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Town of Bethel Planning Board

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

The Town of Bethel Planning Board held a Work Session on Monday March 4, 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, Susan Brown Otto, Wilfred Hughson, David Slater, Robert Yakin, Jr., Alternate, Jacqueline Ricciani, Attorney, Jannetta MacArthur, Recording Secretary, Dan Sturm, Supervisor, Glenn Smith, Engineer, and Vicky Vassmer Simpson, liaison.

Excused: Mike Cassaro, Steve Simpson, David Biren, and Bette Jean Gettel.

Seated: Robert Yakin, Jr., for Mike Cassaro

There is a quorum

Pledge to the flag

Motion to approve the minutes from the February 4, 2019 Planning Board meeting by Susan Brown Otto, second by David Slater

All in favor - 5

Opposed - 0

Agreed and carried

- 1) Application for a Transient Campground of BPAC Music Festival to be located on Best, Hurd and West Shore Roads, known as a portion of Bethel Tax Map #'s: 21.-1-1.1, 21.-1-1.4, 21.-1-1.12, 21.-1-1.20, 21.-1-1.31, 21.-1-4.1, 21.-1-11, 22.-1-1 & 22.-1-4 proposed by Bethel Performing Arts Center. (Schwartz & Live Nation)***

Daniel Gettel: Nick, do you want to start or would you like me to start?

Nick Schwartz: We can start the presentation right now.

Daniel Gettel: Just so the board recalls this is a request for a license for a transient event to take

place over a long weekend. We have no real input on the festival portion of the weekend, just the camping portion that takes place outside the bounds of what we know as Bethel Woods. Again, it is just a camping license. If you would please, Nick.

Nick Schwartz: My name is Nicholas Schwartz from CHA Consulting. We are the engineering firm of record for Live Nation and Mountain Jam as well as the Bethel Woods Performing Art Center. Tonight I would like to talk about the transient camping license application we have before the board. We have submitted, originally, a long form EAF, a site plan, utility plans, and we also provided an engineering report for water and sanitary sewer plans related to the campground. This is the first year Mountain Jam will be coming to Bethel Woods. This has been a festival that has been ongoing for the past 14 years at Hunter Mountain. With the change in ownership and venue management, it has been decided that Bethel Woods is the right place and the right time for this festival. We have a festival that encompasses both the Bethel Woods site property, where the amphitheater, the Museum, and the grounds are. We also have camping and associated parking. We anticipate a daily attendance for this festival of about 12,000 people a day. It is split between roughly 6,000 campers that we have on site here, and 6,000 day users. We have both camping and parking for the festival itself. The camping is going to be a little different than what we have previously seen with other music festivals at Bethel Woods. There is going to be a limited amount of tent camping. The majority of the camping is going to be car camping basically. You are going to pull up, you are going to park your car, you have a site, and you are going to put an EZ up and/or tent up right outside of your car. We have a waiver request into the DOH to allow 1,250 square foot site for a typical campground, which is required by DOH. The other portion of the camping, we do have RV camping, so this is a little bit different. That takes the place of what we have for venue camping. We have divided the camping into a number of different areas. I would like to go over those with you right now. The first area will be up on Best Road, being very similar in arrangement and layout to the Mysteryland Festival license. That is up there. We are going to use the same arrangements, while their sanitary sewer is going to be exactly the same. That is about 1,300 camping spaces we have accommodated up here on Best Road. Then we have staff and vendor campsites at the corner of Hurd Road and West Shore Road. We have about 100 there. This is probably one of the flexible sites. We don't anticipate a lot of people camping there and there may be the opportunity for camping not to exist there if there are a small number of campers. They may be put in a hotel or some other dormitory off site. The other location along the very northern portion of Hurd Road, across the road from the original Woodstock, we have is along Hurd Road. We have kind of broken this up using the existing parking areas that Bethel Woods currently uses along the very northern portion of Hurd Road across from the original site for Woodstock. We have ADA camping as you come down into the closer lots almost directly across from the main entrance. We have VIP camping, we have family camping. Then we have regular day use parking, we have VIP RV sites. Some of those will already be preset RV's that you can use. Others are closer to the front of the venue. Then the remainder of the RV campsites, which is 343, is down along the existing parking areas on Hurd Road. That gives us 400 RV sites, 200 VIP camping, 100 family camping, and 100 ADA, in addition to 100 staff and vendor camping so that is 2,260 sites.

Jacqueline Ricciani: Is VIP parking lot "C", kind of in the middle, did you say that is for daily?

