you would.

Jacqueline Ricciani: The conditions?

Daniel Gettel: If we were to approve this application tonight, we do have a list of conditions. I did want to address the fact that you do have approval from the Zoning Board. I want to make it clear for the record that this was considered. These will be the conditions.

Conditions

- 1) This application was considered, and is to be approved, with the understanding that the proposed Kitchen/Dining Room building, as well as the proposed Shule/Classroom Building, are to be constructed as replacement buildings of a total square footage less than that of the total square footage of the existing two story building containing those uses, as presented and approved by the Town of Bethel Zoning Board of Appeals.

Daniel Gettel: BJ, this involves you too.

- a) The proposed Kitchen/Dining Room building shall not be used or granted any form of a certificate of occupancy until such time as the portion of the existing building containing those uses is abandoned and that portion of the existing building is made inaccessible to the residents of this facility.

Daniel Gettel: That would be the existing kitchen. There shall be no permitted use of the existing Kitchen/Dining Room portion of the existing building once a certificate of occupancy is granted for the new Kitchen/Dining Room building. That just includes the Kitchen/Dining Room portion of that. I believe that is the downstairs. We don't want to have two Shuls.

Jacqueline Ricciani: So are you saying that they are not going to get the Certificate of Occupancy for the new kitchen/dining room until....

Daniel Gettel: They close off the existing Kitchen/Dining Room portion.

Jacqueline Ricciani: Until it is abandoned, so that would have to be something that BJ would determine.

Daniel Gettel: That is always run through the Building Department.

- b) The proposed Shule/Classroom building shall be constructed within the bounds of the footprint of the existing building containing those uses as shown on the approved Site Plan. No certificate of occupancy shall be granted in any form for this new building until such time as any debris from the demolition of the existing building is removed from the site and the site is cleaned and stabilized.
- 2) All improvements associated with the new Kitchen/Dining Room building shall be installed as shown on the approved Site Plan. The Planning Board Engineer is to indicate to the Building Department that the improvements were installed in substantial compliance with the approved Site Plan prior to any certificates of occupancy being issued for either the new Kitchen/Dining Room or new Shule/Classroom buildings.
- 3) The landscaping buffer shown along Mount Hope Road is to be installed and bonded prior to any certificate of occupancy being granted for the Kitchen/Dining Room building. The amount of the bond is to be \$1,500.00 and is to be held by the Town for a period of one year after the granting of the final certificate of occupancy to insure that these plantings survive.
- 4) The Kitchen/Dining Room building is approved to serve the needs of the occupants of this facility only and is not intended to be used to serve the needs of any other facilities.
- 5) The emergency access turn around shown on the approved Site Plan in the vicinity of the existing two (2) main dormitory buildings shall be constructed prior to the issuance of any building permits for the proposed new buildings.
- 6) All fees are paid.

Daniel Gettel: Jacy, any questions? I will send these to you of course. Are you okay with these conditions Mr. Fisher?

Mr. Fisher: Yes.

Daniel Gettel: If there are no other comments from the board the only thing is to make a motion to approve or disapprove the application with the above-mentioned conditions.

Motion to approve the application subject to the previously referenced six conditions by Steve Simpson, second by David Biren

Mike Cassaro: Yes

Susan Brown Otto: Yes

Steve Simpson: Yes

David Biren: Yes

Robert Yakin: Yes

Daniel Gettel: Yes

Motion passed 6-0.

Daniel Gettel: Good luck Mr. Fisher.

2) Application for a 2-lot subdivision located at the former Smallwood Gold Course, known as Bethel Tax Map #: 51-1-27.1, proposed by the Town of Bethel.

Daniel Gettel: Is this the Town of Bethel, or Town of Bethel BLDC?

Daniel Sturm: Town of Bethel owns the property.

Daniel Gettel: Just so the board is aware, this is a conceptual application. I did ask Mr. Sturm to give us an idea why they are here today, what their agreement was with the County, what they have to sell off. Glenn, if you would just help him out with the mining plan, and what the actual use of the property is going to be.

Glenn Smith: Ballard Road is on the right.

Susan Brown Otto: Why does it say BLDC?

Daniel Sturm: I will explain that in a second.

Glenn Smith: Just briefly, what I just passed out, the red and the yellow bounded parcel that is what the town owns right now. That is where the new mining is located. That is a roughly 60 acre parcel, with Ballard Road on the right.

Daniel Gettel: And this does not include any of the parkland?

Glenn Smith: Correct. The parkland is on the top part.

