

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 November 2, 2015 at 7 PM at the Dr. Duggan Community Center, 3460 State Route 55, White Lake. 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, Wilfred Hughson, David Slater, Robert Yakin, Alternate, Bette Jean Gettel, Code Enforcement Officer, Jacqueline Ricianni, Attorney, Vicky Vassmer-Simpson, Liaison, Glenn Smith, Engineer, and Jannetta MacArthur, Recording Secretary.

Pledge to the flag

Full board in attendance

***Motion to approve the minutes from the October 5, 2015 meeting by Steve Simpson, second by Mike Cassaro***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***

***1) Application for license renewal with Site Plan review to operate a transient campground with an occasional or temporary commercial outdoor recreational facility, August 12, 2016 through August 14, 2016 located on Yasgur Road, known as Bethel Tax Map #: 25-1-14.1 & 15, proposed by Jeryl Abramson Howard.***

Daniel Gettel: Jeryl if you would like to make a brief presentation. Let us know if there are any changes from last year.

Jeryl Abramson: There is going to be a stage here now (showing on map). I just want to renew my permit.

Daniel Gettel: There were actually two stages last year, the site plan only showed one I believe.

Jeryl Abramson: There is a stage in the woods that has always been there. Now there is a stage out here, which is sometimes here, sometimes here, it moves. It is going to be temporary, no footings, it moves in, it moves out, it is a 20 x 20 stage and has no affect on anything.

Daniel Gettel: You and I have discussed this in the past. It can't be within 150 feet of a property line. As far as location goes, that is the only stickler.

Jeryl Abramson: Not a problem. So, am I renewed now?

Daniel Gettel: I have a procedure I have to run through, you are aware of that. This is the second application that this board has seen for the renewal of a license for a camping event with outdoor recreation under the revised code. What differs from the other application is that this applicant does not feel she has proposed any substantial changes to the site or the operation of the event. If we find that this is the case we can review this as a request for a renewal of a license under Section 120-3(D). This section reads as follows:

*(1) Any person to whom a license has been issued pursuant to this Section 120-3, may seek renewal of that license in a subsequent calendar year provided that:*

*(a) An application is filed with the Code Enforcement officer seeking a renewal of the license in question*

In this case a new application was filed.

*(b) The application fee is paid*

As a board we do not get into fees, but it is my understanding that what was left of last year's escrow account was used for this year's application fee. BJ, correct me if I'm wrong.

Bette Jean Gettel: You are correct.

Daniel Gettel: Continuing reading.

*(c) The application relies upon a previously approved site plan with no substantial changes proposed*

The applicant has provided us with copies of a Site Plan that are markedly the same as the one approved last year. We will discuss the substantial change question later.

*(2) Evaluation by Planning Board.*

*(a) The Planning Board may renew a license if, in its sole discretion, it determines that:*

*[1] The applicant conducted the use in accordance with the terms of the license, the approved site plan and the applicable requirements of this chapter*

The Town did not receive any complaints or note any problems leading up to or immediately after the event happened last year.

*[2] The approved site plan was and will continue to be satisfactory in addressing its statutory purposes as delineated at Town Code § 345-31B*

When this plan was reviewed last year it was determined that it met this Site Plan review section of the zoning code.

*[3] The transient campground or RV park is not a potential source of danger to the general public health and safety or the health and safety of the occupants of the campground or RV park; and*

Again, we had no complaints about the operation of this site in the recent past. We have also had no indication that it is a potential source of danger. The event is operated under a Management Plan previously approved by, and on file with, the Town. This plan addresses, amongst other things, site security.

*[4] The application for a license renewal does not contain any substantially new elements that compel a new site plan or the substantial amendment of the previously approved site plan.*

The main thing that differs from this year's to last year's Site Plan is the indication of a second stage. We were aware that there were two stages last year, but the second stage was not shown on the plan. In the past I have indicated that the stages shall not be located within one hundred and fifty feet of a property line and that I was more concerned about the setback than the number. This is not to say that we would support the applicant adding stages as she sees fit. The Site Plan she provided shows only two stages. Both of the stages are located well within the bounds of the property and the fact that a second stage was added did not result in an increase in the number of parking spaces or double the amount of tickets that were offered for sale. By showing the second stage the applicant has cleared up an issue that we were aware of and the indication does not constitute a substantial change. This application can proceed as a renewal of a license.

Daniel Gettel: If an application for a renewal is based upon a previously approved Site Plan that does not have any substantial changes I understand we are not required to submit the application for a 239 review. This is based upon my discussion with the Town Attorney and the County.

Daniel Gettel: Under Section 120-3(D) 3 we also have the right to waive the requirement of having a new Public Hearing for the renewal of the license. This application has been subjected to a number of Public Hearings over the years. In recent years not only have we not received any negative comments during the public hearings, but also as a Town we have not received any recent complaints about the event while it is happening.

Daniel Gettel: We spoke before the board meeting, and at this time I would entertain a motion that we treat this application as a renewal of a license and waive the requirement of a new Public

Hearing.

***Motion to treat this application as a renewal of a license and waive the requirement of a new Public Hearing by Steve Simpson, second by Susan Brown Otto***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: We do need to act on SEQR each year regardless of whether this is a new application or a renewal of a past license. This is an Unlisted Action, so a coordinated review is not required.

Daniel Gettel: Glenn, do you suggest we do Lead Agency?