Nick Schwartz: That is for some day users, yes. In addition to camping, we do have parking areas. We are using lot "G", down below, which is off to the left. We are using the large lot on 17B, and we are also using Best here, and the Harvest Festival. We will have shuttles running back and forth throughout the festival to accommodate users in all of those areas. A majority of these are all day

users, (showing on map) so they won't actually penetrate into the main venue space, to keep traffic and emergency access open. What we've got for utilities, I think that is the next piece of the puzzle, how are we going to service the campsites. Up on Best Road we are going to service the same way as we did with Mysteryland. We are taking temporary water out of the existing water tank, running it up and distributing it to three different core sanitary areas. We've got porta johns, trailered showers, and hand wash stations in each of these areas that service the 500 foot radius circle for the campsites. Sanitary sewer in this area, the gray water will go to frack tanks, down exactly where they were during Mysteryland, next to the farm. The other areas here, staff, ADA, VIP, and the family campground, they are going to have self-contained units that are very similar, but there will be a smaller frack tank to take gray water. There will be a smaller tanker that will service one of these areas for porta johns, showers, and the hand wash. The other area, there is one more section of camping, and that is the glamping area. The glamping is actually directly within the Bethel Woods property site. It is off to the northeast of the existing amphitheater. It is kind of off that second road off of there. The VIP and the glamping sites, they will have comfort stations which are trailered units, not porta johns. All of the areas will have shower trailers though. That is the difference between the VIP and glamping in terms of how they are going to accommodate a different sanitary facility. You have regular for the staff, general admission, ADA, and the family campsites. RV's they are self-contained units. We will have an on call service for those, for both water and sanitary sewer, so that way if they do need to be pumped out during the festival, they are able to do that. As a note, the festival will run from June 13th through June 17th. That is Thursday through Monday.

Jacqueline Ricciani: Are there performances on Monday?

Nick Schwartz: No that is exit day. There will be performances in the evening on Thursday, Friday, Saturday, and Sunday.

Daniel Gettel: There are no performances in any of the camping areas?

Nick Schwartz: There are no anticipated performances in any of the campground areas. We do have 15 food trucks and vendors that will be along here that will be the only exterior food service that is not contained within the Bethel Woods area.

Daniel Gettel: And what we discussed is they need vendor permits.

Nick Schwartz: Yes. That would be the Best Road site.

Daniel Gettel: We talked about the days of operation in addition to you looking for a waiver from the Health Department for the lot size you are also looking for a waiver on the 60 cumulative hours.

Nick Schwartz: Yes. We also have an approved waiver to have ticket sales prior to having a Health Department approval. However, that waiver does not include any campground sales. With that said I will turn it over to the board to have discussion and ask questions as they seem and deem appropriate.

Daniel Gettel: I just want to point out to the public as well as the rest of the board that we are just a small part of the approval of this. It has been reviewed by a number of agencies, and is still being reviewed by a number of agencies. They don't all necessarily have a specific approval, but they have to be on board in order for the event to happen.

Nick Schwartz: Absolutely. There are a number of different agencies.

Daniel Gettel: There was a tabletop meeting held last month, the New York State Police were there, the New York State Department of Health was there, New York State DOT, Bethel Woods, Mobile Medic, Town of Bethel Town Board, the Town of Bethel Planning Board, I was the liaison for that. The Building Department was there. The Kauneonga Lake and White Lake Fire Departments, I don't believe either attended the tabletop, but they are both part of it. I believe Sam's Towing is involved, I know they were in the past. I'm not sure if they were at that meeting or not. As far as permits go, we would issue a temporary transient license for that weekend. Any road closures and the traffic management plan have to be approved by the Town Board. The sewerage gray water collection and discharging to the Town of Bethel Sewage Collection System must be covered by contract to cover the cost of treatment. That is something else with the Town Board. Glenn, you had a question about how the sewage gets to the fracking tank?

Glenn Smith: The question is on the sewer, water, does it come from the individual stations to the holding, does it go to the town tank, and I was asking for more detail on that.

Nick Schwartz: So the way that works itself out is exactly like Mysteryland, where you have a small pump station that is attached to the discharge. It goes into a main and goes into the frack tanks. The frack tanks are then pumped and filled. When you have one that is almost full you switch, and those get pumped out, and coordinated with the town for dumping time. It is an off hours dump time, so we don't overwork the town's system.

Daniel Gettel: Also there has been some talk that there may be fireworks. That has nothing to do with us that's a permit issued by the Town Board. Like I said, vendors in the camping area outside the bounds of what we know as Bethel Woods, will require vending permits. Those are issued by the Town Clerk. We mentioned the waivers. I think our primary concern, and I don't want to speak for the board, would really be the utilities. We have to keep in mind it is also being reviewed by the New York State Department of Health in conjunction with us. Traffic is being reviewed by the Town of Bethel Town Board as part of that traffic management plan as well as the New York State Department of Transportation. Security is being reviewed by Bethel Woods and the New York State Police. We do need to touch a little bit on security in the campgrounds. That is something you didn't mention. Are the cars searched coming in?

Nick Schwartz: We have a toll booth and security area, very similar, the same kind of toll booth and security system, that Mysteryland had, except this is actually searching cars. We perform searches within the cars, to make sure they are clean, they are safe, there are no types of illicit materials within them, and then they get cleared. The main toll booth will be in this area that will accommodate the majority of the GA camping as well as some of the ADA, VIP, staff camping, and the family camping (showing on map). There will be another temporary toll booth that is set up here, and that will be for incoming RV's, so to be able to split the traffic (the lower parking lot of Hurd Road, it will be adjacent to lot G). That will allow searches of the RV's prior to entering the RV area.

Daniel Gettel: My concern is there is something in your plans about water and sewer main crossing the individual town roads. I know Mysteryland had some culverts that were of minimum crossings.

Nick Schwartz: Yes. Right now we don't anticipate any above ground water and/or sewer crossings.

Daniel Gettel: The pipes clearly are going to be temporary and be above ground. At the road crossings they are going to be in culverts. It doesn't read like that in your report. That is a concern.