Jacqueline Ricciani: This is 60 acres total between the pink and the yellow?

Glenn Smith: 60.9, 61 acres.

Daniel Gettel: Mr. Sturm, you got this property from the County, if you would just give us a little background on the procedure, how you acquired the property, and what the conditions were.

Daniel Sturm: Yes. First of all, thank you for this opportunity to be here tonight. In 2011 the town purchased the property. The BLDC purchased the property from the County off a tax sale. We have done a lot of work to the property and I wanted to give an overview. You all have some kind of map to look at. Just briefly, the first section I want to point out is this section here where it says the 124.67 acres. That is all of this property (showing on map). Ballard Road is on the left side. There is an entranceway into the property. This is the conservation easement property. It is 125 acres that is owned still by the BLDC. We are in the process of working with

the community to design trails here, walking trails, hiking trails, informational signage, welcoming signage. Our ultimate goal is to have a public park which is now open to the public, but we are going to improve it. We do have a \$5,000 County grant, which we are working on for signage along the whole property. This is protected property. We have a conservation easement for all to enjoy. It is 125 acres, and we are in the process of developing that park. This is the entrance way by Mini Falls to the old ball field. You can get there down Golf Park Road, and we are in the process of designing trails, three, four, or five miles will be developed on this property. Secondly, this parcel.....it is subdivided right now, 125 acres is the conservation easement then you have your 61 acres. As part of the agreement with the County, as part of the sale, we are obligated to sell a portion of this property outside of the sand mine. We have a sand mine right here, (showing on map). It is about 18 to 20 acres. It is shown in red on the map. We have a DEC permit in hand. We will be making sand this year. We didn't make any last year, but we do have a permit. We will be making sand. It is going to save the Town anywhere from \$80,000 to \$100,000 a year by making our own sand. That is what we spend now buying sand. Our guys are going to make it, and we are going to use it for town highway use only. That is in the contract we have with the County.

Susan Brown Otto: Does the sand have to be moved from the sand pit over to the dump?

Daniel Sturm: Yes.

Susan Brown Otto: There is no possibility of loading up the sand from Smallwood?

Daniel Sturm: No, we are not loading there. We are not allowed to have any kind of salt there, or anything like that. They usually mix the sand with the salt. We will be going down Ballard Road to the transfer station. They are going to make it, and ship it. It is going to save us sizeable amounts of money once we get going. There is enough sand in these hills, for thirty to fifty years based on the sand borings testing, if not more. Four weeks a year is the agreement with the County, normally they do it in October. That is the maximum amount of time that we can mine sand out of there. That is in the contract. We did not want to disturb the Smallwood people. We wanted as little disturbance as possible.

Glenn Smith: The DEC permit allows a screen in there. So the town can screen the sand, get the stones out of it. There was an acoustical study and everything else for the DEC permit. It will make a little bit of noise, but not that much. The biggest noise comes from the back up beepers on the truck, so the DEC wants them muffled somewhat.

Susan Brown Otto: And the highway department will be basically done paving the roads then, because at a certain point and time it gets to cold and they can't put black top down, so the men will not be diverted?

Daniel Gettel: It is not the entire Highway Department making sand either. It is a number that is trained.

Daniel Sturm: Ideally they will all be trained. In order to enter the property you have to be trained. Last year half of the guys got trained, but they didn't make sand anyway. This would

have been a perfect year, between October and December, to make sand, but it just didn't happen. The weather was outstanding. That is what we are going to be doing on this portion right here. The entranceway is off of Ballard Road, right here to get into our sand mine. The third part of this is why we are here tonight.....

Glenn Smith: The DEC is a phased mine. The initial mine, they wanted it as far away from Ballard Road as possible. That is phase one. The DEC didn't want any mining near Ballard Road. We won't get to Ballard Road until twenty to thirty years.

Daniel Sturm: The mining is going to start back here (showing on map), and we are going to work our way back towards the road. There is a lot of sand here.

Glenn Smith: There is going to be a lake when everything is done because they are mining below the ground water level. Once everything is done, it is one big....

Daniel Gettel: Similar to what Woodbourne Lawn and Garden, where they have a lake.

Susan Brown Otto: Where is that?

Glenn Smith: Between Woodbourne and Fallsburgh.