Glenn Smith: Yes

***Motion to act as Lead Agency for this Unlisted Action by Mike Cassaro, second by David Slater***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: As Lead Agent, we need to run through Parts 2 and 3. Part 1 of the Long EAF has been on file with the Town for quite a while now, so I do not feel it is necessary to read that into the record. It is the EAF that we used last year to approve the project. Again, that is part of the code that we are allowed to rely on record documents. Part 2 and Part 3 are the parts we have to complete as a board, and I will run through Part 2 at this time.

Part 2

1. *Impact on Land: Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site.*

No, this is a use that has occurred on the property in the past and any required site improvements would have already been completed.

2. *Impact on Geological Features: The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual landforms on the site (e.g., cliffs, dunes, minerals, fossils, caves).*

No, there are no dunes, caves, or unusual landforms.

3. *Impacts on Surface Water: The proposed action may affect one or more wetlands, or other surface water bodies (e.g., streams, rivers, ponds or lakes).*

No. Although wetlands do exist on the parent parcel they will not be disturbed by any part of this proposed use.

4. *Impact on groundwater: The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.*

No, potable water will be supplied and no wastewater will be discharged into the ground.

5. *Impact on Flooding: The proposed action may result in development on lands subject to flooding.*

No, no new development has been proposed.

6. *Impacts on Air: The proposed action may include a state regulated air emission source.*

No, not to the extent listed in the examples.

7. *Impact on Plants and Animals: The proposed action may result in a loss of flora or fauna.*

No, this is a transient use that will occur over a long weekend. Any disturbances shall be short term.

8. *Impact on Agricultural Resources: The proposed action may impact agricultural resources.*

No, this site has not been used for agricultural purposes for years and the proposed use will not limit access to any adjoining agricultural uses. If approved, conditions will be placed on the license to lessen the use's impact on agriculture.

9. *Impact on Aesthetic Resources: The land use of the proposed action are obviously different from, or are in sharp contrast to current land use patterns between the proposed project and a scenic or aesthetic resources.*

No. The proposed use is permitted in this district and has occurred in the past.

10. *Impact on Historic and Archeological Resources: The proposed action may occur in or adjacent to a historic or archaeological resource.*

No, none of these exist.

11. *Impact on Open Space and Recreation: The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.*

No, this is not a parcel that is open to the public; no it is used for recreation.

12. *Impact on Critical Environmental Areas: The proposed action may be located within or adjacent to a critical environmental area (CEA).*

No, none exists in the Town of Bethel or in Sullivan County.

13. *Impact on Transportation: The proposed action may result in a change to existing transportation systems.*

No, not to the extent listed in the examples. This is a short-term event and the local roadways have been shown to be adequate to accommodate this use.

14. *Impact on Energy: The proposed action may cause an increase in the use of any form of energy.*

No, not to the extent listed in the examples.

15. *Impact on Noise, Odor, and Light: The proposed action may result in an increase in noise, odors, or outdoor lighting.*

Yes, for sound. I did consider that there will be an increase in site lighting, but I do not believe we have ever gotten a complaint about site lighting. We have to acknowledge that this is required for security purposes, that it is temporary in nature, and that the applicant has indicated her intent to operate the site as she has in the past, with no complaints regarding lighting.

- 15a. *The proposed action may produce sound above noise levels established by local regulation.*

No or Small impact may occur. If this license is application is approved it will be approved with the condition that the applicant be required to get a noise permit from the Town of Bethel Town Board to cover the outdoor recreation portion of the event. Again this event is set to happen over a long weekend.

16. *Impact on Human Health: The proposed action may have an impact on human health from exposure to new or existing sources of contaminants.*

No, they are not located within 1,500 feet of a hospital, nursing home, nor are we dealing with hazardous waste.

*17. Consistency with Community Plans: The proposed action is not consistent with adopted land use plans.*

No, this is permitted by zoning and the proposal use has happened in the past.

*18. Consistency with Community Character: The proposed project is inconsistent with the existing community character.*

No, this event has happened in the past, and the area has been known for this and similar uses.

Daniel Gettel: That is the end of Part 2. Part 3 is the portion of the Long EAF that we need to complete to summarize our findings. We have not determined that any action will have more than a small impact in the environment, and have pointed out that if we are to approve this application it will be conditioned that the applicant will need to get a noise permit from the Town Board. We also have to acknowledge that this use will be transient in nature and will occur over one long weekend. I therefore feel the proper finding is checking box, "A" which states, "this project will result in no significant adverse impacts on the environment and therefore an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued".

Daniel Gettel: At this time I will entertain a motion that we grant this application a negative declaration.

***Motion to grant application negative declaration by Steve Simpson, second by Susan Brown Otto***

***All in favor – 7***

***Opposed - 0***

***Agreed and carried***

Daniel Gettel: If we decide to grant the applicant's request for a renewal of a license I believe we would be approving it with the same conditions it was approved with last year. These conditions, modified for the 2016 season, would be as follows:

1. This license shall be valid for one concert series with camping to be held on specific dates, August 12, 13 and 14, 2016.
2. The applicant shall maintain liability insurance covering the event and camping. The applicant shall provide the Town of Bethel with a Certificate of Insurance naming the Town of Bethel as a co-insured party. The amount of said insurance shall be no less than \$1,000,000, as referenced in the Management Plan.
3. The contract information regarding security services, trash disposal and collection, sanitary services, potable water, EMTs and other service providers

listed in the Management Plan shall be provided to the Town of Bethel prior to July 12, 2016.