Nick Schwartz: I apologize. We can go back and update the report to make it clearer. We are using the existing culverts that were installed under the town roads for the distinct purposes of using them for utilities rather than storm water. And we have one in this area here, and these are all self-contained to the individual sites. In this point in time we don't anticipate the need for any other temporary permanent utility culverts going under Hurd Road.

Daniel Gettel: I know there has been a concern that the Health Department has raised about the vendors, for them to have a connection to the utilities. It seems to be better to have them on the Best Road.

Nick Schwartz: Yes, we are going to be providing utility water and sanitary sewer connections to the 15 vendor food trucks that are there, tied into the system.

Daniel Gettel: I think it was a concern that they raised about everybody wanting food service at the same time, and they getting overwhelmed.

Nick Schwartz: They don't have time to call or really think ahead when they are doing a lot of business, which is a good thing to have. We will make sure they have dedicated sanitary and water resources.

Daniel Gettel: Glenn, do you have any comments? I know they have a pretty extensive utility plan and management plan.

Glenn Smith: I don't have any comments, just some items that I circled today, they have to have some more detail on the utility lines, and emergency plan, and is it a portable water tank in the event the level goes down in the main tank?

Nick Schwarz: That will be available. That is going to be based on ticket sales. The final numbers, in terms of water, is really going to play itself out. Hopefully the answer is yes, we are going to have to purchase water and it is going to be on site, it will be rightly available, and probably be a 3,000 gallon tank.

Glenn Smith: Can the day people mingle with the campers?

Nick Schwartz: No, they will be separated.

Daniel Gettel: I think Mysteryland had different color wristbands.

Nick Schwartz: We are shuttling people in, rather than have a lot of people walk in directly, so you have more control.

Susan Brown Otto: It is mid-June. A lot of farmers are making hay in June. There are farms in the neighborhood. Are there any communications with any of the farmers?

Nick Schwartz: We will have to take that into consideration as we are moving forward. We have the ability to have roads open.

Daniel Gettel: There are neighbor passes available, that might be something you can address to the farmers. You did speak about, even though the Town Board is doing the mobility plan, did you talk about how you are going to route certain people in? I don't know if you mentioned going up Happy Avenue around and coming down into Best Road from the north?

Nick Schwartz: Frank, could you give me a hand in terms of the anticipated...

Frank Segro – Bethel Woods Operations: Primarily, campers will come in the same way as Mysteryland, up Happy Avenue into Best Road. If things get backed up we will divert them up to Route 55, Horseshoe Lake Road, going into Best Road, or alternatively Perry Road to West Shore Road up Hurd Road north, Prince Road to Best Rod. The day visitors, part of these lots, RV's, ADA campers, family campers everyone else will come up Hurd Road as normal and go through that way. We will have static signage.

Daniel Gettel: Compared to a Bethel Woods event, how would you compare it?

Frank Segro: As far as number of cars, probably less all together.

Wayne Goldberg – Live Nation: Fifty percent will be in on Thursday night. We are only talking about 6,000 people coming in and out, which is much lower than a normal country show.

Susan Brown Otto: Some of the campers are not going to know the geography in terms of making turns, and I think many of the people that go to concerts, they know to go down Perry Road, and what have you.

Frank Segro: We will have the VMS Boards throughout Route 17B, saying next right, etc. I think we have 6 or 7 signs. We will have static signs, and State Troopers. Thursday should be heavier. Friday, Saturday and Sunday should just be Hurd Road. It won't be as busy, maybe 3,000 cars.

Susan Brown Otto: The VIP, RV, campers, is that off Gempler Road?

Frank Segro: Yes.

Susan Brown Otto: I've been on that road going to the Fall Harvest, and I think that's a little wet there. I don't know if people are supposed to be pitching a tent there. If you could keep that in mind if that is wet there. It kind of lays down there in the valley.

Nick Schwartz: We will be using the higher areas. There are wetlands there that we will stay away from.

Susan Brown Otto: Are there going to be any notices, no floating lanterns?

Daniel Gettel: That's part of the festival. It's not permitted by Bethel Woods.

Nick Schwartz: We haven't talked about having them. I don't think we had those.

Jacqueline Ricciani: I think the State has outlawed floating lanterns.

Susan Brown Otto: At this time of the year, the turtles will be coming out. They come out into this area. It's mating season you will see them on the road.

Frank Segro: Just to clarify, in reference to the neighbors we will go around to the neighbors, we will give them the paper we usually do, bring them the schedules. Typically Michel and Franklin (farmers) we talk with.

Daniel Gettel: Glenn, there were two versions of a long EAF floating around. You had a number of questions on the first submission of the EAF, Part 1. Was that addressed or am I mistaken?

Glenn Smith: Early on I had some comments about pesticides, things like that. Nick said he would take care of that.

Nick Schwartz: I can answer those questions for you now. We can talk about that now if you want.

Daniel Gettel: We were talking earlier about distributing the long EAF Part 1 to Involved Agencies. I don't think that is anything that can't be corrected prior to submitting to involved agencies. Do you see any reason why we shouldn't declare our intent to act as Lead Agency?

Glenn Smith: No.