Daniel Sturm: Hopefully down the road once the sand is exhausted we will be adding that portion right there (showing on map). Finally, as part of the agreement with the County, we had to agree to sell the remaining property, which is buildable property, to market and try to sell it. It has been on the market since 2011. It is about 40 acres plus or minus. We have been trying to sell it for homes as required. The County has required us to sell it since 2011. At this point here tonight, there are three things. We do have a potential buyer that is why we are here tonight. That remaining property is marketable. We are trying to subdivide that. Secondly it is a County requirement that we sell the property. At one point they were considering taking the property back, the entire property back. Finally, as part of our whole plan, which included the sand and the park, we wanted some of this property to be on the tax rolls. We do want some homes there. It is a perfect spot there, and the County requires that as well. We are trying to sell it for residential use, and that is why we are here tonight to give you an introduction of what we would like to do with that parcel.

Daniel Gettel: Glenn, as part of the mining plan, the town has to build some sort of a road to access the parcel. There is an existing road there but it has to be improved to a minimum specs to allow for the trucks to come in, so if you speak briefly on the potential ownership, lets say just the first 400 feet of the road with a cul-de-sac?

Glenn Smith: On the plan I passed out, I am showing a proposed 450 foot town road. Right now it is a right of way, on town property apparently, off Ballard Road into the site. The approved mining plan shows that road coming into the mine sight. As the mine is developed over the years and dug out down to water, that road will shorten up and shorten up. The ultimate mining road on the DEC plans is along the east side, which is that road I show along the bottom of the property. One thought was that could be utilized as an access drive to this back parcel. The back

parcel needs access also. I am basically showing a town road with a cul-de-sac off of Ballard Road, and the mining road would take off with the mine, and if this project goes through the access drive to that back parcel could take off from that cul-de-sac also.

Daniel Gettel: There might be a question of ownership, the right of way through the mine parcel, from the cul-de-sac to the new parcel, because if you consider it a flag lot you may actually have to convey that right of way as part of the flag lot to be owned by the person who purchases the yellow lot. There is still a question of ownership of the remaining portion of the driveway that has to be worked out. Clearly to have that access, and that is the most logical access to get to the property.

Glenn Smith: You can't get there any place else. There is quite a bit of DEC wetlands on that back parcel that the town can sell off. There is not forty acres back there they can build on.

Susan Brown Otto: Refresh my memory because back before the property, this property has a whole history to it, after it was a golf course. The zoning rules changed, because originally someone wanted to put a lot of houses in there right, then there was the building moratorium, then the zoning rules changed, and other things happened.

Daniel Gettel: Well the gentleman didn't pay his taxes either.

Daniel Sturm: We do have some information back in '04 and '05, and before that there was a design for this parcel for 200 townhouses. They suggested they would be able to be built within those wetlands. It never got to the Planning Board. It never got to the Town Board. And there was a building moratorium as you said. Originally that was one acre zoning in that parcel. It was the RF zone, Rural Farm district, and then it changed when we rezoned it. We rezoned it for five acre zoning. There are restrictions there. You cannot do connected housing, and it has to be built on five acre lots. You can cluster on some of that. You can't do multi-family, only single-family residences. It is available to do a conservation subdivision, and build on smaller lots, but you don't get a better yield. I am thinking at best that there are three or four homes ever allowed on that property by zoning.

Daniel Gettel: There was also a question of the fact that Smallwood Water Supply, is shown on the map also, that it is in the center, the circle. That is a separate parcel.

Daniel Sturm: That is why it is surrounded by the conservation easement. We extended the easement around Dennis' (Dietrich) property, for more protection for him. We added 150 feet all the way around.

Daniel Gettel: There was a question of adding 200 houses up against the water supply that was another concern. Like I said, they are conceptual at best right now. We did have a little discussion before the meeting whether it is a Type One Action under SEQRA or not. In a Type One Action one of the items that would dictate a Type One Action would be the acquisition sale lease annexation or other transfer of 100 or more contiguous acres of land by a state or local government. We feel that since it is less than 100 acres that you are conveying we can't consider it a Type One action so it would be considered an Unlisted Action, which would allow us to

move ahead with a Short EAF. Whoever ultimately engineers this we would accept a Short EAF for this for an Unlisted Action. The reason I say whoever ends up with this, Glenn clearly you can't do both sides. I know you are the engineer for the town on the mine, and you probably have the most knowledge of the site based on that engineering. It is proper I think for you to introduce this to the board, but moving forward either the Planning Board has to hire another engineer or the town has to hire another engineer, or present it themselves.

Daniel Sturm: Based on our discussions we are comfortable if you are to have Glenn represent the Planning Board as he usually does. We will proceed from there.