4. The applicant shall obtain, no later than July 12, 2016, all required Town, County, State and other Governmental Agency permits and approvals. This shall include, but may not be limited to, the New York State Department of Health, the New York State Department of Transportation, and the Town of Bethel Town Board.
5. The applicant shall, no later than July 12, 2016, provide the Town of Bethel with copies of, or e-mail links to, all ticket sales literature or sites which shall clearly indicate that fireworks, glass containers, illegal drugs, and pets shall not be permitted on the site.
6. The applicant shall otherwise comply with all other requirements previously imposed by the Town of Bethel and the courts.
7. The applicant shall, as necessary, act to insure that traffic movements on NYS Route 17B are not impaired by enacting the traffic control procedures outlined in the Management Plan.
8. The applicant shall permit the Town of Bethel Building Inspector and the Town of Bethel Constables to conduct site inspections to insure the conditions set forth in the Management Plan, the Site Plan, and this license are being honored and that all vendors possess appropriate licenses.
9. No open-air music events shall take place within 150 feet of any property line and shall be screened from adjoining dwelling uses. Any speakers shall face to the east, away from immediately adjoining homes and agricultural buildings and shall be angled down towards the ground. Amplified music shall not be permitted earlier than 10:00 am, nor later than 2:00 am.
10. The applicant shall take affirmative steps to mitigate any impact on agricultural uses by:
  - A. Ensuring that there is no trespassing onto adjoining properties.
  - B. Monitoring the buffer zones along any adjoining farmland to ensure that they are unoccupied by persons, vehicles, or debris of any kind.
  - C. Prohibiting the use of fireworks or creation of other similar noises likely to disturb farm animals and enforcing these restrictions at all times.
  - D. Erecting temporary fencing, only as required, to restrict entry to the site from adjoining properties and vice-versa. This shall be completed no later than August 4, 2016.

11. The site and surrounding properties shall be fully cleared of all events and camping related debris, equipment and temporary structures (including any stages) no later than August 22, 2016.
12. No temporary structures shall be constructed or installed within the bounds of the buffer zone for the wetland, which exists, on this property.
13. All fees shall be paid to the Town of Bethel prior to the issuance of this license.

Daniel Gettel: As I said, those are the same conditions as last year. This is a renewal of a permit that will be subject to the same conditions. Are there any questions from any one on the board?

Susan Brown Otto: The dates aren't mixed up. It is the 12<sup>th</sup> through the 14<sup>th</sup>.

Daniel Gettel: So I was right the first time.

Jeryl Abramson: Yes.

Daniel Gettel: I will adjust the dates in the conditions to match those. Are there any other questions from the board?

*None*

Daniel Gettel: At this time I would entertain a motion that we grant the applicant's request for a renewal of a license to operate a Transient Campground with Outdoor Recreation with the previously referenced thirteen (13) conditions.

***Motion to grant application for a renewal of a license to operate a Transient Campground with Outdoor Recreation with the previously reference thirteen conditions by Susan Brown Otto, second by Steve Simpson.***

***Roll call vote:***

***Mike Cassaro – Yes***

***Susan Brown Otto- Yes***

***Steve Simpson – Yes***

***David Biren – Yes***

***Wilfred Hughson – Yes***

***David Slater – Yes***

***Daniel Gettel – Yes***

***Approved - 7***

***Opposed - 0***

***Agreed and carried***

***Motion Carried 7 – 0.***

Daniel Gettel: Jeryl, like I said it is not a perfect process, but it is a process we have to live with.

Jeryl Abramson: We are working on it.

**2) Application for a Special Use Permit for a Summer Camp to be located at 300 Segar Rosenberg Road, known as Bethel Tax Map #: 17-1-27.2, proposed by Camp Mayin Tohar. (Wasson)**

Daniel Gettel: Mr. Wasson and Mr. Zieger presenting. Randy, before you guys start, we did receive some correspondence. Last time we had a meeting we did have a public hearing which we kept open for ten days for written comment. We did receive two items during that time period and I think we should receive and file those. The Planning Board has had a chance to look at these letters.

**Motion to receive and file correspondence from Aida Frede, dated September 15, 2015, and correspondence received from Artie Cipoletti, dated September 22, 2015 by Mike Cassaro, second by Susan Brown Otto**

*All in favor – 7*

*Opposed - 0*

*Agreed and carried*

*Robert Yakin, Alternate not seated, excused to go to fire call at 7:50 pm.*

Daniel Gettel: Do you want to give a brief presentation?

Jay Zieger: Sure. We had a public hearing as you know, at the September meeting. And the letter you mentioned from Ms. Frede had been in the package that was sent to Randy and I before tonight. First the second letter from Mr. Cipoletti, we didn't see, but we had seen his earlier correspondence, and the Chairman was courteous enough to show us that letter now, and I don't think it changes our response. Randy and I actually both prepared a response to the comments from the members of the public. I had submitted it by letter dated October 19<sup>th</sup>, and Randy's letter was also dated October 19<sup>th</sup>. What we did in those letters, we went through all the different items that the members of the public had expressed concerns about. We responded to those. Some of the bigger comments were the comments from Ms. Frede's concern was what we were doing at this site, closer to her property that we were using her property as a buffer, as you will, for the use that we are contemplating. Whatever new buildings we are constructed will be constructed well within, or outside of the required setbacks. We were not using her property as a buffer. We were using the setback requirements that applied to properties in this district. Mr. Cipoletti was concerned about the septic system. I believe he was the gentleman that indicated he had some engineering experience, and we pointed out again that the current system that exists is not what will be used for the project. It will be used after it is substantially reconstructed and renovated. Randy has gone through the details of how it is going to be reconstructed and renovated and those plans have been reviewed and approved by the Health Department. In the