Daniel Gettel: Jacy, any comments? I know they have a pretty substantial packet of information. Are there any questions from the board?

None

Jacqueline Ricciani: Did we type this?

Daniel Gettel: It's going to be a Type 1 Action, Long EAF. I think it is Type 1 simply because of parking. We have to take the position that it is only for a long weekend. We are not creating a Walmart parking lot, but we are still parking cars.

Motion to declare our intent to act as Lead Agency on this Type 1 Action by Susan Brown Otto, second by Wilfred Hughson

All in favor - 5

Opposed - 0

Agreed and carried

Jacqueline Ricciani: Who is doing the notices?

Daniel Gettel: We are going to coordinate that with Glenn, and work with BJ to make sure the mailings go out. Because of the schedule, we may have to get them out sooner.

Glenn Smith: We should get them out tomorrow. It is less than 30 days. I'll circulate that tomorrow. I sent you a list of involved agencies.

Daniel Gettel: There aren't that many on there, involved agencies as much as interested. You need a copy of the EAF and site plan.

Glenn Smith: I need copies of the revised EAF. Usually we send copies of the site plan.

Daniel Gettel: Nick, do you have any questions for us?

Nick Schwartz: The only other question I've got is there going to be a 239?

Daniel Gettel: We are thinking of a 239 because of the close proximity to Route 17B.

Nick Schwartz: The only thing I would want to move forward with is to make sure we get that submission into the County as soon as possible, because they are going to be an involved agency as well.

Jacqueline Ricciani: You can submit it, actually no. BJ would normally do it, she isn't here.

Nick Schwartz: I can provide the submission, if there is a cover letter the Town would like to go on it?

Daniel Gettel: We used to submit it with a narrative, so they knew more about the proposal. If you want to get us a narrative quickly, we will attach the site plan and the EAF to it and get that and send to the County, the sooner the better. You would need a public hearing. Our next available meeting is April 1st. It may be appropriate to have a public hearing on that date.

Motion to grant this application a public hearing on April 1st by Susan Brown Otto, second by David Slater

All in favor - 5

Opposed - 0

Agreed and carried

Daniel Gettel: We will see you April 1st. In the meantime work closely with Glenn. Get us a narrative, a corrected EAF for those couple minor items and we will get that out as soon as we can.

Nick Schwartz: Thank you very much. I appreciate the board's time this evening.

2) *Application for a Retail Use to be located at 6 Plank Road, known as Bethel Tax Map #: 38-2-81, proposed by Black Oak Buildings. (Dr. Noeth & Mr. Carman)*

Daniel Gettel: How did you leave it with BJ? As far as having... in order to have two businesses you have to have double the required acreage. You need two acres for the new business. You don't have two acres without including your Chiropractic business.

Jeff Carman: There are three lots there.

Daniel Gettel: The two that are vacant add up to 1.4 acres.

Jeff Carman: They are close. We don't have a survey on the small lot.

Daniel Gettel: My question is I don't know how you left it with BJ? I wasn't able to speak to BJ about it, and I want to speak to BJ about the acreage concern. If it doesn't meet zoning, we can't really go too far with it.

Jacqueline Ricciani: Not without a variance.

Daniel Gettel: I reviewed the application you sent. There has to be landscaping standards, and all of the section of codes that have to be met for the application. It's going to be quite extensive. It is more than the sketch plan that we have. There will be landscaping, parking, loading, etc. I can tell you the sections, I can give you a copy of this. Jannetta, for the record, it is section 345-16, landscaping standards, 345-18, is the Route 17B Gateway design standards, 345-22, is parking and loading, 345-23, is all signage. I think your application said multiple signs.

Jamie Noeth: They will be small signs.

Daniel Gettel: Section 345 is the special use procedures, which is sign location, lighting, landscaping, accessibility. Section 345-31 is the site plan approval section which is traffic access, parking, site grading. We can waive certain requirements. I don't want to treat it like you are building a Walmart, let say. Clearly you are not. There are certain things that we have to at least touch on, a lot of these and address them. The site plan submitted gives us an idea of what you want to do and where the property is located. You are going to need both of the vacant parcels for this. You are going to be taking advantage of the acreage of the back parcel I assume?

Jeff Carman: No, we don't plan too.

Daniel Gettel: You are going to need that area to get closer to your two acres is what I am saying.

Jeff Carman: I guess we can encroach on that. We don't need it to do 10 to 12 displays....

Daniel Gettel: Unfortunately a retail use is two acres. I can't get around that. I just want to make sure we are all on the same page.

Jacqueline Ricciani: How much acreage is this one lot?

Jeff Carman: We never had it surveyed.

Dr. Noeth: It's about a half-acre.

Daniel Gettel: The little one is 77 feet by 176 feet, the one they are building on, based on the little bit I've seen.

Jacqueline Ricciani: As the applicant, it is really your obligation to provide this information to the board, so they can review it in terms of acreage, SBL, everything Dan spoke about. It all has to be to scale.

Jamie Noeth: I wasn't aware of the 2 acres minimum. I thought it was the whole thing together.

Daniel Gettel: Your EAF says you control 2.5 acres, but you should control 2 acres just for this and not the Chiropractic business. In your letter you say please see the pictures brochures and signs. Were they turned in?

Jamie Noeth: I didn't have them at the time. I brought them tonight.