Daniel Gettel: I don't see any real conflict. You have knowledge of the property. However, when you move forward with the presentation, if Vicky wants to take over, or Bernie that is fine, anyone from the Town.

Glenn Smith: Keep in mind the plan is being prepared by a surveyor hired by the town, not by me.

Daniel Gettel: We did meet Larry Oestrich. He did a survey of the out bounds of the property as well as, I think, the mining site itself. Whether the town subdivides it or the buyer subdivides, I think it is good that the Planning Board is at least aware of it, and we can ask these questions. Since they were on the agenda and we had a short agenda it is perfect for you to get some of these questions out of the way. Are there any questions from the board?

Susan Brown Otto: I do have another question, circling back to this transfer of sand from Smallwood to the transfer station. I believe, I'm not sure, originally at the Transfer station there used to be sand mine there. Is that correct?

Daniel Sturm: Yes.

Susan Brown Otto: Originally, the little shelter that protects the sand was there because that is where the sand mine was. And then the sand was exhausted, it was a small mine or whatever. So that facility, I don't think is all that sophisticated....

Glenn Smith: That is the salt shed you are probably talking about. They won't have that at this site here.

Susan Brown Otto: But that is where the sand is now?

Daniel Sturm: The sand is located now.... if you go to the transfer station, there are two big piles outside of the building. What they do is they get salt delivered. They put it in the building so you have one pile of salt in the building, and then they mix the sand and salt and leave it in the building next to the salt. So there is salt on one side, sand and salt on the other. The regular sand is outside in the elements.

Susan Brown Otto: So they are mixing, that is the reason why they can't build another little shed in Smallwood, because they can't have the salt there. If it was sand only they could but since

you don't use sand only since you mix, that is why you can't have a second facility in the Smallwood Golf Course.

Daniel Gettel: But the agreement was also not to be in and out of there for six months a year, it was only supposed to be one month a year. I don't think the residents of Smallwood want, as part of the review of this originally they did not want cars and trucks in and out.

Daniel Sturm: Not all year long. Only one month, and it is for town use only. We cannot commercially sell the sand. We committed to not doing that. As much as there is we are not selling it.

Susan Brown Otto: So none of the sand is being sold then to the County?

Daniel Sturm: The contract language is for municipal purposes.

Glenn Smith: The DEC has been pushing the town to close down the old sand bank for a couple of years now. The sand is basically depleted in the old bank, not much left. You are down to bedrock in places.

Daniel Sturm: I think it was there since 1958.

Daniel Gettel: Any other questions?

None.

Jacqueline Ricciani: What is the name of it?

Daniel Gettel: The Preserve at Smallwood.

Daniel Gettel: Thank you Mr. Sturm.

Daniel Gettel: I have just a couple of items. Vicky do you have anything from the Town Board? You meet on Wednesday?

Vicky Vassmer Simpson: Wednesday night we will have our reorganization meeting and we will be taking up your recommendations, what you have sent us as far as your chair, vice chairman, reappointing of members, we will be voting on that. We will be voting on everything reorganization, as we do every first meeting in January.

Daniel Gettel: Glenn, for your knowledge and for the knowledge of the board, some landscaping went in at Daytop recently, within the past month. I'm not sure if it is all in, I know the fencing isn't in, the decorative fencing, the split rail. If you want to take a look at the landscaping prior to getting to late in the year, you are welcome to it. Eventually I will want you to sign off that it was put in....

Glenn Smith: Are they seeking any kind of CO from the town?

Daniel Gettel: The problem is there really is no CO for them. There is nothing to hang our hat on, but it is part of our conditions that you look at the property.

Glenn Smith: Was the landscape bonded?

Daniel Gettel: I don't know, we probably requested it but we will have to look at the file. There are a number of trees on the right hand side. I don't know if they are all in.

Susan Brown Otto: Are they on the other side of the fence?

Daniel Gettel: They are on the opposite side of the fence, so you really don't see them until they grow up. Coming from Liberty to Bethel I don't know if there are any plantings on the left side of the road. I don't know if there were supposed to be, and I don't have access to the map. If you would stop by and take a look.

Glenn Smith: The pool?

Daniel Gettel: They are supposed to secure it, to lock it. I would have to look at the minutes. If there is nothing else I would entertain a motion that we adjourn.

Motion to adjourn by David Biren, second by Steve Simpson

All in favor – 6

Opposed - 0

Agreed and carried

Respectively submitted,

Jannetta MacArthur

Recording Secretary