current letter Mr. Cipoletti invites the County Health Department to come take a look at what exists, and looking at what exists is really of no use, because what exists now will be totally renovated if this project is approved. The Health Department will come to take a look at it to make sure that the renovations are consistent. We have been here well in excess of a year. We have had comments from the Planning Board over that period of time. It has been over a year since we actually received our negative declaration, allowing the use of the property as a camp. There has been discussion that maybe this is an expansion of a bungalow colony. We previously submitted and we went through an analysis as to what the definition of a bungalow colony is, under the Town of Bethel code. I think it is clear that what we are proposing is not within that definition entirely. We represented to the Health Department, we represented to the Planning Board, what we are operating is a camp for religious education, with recreation to go along with that. We are not in expansion of a bungalow colony in any way shape or form. I think we meet all your requirements of a camp under your zoning law. We have addressed that issue many times. There has also been a concern about the population of the camp. Randy in his current submissions has submitted with all of the different buildings and number of occupants. Our approval from the Health Department is at 132 persons, 100 campers, and 32 staff and family. The camp is required and obligated to meet those requirements. In Randy's submission he will explain where those 132 people will be residing. There was concern of how that would be enforced. I addressed that in one of my letters. If anyone wants clarification on that I can, but we also discussed that at the public hearing. I think we meet all of the requirements for a special use permit. We are zoned for allowing a summer camp, and we meet all of the zoning requirements, setback, and other items. We added recreation facilities based upon the request of the Planning Board. We added landscaping based upon the request of the Planning Board. I am happy to answer any questions if you feel that you asked and we haven't addressed. I am happy to address that.

Daniel Gettel: I am just adding up the number of occupants, and they do add up to 132. I know we specifically requested that you look at recreation because a lot of the recreation did not meet the requirements of today's standards, being in the front yard, right on the road. It is just not permitted any longer. But I know you are not passionate about providing certain recreational facilities. We spoke as a board earlier. We are getting a little bit of push back from the public about the ball field. If you are not passionate about having a ball field we would be willing to ask you to remove the ball field from the site plan. If you don't feel you need it or want it I think the public would be happier if you don't have a ball field. I would request that if we approve this tonight, that the site plan that is submitted does not have a ball field.

Randy Wasson: That is fine with us.

Daniel Gettel: Are there any other comments from the board?

David Slater: Mr. Chairman, you know I have been pretty adamant about my feelings, and I disagree with Jay when he says it meets all of the zoning. I still go back to he claims it is a summer camp. Our zoning says therefore they cannot have family members stay in the camp. It is a zoning issue. I feel it is against what the zoning is whether Jay agrees with me or not. It says a summer camp shall not include temporary or permanent shelters, structures designed for use or occupancy by family members of the children who attend this summer camp, or employees who

work there. If nothing else, it is a zoning thing. I feel they are in direct violation of the zoning definition.

Jay Zieger: May I address that? We have actually submitted a letter in writing addressing that issue. For the benefit of reviewing what we have submitted. The zoning law that you read was adopted, if my timeline is right, we had a negative declaration, this application was submitted in front of the Planning Board probably close to a year, in June 2014 there was a negative declaration for this project. We then went to the Health Department, working on getting their approval, at the request of the Planning Board, they said go get your third party approvals. For your septic, the DEC, and whatever other third party approvals you need. Subsequent to granting a negative declaration, we were in that process, and came back in October 2014 several months after the negative declaration was issued, after substantial investment had been made in getting this approval by way of property acquisition, when that rule did not exist, by way of engineering, attorneys, and other third parties to get that approval. I submit that the change in law would not have an impact on a preexisting property that had submitted, and had a significant investment, I take substantial issue with that law whether it exists or not, because there is no land use benefit for that law. The land use, that law is saying in essence you are still limited to 132 people. That can be in one building, it can be two counselors, two rabbis', it can be a rabbi, and a kitchen worker, it can be two counselors, but it can't be a husband and wife. The same number of people will be there, whether they are a husband and wife, or whether there are two rabbis, or two counselors, or two staff members, there is no land use benefit to that law. We take issue with the law. We feel it is an unconstitutional law, but we don't need to argue that in this particular case because in this particular case we believe that our application was vested significantly prior to the adoption of that law, and therefore it doesn't apply to this application.

David Slater: I understand that, but back to my point is, we have a Zoning Board of Appeals, which I have mentioned a couple of times. Our job is not to interpret the zoning law. We are here to make sure the law is followed.

Jay Zieger: I am not asking you for an interpretation.

David Slater: You are asking me to interpret the law.

Jay Zieger: I am not asking you to interpret to the law. I am not asking you to determine whether the law is constitutional or not. I am stating that in our .....

David Slater: You are asking me to follow your opinion.

Jay Zieger: You may want to consult with your attorney on that question. I believe that this application is fully vested, and had vested rights well before the Town Board adopted this law. That is our strong opinion. If you want to discuss that with your attorney....

Jacqueline Ricciani: Let me get my notes. We did discuss this at the September meeting.

Daniel Gettel: I'm not sure that your timeline is correct.

Jacqueline Ricciani: I disagree with Mr. Zieger.

Daniel Gettel: I think what you are saying is correct, I'm not sure your timeline is necessarily correct. You may be off when things were purchased and when things happened, but the application was submitted prior to the zoning changing.

Jay Zieger: And the negative declaration was adopted...

Daniel Gettel: I don't know that Jay.

Jacqueline Ricciani: Your client purchased the property before the negative declaration.

Daniel Gettel: That we know.

Jay Zieger: My client purchased the property before the negative declaration, the negative declaration was granted both before the law was active.

Jacqueline Ricciani: Right, but in the past you have taken the position that you relied on the negative declaration when completing the purchase of the property.

Jay Zieger: I never said that.

Daniel Gettel: Perhaps you misspoke.