Daniel Gettel: I can take one for the record. I appreciate the fact that you will be open during daylight hours, and you won't require any lighting. What are you thinking as far as landscaping goes? Clearly you don't want to put up buffers between you and Route 17B that kind of defeats the purpose of not being seen.

Jeff Carman: We don't want to obstruct the visibility that is there.

Daniel Gettel: Mike Cassaro is an immediate adjoiner to this property, and Jacy is an immediate neighbor.

Jacqueline Ricciani: I am a direct neighbor of the applicant. I share a property line with them.

Daniel Gettel: What does the board think? I don't want to not have a new business in town, but we are kind of locked in because of the zoning. I don't want to put you off, but we need a chance to talk to BJ. We can sit down together. We have to talk to her about how to resolve the acreage.

Jacqueline Ricciani: It seems like if the vacant one in the back is 1.2 Acres, and the other is .5 Acre, if it is the half acre, that is close for a variance.

Daniel Gettel: That is an option they can pursue. That is another board. As far as running the business you would run it out of your exiting building?

Jamie Noeth: Yes.

Daniel Gettel: So you would have a sign at the door?

Jamie Noeth: We would have a sign that says call this number. They can come into the office and inquire at the desk.

Jacqueline Ricciani: Is it by appointment?

Jamie Noeth: They are on consignment basically. You can buy them off the lot.

Daniel Gettel: If someone calls from the parking lot and says I'm here, I would like to look at your shed, I think you would accommodate them.

Jamie Noeth: Yes.

Daniel Gettel: It's not really an appointment. That is also a benefit, there is not going to be a building on the property except for a shed. It's just the two acres that is killing it.

Susan Brown Otto: The ZBA meets the 3rd Monday of the month is it too tight for them to get on the agenda for March?

Daniel Gettel: I think that since they are here, it is hard with BJ being out at this time. It is an option to go to the ZBA. I can reach out to the chairman too.

Jacqueline Ricciani: You can always submit something tomorrow for the ZBA, and then speak to BJ when she comes back. If you want to withdraw it you can do that, but at least it will get the ball moving if you want to be on the agenda for the ZBA.

Susan Brown Otto: What is the time frame you have to get your application in? They meet once a month.

Jacqueline Ricciani: Two weeks. Your plan is going to have to have those dimensions. That's a critical consideration.

Daniel Gettel: We can give them a pretty good idea looking at the town records, to give them a ball park of what the acreage is. I did look it up online.

David Slater: I think it says that lot size is 85 foot x 180 feet, if I have the right lot.

Daniel Gettel: But the 180 foot is the longer side, not the average.

David Slater: That is what is on their tax property information. The total acreage/size is .3512 acre.

Daniel Gettel: I don't want to hold you up. I want to work with you, but I don't know how to move it along. We have been consistent with new builders. I don't want to set a precedent. We don't have mini mall zoning, so if you want two businesses' you need 4 acres. If you can stop in tomorrow we will talk about the ZBA application. They aren't a busy board.

Jamie Noeth: I do have a survey map for a potential home site. The other lot doesn't have a survey.

Jacqueline Ricciani: These are the only two lots that are going to be involved, then that is a good start.

Daniel Gettel: Sorry about that. Thanks for coming out.

3) Application for a Special Use Permit with Site Plan review for a Summer Camp to be located at 347 Old White Lake Turnpike, Swan Lake, known as Bethel Tax Map #: 13-1-12.1, proposed by David Weiss for Camp Machne Shalva. (Wasson)

Daniel Gettel: We have a Mr. Wasson, but we have a different Mr. Wasson. This is the new and improved Mr. Wasson. We kind of left it that we were looking for a lot of information to satisfy Glenn, the utilities, the condition of the buildings. Randy had talked about the recreation in the back.

Jay Zeiger: We had discussed, what was discussed then, it was going to be ancillary to the rest of the property, as a non-public recreation, noncommercial.

Daniel Gettel: That is why we were talking about the setbacks. The question that comes up though is that it is in an Ag zone that doesn't permit that. How do you address the fact that the recreation for the camp is in a zone that doesn't permit camps or recreation for camps. We have always taken the position if the use is not permitted, the primary use, the accessory use should not be in that district.

Jay Zeiger: However, Randy had said that there is a proposed non-public recreation. It should be in the minutes.

Daniel Gettel: He was talking about how it is not commercial, so it didn't have to meet that recreation section. That doesn't address what section it does have to meet. It has to meet the basic zoning for that lot for the zoning district. I think that is how we left it. He was asking me if the 75 foot setback was acceptable. I told him in my opinion it was acceptable because that is really in the back, I don't want to say in the middle of nowhere, but there really isn't a lot back there.

Jay Zeiger: Private recreation is not allowed in the Ag District either?

Daniel Gettel: It is an accessory use to a use that is not permitted. We had said originally that this would be a difficult site to get recreation. I don't know how you would address that. While I am talking to you we also talked about you and Jacy getting together talking about the fact that they want to have a lot of nonstaff family members there.

Jay Zeiger: That was discussed with the client. Everyone living on site in terms of adults, they will all be staff in some capacity. In fact what Ben was saying, the Health Department regulations requires for every 12 campers, there be 1 staff. There may be a shortage even with the staff being every adult living onsite. There will be a staff member there in one capacity or another. Counselors

or staff for the kitchen, or the laundry area, and every child living on site will be part of the day camp.

Daniel Gettel: You are going to have to adjust the bulk table to reflect the number of people. You are not going to go back and tell me that they have black boards, and the person that cleans the black board is going to be considered staff, and that is their only job.

Jay Zeiger: No.

Jacqueline Ricciani: I thought the camp were for 12-13 year olds.

Jay Zeiger: The overnight campers. The day campers are 9-13.

Ben Halberstan: The whole camp is 9-13.

Garrett Wasson: 70 day campers.

Daniel Gettel: The people that are sleeping there are how old?

Jay Zeiger: The children that are not sleeping....

Daniel Gettel: Can be as young as 12, but the kids that are sleeping there, I'm sorry, 9?

Ben Halberstan: 9 to 13 years.

Daniel Gettel: So the day campers are ages 9 to 13. The overnight campers will 11 to 13?

Susan Brown Otto: Is this a boy's camp?

Ben Halberstan: Yes.

Daniel Gettel: I know you submitted something about the renovation schedule, because I know you inherited quite a few buildings that are in disrepair. I think it was a blanket statement that over the next two years it will all be fixed. How does that work? Glenn, I think we were looking for something more so that we could enforce.

Glenn Smith: Randy's response letter of February 18th didn't really have a schedule.

Jay Zeiger: Ben can you prepare for the next meeting a list of which buildings will be done before this summer, and what buildings will be done before next summer and present that to the board?

Ben Halberstan: Yes.

Daniel Gettel: I think we have to acknowledge that there are some violations out there. So clearly we are going to want to touch on the violations first. Try to incorporate BJ's input into the schedule on repairs.

Jay Zeiger: You should probably speak with BJ anyway and get her preferences.

Daniel Gettel: Is there a temporary Mikva at this property?

Ben Halberstan: Yes.

Daniel Gettel: I know there were a lot of violations there in particular. Glenn, I think you would agree that the sewage disposal system had been noted that it might not be in the best shape. I think it has been neglected. I think people could argue that is the way it is supposed to work.

Glenn Smith: It's in my comments to provide more information of what is there. I was there last summer. The kitchen pipe was pulled apart, things like that. I am concerned there may be issues with infiltration.

Daniel Gettel: I think there were reports that implied that all of the units are going to have low flow fixtures, which most probably do not.

Glenn Smith: Based on the current count, 237 people in the camp, by DEC standards for usage I was seeing that it was exceeding the permit. I don't think there are many low flow systems there now.

Daniel Gettel: That is something we have to talk about as far as the flows go, clearly. The topography in the recreation area as far as the ball field, it is very deceiving. It doesn't look like there is any grading, but really there is 10 feet.

Garrett Wasson: We have added 2 foot contours in there, since the plan that was submitted two weeks ago. We have gone ahead and graded the ball field.

Daniel Gettel: What is the drop from pitcher's mound to left field? Is it a rise or drop?

Garrett Wasson: It's a drop, 6 feet.

Daniel Gettel: So it's not as much as I thought.

Garrett Wasson: Sorry it is 8 feet.

Daniel Gettel: The setbacks, I'm not clear on. I wasn't clear where Randy was going with that, the ball field and the gym.

Garrett Wasson: The ballfield we moved into the setbacks.

Daniel Gettel: How far is that off the property line to the south?

Garrett Wasson: 75 feet.

Daniel Gettel: I think it was close to that last time. It might have turned a little bit more.

Garrett Wasson: Yes, It was crossing this setback on this side, so we shifted it. We had to configure

the parking, and added some more parking.

Daniel Gettel: Glenn, I don't know that 75 feet isn't bad for home plate but it's different for home plate than the outfield as I remember too.

Glenn Smith: It is less for outfield than the home plate.

Garrett Wasson: Home plate is 275 feet from the property line. The outfield is 75 feet.

Daniel Gettel: Glenn we will have to talk about the recreation in the Ag District. You also pointed that out.

Glenn Smith: I said the same thing you did, that is an assessor's use to the summer camp, but it is not permitted in the Ag District. I don't know how you would resolve that one. Maybe consider going across the road in the RD District?

Daniel Gettel: Jay, excuse me if I am bouncing around, but I am going by my notes. How do we enforce the fact that the people living there are staff? We've had this issue on other projects as well.

Jay Zeiger: The Building Department does periodic inspections.

Daniel Gettel: Whether I am opposed to it or not, it is hard to enforce.

Jay Zeiger: I appreciate it but it's....

Jacqueline Ricciani: What if they come up with their families, and they come up with little girls. It's a Boys Camp.

Ben Halberstan: The Day Camp is coed.

Jay Zeiger: In terms of the staff, they can submit a schedule to the Building Department with a list of the people that are staying there, and what the staff responsibilities will be.

Daniel Gettel: It's always been a problem. It's not a problem when the number of staff is at a lower number, but when you start to get into higher numbers....

Jay Zeiger: We are talking about only 24 staff now.

Daniel Gettel: Which is much different than it was last month.

Jacqueline Ricciani: 24 staff, total, to run this operation?

Ben Halberstan: That is what we have now.

Daniel Gettel: Onsite staff would be 24 is what he is saying.