David Biren: We got a letter on that.

Jacqueline Ricciani: Nonetheless...

Jay Zieger: That is not my position that is not the position I stated today. If I said something contrary to that, then I misspoke. We relied on the zoning code that existed at the time my client acquired the property, and at the time we acquired the property, and the time the negative declaration was issued that law did not exist. That is my position.

Daniel Gettel: Glenn, I think you had a comment before the meeting, that you had one thing you wanted to discuss?

Glenn Smith: The ball field and the NYSEG Easement. It was going to be an encroachment, which is no longer an issue.

Daniel Gettel: Randy and Glenn, the storm water basin shown on the plan. I am assuming it is fenced in?

Randy Wasson: Yes, if it is over four feet deep or more.

Daniel Gettel: Since it is a children's camp I would say it should be fenced in.

Randy Wasson: It should definitely be fenced in.

David Biren: The kitchen/dining. It shows a dumpster back there. Is that within the 150 foot?

Randy Wasson: We can relocate the dumpster.

Jay Zieger: Do you have a proposed location?

David Biren: No.

Daniel Gettel: If we approve this you are going to submit a new site plan with no ball field, just relocate the dumpster out of the setbacks. David, would you be okay with that?

David Biren: Yes, I would also like to know how far the storm water basin is from the kitchen/dining? You may want to move it a little bit that is why I am asking that question.

Randy Wasson: I think what you are looking at is the top contour, which is not the outline of the total thing.

David Biren: The fence is real close to this dining room.

Randy Wasson: The fence would be inside that line. That is the outside of the contour. The fence would be well away from the building.

Daniel Gettel: Any other comments from the board?

*None*

Daniel Gettel: Jay, on September 8<sup>th</sup> I asked Randy, and this is in the minutes from last time, and I think you replied that you would clarify this. On September 8<sup>th</sup> I asked Randy if there were any improvements made on the site. Randy said he didn't know, but when we discussed it we agreed there were some permits that were taken out.

Jay Zieger: He did respond in his letter of October 19<sup>th</sup>. This is a copy that was sent to me.

Daniel Gettel: We didn't get it.

Randy Wasson: We gave you plans. We gave you photos of the shule.

Daniel Gettel: It was attached to the plan that we received tonight? Maybe there is a copy floating around in the file.

Randy Wasson: We just sent one cover letter.

Jay Zieger: My copy was sent to me, I can't vouch... BJ has the letter sitting there.

Jacqueline Ricciani: It is just a cover letter.

Daniel Gettel: Reading letter from Randy Wasson in the record dated October 19<sup>th</sup>. I think Jay had probably cleared this up at the last meeting.

Randy Wasson: They are not intended to have full kitchens, but the Health Department required that we include it as if they did have full kitchens. They will have a refrigerator, a sink, and a microwave. No stoves, but they asked us to include it as if they did.

Jay Zieger: When the Health Department did their calculations they counted as if there were stoves.

Daniel Gettel: That is what I took from the last meeting.

Jay Zieger: When The Health Department does a calculation on your septic system they base it on the number of bedrooms, and when they calculate the number of bedrooms, for a normal one family house, the number is 110 gallons per day. You remove the washers and dryers because they are not on site. They reduce the 110 to 93.5 gallons per day. If the Health Department accepted there would be no kitchens the 93.5 gallons per day would be lower, but they didn't. They said we are treating as a full kitchen even though you may not have one so in calculating the design of the septic and the number of persons they use 93.5 gallon per day. Had they used the lower number the 132 persons could have been higher. I think I understood that explanation.

Jacqueline Ricciani: Some staff will be dining in their bungalows and not in the dining hall?

Randy Wasson: They have the option. They definitely will be in their bungalows on occasion.

Jay Zieger: The staff is allowed to dine in the dining room for 100% of their meals. If they choose not to use the dining hall, that is their option.

Randy Wasson: The Norway Spruces were changed to Sugar Maples.

Daniel Gettel: Jay, when Randy and I spoke about improvements at the site Randy said he didn't know but we spoke about permits being taken out, and we knew there were permits out for jacking up the buildings, repairs to the existing electrical, and some improvements to the units. That was a fine answer. I then asked him if the sewer had been brought up to standard, and again he said he didn't know. Again, a great answer.

Jay Zieger: Who didn't...?

Daniel Gettel: Randy didn't know if the sewer was brought up to standard. The problem that I have, and one of the reasons I think this project may have gone awry, is a trust issue. Randy submits a letter tonight saying there was no occupancy last year, but on July 17<sup>th</sup> of this year you signed a petition to the Supreme Court stating that it was operated as a summer camp. Now it can't be both. It was either occupied, or ....

Jay Zieger: I signed a petition?

Daniel Gettel: Jay, did he petition the court? I think this is one of the problems. You say at the meeting that you have no idea. The applicant said he was operating as a summer camp at our meeting. We know the sewer wasn't improved. We know there were no permits issued by the Health Department, but you are saying it is occupied.

Jay Zieger: I'm not telling you that.

Daniel Gettel: That petition said it was occupied as a summer camp for the 2015 season on the fourth page. I am not trying to give you a hard time, but it leads to why some of the board members are having a hard time with this. We are told one thing, and then it is something else. Let me show you where. Number 8 (reading from petition) "the entire property is totally exempt and is being used for religious and or charitable purposes and being used as a children's summer camp for orthodox Jewish children".

Jay Zieger: I admit that the language is not accurate. These things are.... what this is in conjunction with is for an application for a tax exemption for the property. To get a tax exemption for the property you have to have the property used for a tax exempt purpose.

Daniel Gettel: Couldn't you wait until it was actually used?