Jacqueline Ricciani: How many campers?

Ben Halberstan: 185 campers.

Jacqueline Ricciani: 185 campers and 24 staff for the whole place?

Ben Halberstan: Every 12 campers 1 counselor.

Jay Zeiger: The requirement, Jacy, mathematically would be 15.5 so we would have to say 16. That is Health Department requirement. They are going to have 24 that are living onsite. They may have to bring in outside staff to work in the kitchen for example.

Daniel Gettel: Do you cook at this site, for this site?

Ben Halberstan: Yes.

Daniel Gettel: Do you cook for any other site?

Ben Halberstan: No.

Daniel Gettel: Glenn do you want to go through your list?

Jay Zeiger: Glenn's list, they are really all questions for Randy. Randy is going to have to deal with Glenn on that. The two things we were hoping to resolve are....

Daniel Gettel: The topography has been addressed.

Glenn Smith: I was also suggesting topography on the existing camp. There is really none at all.

Jay Zeiger: Two items on Glenn's list that we were hoping to resolve, item #9 is the staff and family numbers, and we discussed that. And item # 10 is the recreation on that adjoining parcel which we also discussed. Item #9, I think we have resolved. Item #10 I assume that be can be cured with a variance.

Jacqueline Ricciani: A use variance you are talking about.

Daniel Gettel: Do you want to touch on variances. What was your thought on building 13? Is it going to stay?

Jay Zeiger: We submitted an application for a variance to the ZBA. It should be on the next ZBA meeting, right Garrett? If we get the variance we will keep that unit, if we don't get the variance we will demolish it.

Daniel Gettel: Do you know the reasoning behind them making that part of their review, or is it just because you offered it.

Jay Zeiger: I think it was offered as being demolished.

Daniel Gettel: It was offered as being demolished in all the plans, I don't know if it became part of

their requirement that it be demolished.

Jay Zeiger: I don't remember other than that is what we had told them at the meeting that we were removing it, so it became part of the approval that it was being removed.

Daniel Gettel: Glenn, we have more information on the wells than we did. A lot of it is.... the three wells. It's on Randy's letter

Glenn Smith: We have to get a copy of the Health Department approval. It was a hotel for all those years, but DOH has to sign off on it.

Daniel Gettel: Glenn, you can address a lot of these with Randy? I am treating it as a new application. There are a lot of technical issues that need to be resolved.

Jay Zeiger: Back to the gym and ball field.

Daniel Gettel: It is clearly a benefit to the camp and it is something that we always ask for. The problem with this property the main parcel is so steep you can't put a building like that on it.

Jacqueline Ricciani: It's a problem.

Glenn Smith: Is rezoning that parcel an option?

Jacqueline Ricciani: That is a Town Board issue. They couldn't just move that parcel, those lots haven't been combined yet.

Daniel Gettel: How did that parcel get such an odd configuration? It is almost like a check mark. Was it just wrapped around somebody else?

Jacqueline Ricciani: It looks like something just got cut out of it.

Daniel Gettel: Did you create that specific area?

Jay Zeiger: No, we bought it and it existed.

Daniel Gettel: What is right there?

Ben Halverson: It is a vacant piece of property.

Garrett Wasson: The house is located on Buttrick Road.

Jay Zeiger: We can go to the Town Board for that.

Daniel Gettel: It is a problem.

Jay Zeiger: It is part of the camp property.

Daniel Gettel: It is not part of the camp property. It was bought separately. It was never part of the camp.

Jay Zeiger: I understand that.

Jacqueline Ricciani: You're talking about putting something on that piece of property, that you can't justify independently or as part of the summer camp in that district.

Jay Zeiger: If we eliminate the gym and the ballfield...

Daniel Gettel: What you would be doing is giving up the gym, the ballfield, and the parking that is going to benefit the camp itself. That solves a lot of other problems. Is that gym just for the use of the camp?

Jay Zeiger: Yes.

Daniel Gettel: Jay I think we have to look at it, as getting it approved in the Ag Zone as an accessory to the camp which adjoins it, or you get the zoning changed for that parcel.

Jacqueline Ricciani: That odd shape #7 looking parcel has a single family residence.

Jay Zeiger: But that is us.

Jacqueline Ricciani: Hear me out. If that is a private residential parcel, which it is right now, can a private individual put in a ballfield and an accessory building in the back yard? That would be permitted as a private person. Come to an arrangement for the camp to use it, maybe. Trying to be creative.

Daniel Gettel: Jay is that the caretaker that lives there?

Garrett Wasson: Yes.

Daniel Gettel: It could become the caretaker regardless.

Jacqueline Ricciani: The parking would still be a problem. If I want to put a ballfield and a building on my property, can I?

Glenn Smith: You have to combine the properties to meet the 25 acres.

Daniel Gettel: You have the acreage to make 25 acres, so I don't believe it has to be one piece.

Jacqueline Ricciani: That is a condition from the ZBA.

Daniel Gettel: BJ always likes to combine, but I don't know if there is a legal reason for that.

Glenn Smith: You have to consolidate.

Jacqueline Ricciani: The ZBA made that a condition, that it will always be used for that summer camp.

Ben Halverson: If you put a 99 year lease on it? Would that satisfy the ZBA?

Jacqueline Ricciani: Probably not. I can't speak for them, but because of where the property line you have a couple of buildings that are right up on that property line. That parcel also alleviated a lot of your setback issues there. That was another reason that they wanted the assurances that it would be one parcel so they wouldn't have those issues on those buildings.

Jay Zeiger: Ben, I think you should go to Town Board.

Daniel Gettel: You can meet with Dan in the meantime. I will talk to Dan Sturm tomorrow, and get back to you. I think the Town Board meets next week. They don't have a deadline. I can reach out to you tomorrow.

Jay Zeiger: Okay.

Daniel Gettel: I think that is where we are. In order to move forward we have to have it conform to zoning. I think Randy and Glenn need to sit down and hash out a lot of it, to make us more comfortable with where it is. Are there any comments from the board? We are still in the same place as last month. I don't want to keep kicking it down the road, but I think there are still some things outstanding. Jay I will reach out to you tomorrow,. Glenn if you can contact Randy. Randy is away I believe.

Jay Zeiger: He will be back next week.

Daniel Gettel: You said you are on the ZBA agenda for March.

Ben Halberstan: Yes.

4) Application for an amendment to an approved Site Plan for a Summer Camp to be located on Segar Rosenberg Road, known as Bethel Tax Map # 17-1-27.2, proposed by Mayim Tohar. (Zeiger & Wasson)

Daniel Gettel: Just so the board is aware, Randy did reach out to me about this quite a while ago. They have been proposing a number of variations on the redesign of the dormitory buildings. Right now they are talking about consolidating two approved dormitories into one structure. I told them that would just have to come back to us for amendment for a previously approved site plan.

Jay Zeiger: That is all we are asking for.

Daniel Gettel: Keep it simple. So the board is aware there have been quite a number of

improvements made over the years. They have been building a number of the buildings. A number of the buildings are in, it is either the Mikva or the Shule, and the main buildings themselves have been started. They are all in different degree of completion I believe. They did do a lot of the landscaping. They did do quite a bit along the road. We do have pictures of that. They are now asking us....you see the void on that map there was a building proposed for that.

Jacqueline Ricciani: No change in occupancy?

Jay Zeiger: No change in occupancy.

Daniel Gettel: If we approve it tonight I would suggest that we grant the application an amended site plan approval with the same conditions previously imposed with the understanding that the population numbers will not change

Jay Zeiger: The original proposal was two dormitory buildings, 50 people each. The amendment is one dormitory building for 100 people, 100 campers.

Daniel Gettel: Everything else is the same. There is no change in population.

Jacqueline Ricciani: There is also a note on the map to move the basketball court?

Jay Zeiger: What happened is....over here was the basketball court, originally it was proposed out in the middle of the woods. The final approval is here.

Daniel Gettel: The final approval... I have is that the basketball court is somewhere in woods.

Jacqueline Ricciani: No, it is exactly in the same place as it is showing on this map today. I have the map from January that shows the basketball court is still by the Shule. This is from January 2018. I am pretty sure this is what was approved.

Daniel Gettel: It doesn't matter to me because regardless it is well off the property line, it is well within the boundary of the property line. I think the Building Department had already approved it in the new location.

Glenn Smith: They came back in January 2018.

Daniel Gettel: Now it is tucked behind the Shule, I don't see it as an issue. Does anyone have an objection to that?

Jacqueline Ricciani: I see where it is, over in the back. Is that part of this?

Jay Zeiger: I'm not sure, as we are speaking as to when the change was discussed and approved. Dan may be right that it was approved by the Building Department. The final location of the basketball court is back here behind the Shule, and that is what is shown on this map. So, maybe to clarify all doubt, as part of this amendment we would ask to approve the location of the basketball court in back of the Shule.

Daniel Gettel: Jacy the basketball court was relocated in the Building Department. I don't have a problem with it. I think that is how it was handled.

Jacqueline Ricciani: They are coming here for a modification.

Daniel Gettel: We will include it in there, but I think there was a question of where they were proposing it. We have a short EAF. Glenn, I think before we make a decision I have to do Part 2?

Jacqueline Ricciani: I don't think it is a substantial change.

Daniel Gettel: I don't think we have to bring the public back into it, but there is a question of when we make a decision do we need an EAF. The Part 2, there is no significant environmental changes, it is us making the decision.

Susan Brown Otto: Is the building the same height?

Daniel Gettel: It is longer, a little bit taller I think. The new building size is on there.

Garrett Wasson: It is 50 foot x 150 feet.

Glenn Smith: This building is less than two combined prior buildings.

Daniel Gettel: It is a little longer and wider, but the floor plan is better. Are there any questions from the board? It's been kicking around for years in different variations for the same proposal.

Motion to grant the application an amended site plan approval, with the same conditions previously imposed and the understanding that the population numbers will not change by Robert Yakin, second by Wilfred Hughson.

Roll call vote:

Robert Yakin – Y

Susan Brown Otto – N

Wilfred Hughson – Y

David Slater – N

Daniel Gettel – Y

Motion passed 3-2

Motion to adjourn by David Slater, second by Susan Brown Otto

All in favor - 5

Opposed - 0

Agreed and carried

8:50 pm.

Respectively submitted,

Jannetta MacArthur

Recording Secretary