Jay Zieger: For a tax exempt purpose, under the New York State regulations, you have to have concrete plans to use even though it is not actually being used for that purpose, under the tax exempt regulations. That is how I believe the law reads. If you have concrete plans to use something and you can demonstrate that you have plans, even though it is not actually being used, the concrete plan satisfies the requirement. That is an application for a tax-exempt purpose; it is not to mislead the Planning Board in any way.

Daniel Gettel: Wouldn't it make sense that you pay your taxes this year and when it is a summer camp go for the tax exemption? Isn't that how it should have been done?

Jay Zieger: Under New York law that is not required nor is that a proper reason to grant or deny an application.

Daniel Gettel: Jay, you must see my point. It can't be both ways. Either the sewer has been fixed in regard to the standard, or it's not occupied. And moving forward...

Jay Zieger: In order to open as a summer camp the septic system has to be fully brought up to date in accordance with the plans that the Health Department approved.

Daniel Gettel: When I asked on September 8<sup>th</sup>, you said you didn't know, you turned to the applicant, and they said yes it was used last year.

Jay Zieger: Not as a summer camp.

Daniel Gettel: You didn't specifically say that.

Jay Zieger: It was used for.... it wasn't used to mislead, it was never used as a summer camp, and it can't be used as a summer camp unless we get a special use permit.

Daniel Gettel: It shouldn't have been used at all until the Town had a chance to inspect it. That is not for me to say, I am not Code Enforcement.

Randy Wasson: One question I have Dan, when you say last year, are you meaning last summer?

Daniel Gettel: 2015.

Randy Wasson: At the time of the meeting when you asked the question, I didn't know the answer.

Daniel Gettel: As I said, you gave me a perfectly fine answer, you didn't know.

Jacqueline Ricciani: So, this past year it was occupied by workers?

Bette Jean Gettel: No one was staying there. I drove by on a regular basis. They came to work during the daytime and left in the evening. They did not spend the evening.

Daniel Gettel: I'm saying that is why there is mistrust with this application. I can't pin it on the applicant. I can't say the applicant doesn't have the right to use his property, enjoy his property. It just smells bad. This has been going on since day one with different issues like this. We are told all of the permits are in line, but Mr. Cipoletti sends a letter to the Health Department questioning that and Mr. Illing responds we never gave them a permit for any of that, so not all of the permits are in line. I know what you are going to say, and I agree with you, but that is not the way it sounds when it is presented to the board.

Randy Wasson: I never said that the Health Department gave us a permit....

Daniel Gettel: Mr. Cipoletti, one of the neighbors, left the public hearing with the idea all the permits were in hand.

Randy Wasson: I think I was pretty clear, when I went down the list when I was at the Public Hearing at the prior meeting. As you know, the DEC is the one that permits the treatment plant, the permit was preexisting, and it had been renewed. The ownership had been transferred, all in accordance with their requirements. They are satisfied. They also looked at the proposed improvements to the sewer plant, as did the Health Department. Both engineers are satisfied with the improvements that are shown on the plan that you have.

Daniel Gettel: Would you say, at the point in this process, do you feel you have the permits that you need?

Randy Wasson: Yes, subject to Planning Board approval, then we can do the work.

Daniel Gettel: I understand that, having been in your business presenting applications. I don't know if the board is aware that when you say you have the permits in hand you can only take the project to a certain point before you get the approval of the town. I think you are at that point, but that doesn't necessarily mean you have all of the permits that you are going to need to operate a summer camp.

Randy Wasson: I don't.

Daniel Gettel: I think that is fair to say. And you haven't been issued specific plans to repair the septic system.

Randy Wasson: We have specific approved plans that we have given to the DEC and the Department of Health, which they reviewed and approved for the septic system. So we have approvals.

David Biren: Its conditional approvals.

Randy Wasson: Their SPDES permit is the permit.

David Biren: But you are not an active Camp.

Jay Zieger: We are not an active camp.

David Biren: But you say you are an active camp.

Jay Zieger: Again, we are talking about different criteria. Our argument is that for the use as a camp, under the tax exemption regulations, we satisfied that requirement.

David Biren: Under the eyes of New York you are an active camp.

Jay Zieger: Eyes of New York Law for what is required to get a tax exemption for use as a camp, yes, in my opinion we satisfy that. Your assessor may not agree. I haven't spoken to her, and the town has not agreed to that petition and that will be for a court to determine, under the tax-exempt laws. The requirement for a tax exemption, for operating as a tax exempt, is satisfied. It is a different use then actual use in occupancy. It is a different definition. Dan, I don't think we are trying to mislead anyone.

Daniel Gettel: You may not be doing it intentionally but it has been happening all along with this application. We have been saying all along it is like a shell game. Here a rabbi, there a rabbi, there are rabbi's everywhere. We have finally pinned down where they are. I am willing to move on with the long EAF. Randy, Glenn and I spoke before the meeting, and since we requested a new EAF to conform to the revised plan, do you agree we should run through Part 2 again? I don't think it is going to change anything.

Jay Zieger: In my opinion, the negative declaration...

Daniel Gettel: I don't have an issue either way. I have it if you want to run through a new one I have it done. If you don't want to, we can rely on the old one. I am not an attorney. I don't have an opinion on that.

Randy Wasson: The original should suffice, especially when you take the ball field out of the equation.

Daniel Gettel: Are there any comments from the board? I don't mind not reading these two to three pages. We can rely on the other, the last time we ruled on the environmental, and they got a negative declaration.

Susan Brown Otto: That is 2014?

Jacqueline Ricciani: Right. That negative declaration stated that the septic issues would be rectified. It was not based on what was presented with certain conditions.

Jay Zieger: It was based on our application, which includes the renovation and upgrading of the septic system.

Daniel Gettel: That is what we would normally rely on. What came up last time, to a small to moderate impact, was that most construction projects have an impact is on land. You stick a shovel in the ground and you are impacting the land. Number 3 was an impact on surface water. Randy, we were talking about disturbing the banks of the brook and we determined that the brook was no longer an issue that was also a small impact. Impact on ground water found that the proposed action required new well water sources, or create additional demand on water supplies from existing water supply wells. That is not necessarily true because at its hay day this bungalow colony probably used the amount of water that the SPDES permit is for. I assume they used much more water at the time. I don't have a problem relying on the old EAF as long as everyone is in agreement that it is acceptable. Nothing stands out. Last time we stated that the proposed actions land use components may be different from land surrounding and patterns. I don't think that has changed.

Susan Brown Otto: Because the plan has changed so much, the date of the negative declaration, is that the plan with the 8,000 square foot shule?

Daniel Gettel: It is the same plan. They waived their requirement that we act within 62 days, I believe. The EAF doesn't go away and it does conform to this plan. It was done before the recreation was included. I asked Randy to update it because of the recreation. It was more of a site disturbance.

Daniel Gettel: What Glenn is forgetting, what he wanted to mention was one of the requirements was that a landscape architect stamp the plan. That is what Glenn and I spoke about before the meeting. If we were to approve this the plan would need to be stamped by a landscape architect.

Susan Brown Otto: Is it going to be bonded?

Daniel Gettel: Jay, we typically ask the applicant to install the landscape prior to receiving any Certificates of Occupancy. We ask for a \$1,500 bond given to the town to insure that the plantings survive for at least a year and that they are properly maintained for at least the first year. That is the standard. We did that with Dunkin' Donuts and Dollar General. It is to replace the trees if your client doesn't replace a dead tree we have the right to go into that fund and replace that tree.

Jacqueline Ricciani: How long do you want that bond?

Daniel Gettel: A year. I don't think it is long enough but it is hard to keep track if it is longer. Are there any other questions?

Daniel Gettel: As Mr. Zieger pointed out this is permitted as a Special Use. Section 345-30 of the Zoning Code outlines the Special Use Procedures and Paragraphs I & J are the two that I typically read into the record when Special Uses are proposed. If there are no other comments from the board, I will read them at this time. I try to tailor my responses to my feel for what the board is saying, if anyone disagrees with what I say, please feel free to chime in.

*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.*

The existing buildings are to be renovated and the majority of them are to be used as staff housing or storage. New buildings are to be constructed along the rear of the property, well beyond the view of most passersby. The proposed buildings have little in common with those already on the site, but their appearances are similar to those of other camps in the area. Lighting is residential in nature and should not be an issue. Signage shall be kept to a minimum as the applicant has indicated his desire to simply replace the existing single sign.

Daniel Gettel: Randy, just a jump back, there is a light shown on the plan, was that on the previous plan?

Randy Wasson: I believe it was.

Daniel Gettel: Okay.

*(2) Storm drainage, flooding and erosion and sedimentation control.*

The applicant has completed a drainage plan, which should lessen any impact this development would have on surrounding properties. Sediment and erosion control measures must be in place prior to any construction-taking place at this site.

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

There are adequate community services to accommodate this use as far as police protection; emergency services and the education system are concerned. Municipal sewer services are not available in this area, nor are municipal water services. On-site sewer and water services shall be approved and monitored by the New York State Department of Health.

*(4) Environmental impacts in any form.*

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

*(5) Impacts on housing availability.*

There will not be a negative impact on housing availability.

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

Again, Summer Camps are permitted by zoning as Special Uses. This site has been operated in the past as a bungalow colony, a similar use. There are no anticipated changes in the level of noise, lighting spill onto adjoining, or odors. Recreational facilities shall not be illuminated for night play

Daniel Gettel: Jay, we have had a lot of problems with a number of camps, softball at night, so we do not illuminate our recreation.

*(8) Impacts on nearby property values.*

It has not been demonstrated that the proposed use will have a negative impact on nearby property values.

*(9) Traffic impacts (see § 345-22H).*

A limited number of off street parking spaces have been proposed as part of this application. This would indicate that the site is intended to be used by the camp population only and not by outside users. If approved this would be a condition of approval. The adjacent roadway will see an increase in truck traffic as required to supply the kitchen and to meet the needs of the proposed camp, but the applicant has indicated

that the kitchen is only intended to serve the needs of the camp occupants, not outside users. This would limit the delivery traffic to what is needed to sustain the.

*(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 other factors.

*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.*

Summer Camps exist in abundance not only in the Town of Bethel, but also in the surrounding towns. There is no deficiency of this use, nor is there an overconcentration in the immediate area.

*(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.*

An argument can be made that the renovation of a site to accommodate a new use may have a positive impact on the area, as the site might otherwise remain unchanged, unimproved, or possibly unmaintained.

*(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 use has not been determined 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 application was subjected to an environmental review and a negative declaration was granted. There may be a short-term increase in construction jobs, but no real impact on the economy, housing availability or open space preservation.

*(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 projected economic burdens on community services and the site improvements will allow for fire access to the newly proposed units.

*(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 site was operated for a great number of years as a bungalow colony. Bungalow colonies are no longer permitted in the Town of Bethel and the Planning Board is encouraged to consider alternate uses for these former colonies. Summer Camps are permitted in this zoning district as Special Uses.

Daniel Gettel: That is the end of the Special Use Procedures. I have tried to base these responses not only on my own experience with this site and my review of the plan, but also on the feelings of a number of my fellow board members. Any other comments before we move on?

Susan Brown Otto: I have a question, Will it have an impact on property values. I'm not an appraiser. I think it may have an impact on property values, the neighbor's property.

Daniel Gettel: A bungalow colony as opposed to a camp? I don't think so. Jay we have a number of conditions if this were to be approved. I think I based these conditions on what you stated on the record about the use of the camp and what you expect. These conditions would be:

- 1) The maximum number of occupants on this site shall not exceed one hundred and thirty two unless approved by the Town of Bethel Planning Board.
- 2) A note is to be placed on the Site Plan indicating that the Kitchen/Dining Room Building, the Mikva, and the Shule are proposed to serve the needs of the site occupants only and are not intended to be open to the public.

Daniel Gettel: I don't mean that a person from the public can't visit. You know what I mean. You have stated it is meant to serve the needs of the community.

- 3) The recreational facilities located within the bounds of this parcel are not to be illuminated for nighttime use.
- 4) The landscaping is to be installed and the applicant is to provide the Town of Bethel with a landscape bond, in the amount of \$1,500.00 to insure that any landscaping in and

around the project site that does not survive the first year after the start of operation be replaced and/or properly maintained, prior to the issuance of any certificates of occupancy for the buildings.

- 5) Prior to the Town of Bethel issuing any certificates of occupancy the Planning Board Engineer is to complete a site inspection to verify that the site improvements have been installed in substantial compliance with the approved Site Plan.
- 6) The landscaping plan is to be stamped by a licensed landscape architect.
- 7) All fees be paid

Jay Zieger: All those conditions are agreeable.

Jacqueline Ricciani: Did you mention that all landscaping be installed before Certificate of Occupancy are issued?

Jay Zieger: I thought he said that.

Daniel Gettel: Prior to issuance of Certificate of Occupancy. It should be installed and bonded prior to the Certificate of Occupancy. Jay, you think they are agreeable? I think they are based on what we discussed here.

Jacqueline Ricciani: All necessary permits, etc.

Daniel Gettel: We should add a condition that prior to operation all required agency permits are issued.

- 8) Prior to operating the site as a Summer Camp the applicant shall acquire all required Town, County, State and other Governmental Agency permits and approvals. This shall include, but may not be limited to, the New York State Department of Health, the New York State Department of Environmental Conservation and the Town of Bethel.

***Motion to grant this application a Special Use Permit, with the previously mentioned eight conditions, by Mike Cassaro, second by Steve Simpson***

Bette Jean Gettel: If you are voting against this motion, please explain why.

Roll call vote:

***Mike Cassaro - Yes***

***Susan Brown Otto: No. Our Town Code Section 345-5, paragraph 87, "A summer camp shall not include temporary permanent shelters, buildings and structures designed for use or***

occupancy by family members of the children attending the summer camp of the employees who work there". I appreciate that the property was purchased before the new law went into effect, however, I do not agree that you had a vested interest in the property. Also by the time the town law was passed there was a whole procedure; there was a public hearing, etc, a number of months before it was passed. It is my understanding we are using the current law, and not the law when the property was purchased.

**Steve Simpson: Yes**

**David Biren: Yes**

**Wilfred Hughson: Yes**

**David Slater: No.** Basically for the same reason as Susan. I have been saying all along that I believe it is a violation of the zoning. I read it before and I still stand by it.

**Daniel Gettel: Yes**

**All in Favor – 5**

**Opposed – 2**

**Agreed and carried**

**Motion carried 5 – 2.**

Daniel Gettel: Jay, I recognize the right of your applicant to use the property as a summer camp. This is your chance to be good neighbors. Good luck.

Jay Zieger: Just to respond to this. Camp Mayin Tohar has several camps throughout Sullivan County. I have been in front of the Planning Board for them in Fallsburg, and twice a year for the last three to four years for improvements to their camp. They have a very good relationship with Fallsburg, and I am sure they will have a good relationship with the Town of Bethel. Thank you.

~~3) Application for a Special Use Permit for a Bed & Breakfast located at 263 Hurd Rd, known 21-1-1.12, proposed by Shelley Roberts. (Bovo)~~

~~Removed from the agenda at the request of the applicant~~

**4) Application for a Site Plan Review for a Summer Camp located at 212 Mount Hope Road, known as Bethel Tax Map #: 8-1-3.2, proposed by Camp Kasho. (Fisher)**

Daniel Gettel: Mr. Fisher, we are somewhat familiar with this because you were on the agenda last month. Some of us also go to the Zoning Board meetings. Would you like to give a

presentation, or would you like me to? This is more of an introduction, a preliminary introduction. The proposal has been in the works for a number of months, going back and forth between the Building Department, the applicant and myself. The applicant was granted interpretation of zoning by the ZBA, as the proposal is to tear down a two-story structure, and replace two buildings with one, with two single story buildings of a lesser total floor area. The Zoning Board of Appeals determined this should not be considered an expansion of a nonconforming use as the useable floor area would actually decrease. The only expansion would be the increase of the lot coverage. I feel the need to point out to the Building Department that this is an application where the Zoning Board of Appeals determined that an applicant was giving up square footage in one building to use that credit to build a new building in a different area. In this case the Planning Board wants to recognize that we are talking about legal useable floor area. We are not talking about, nor are we considering, nor would we want to consider, a case where the hired help are housed in an attic space above a casino and the applicant proposes eliminating that attic space from his overall footprint. I want to point out for the record we are talking about actual, useable, legal floor area that they are giving up in order to build this building.

Bette Jean Gettel: Right.

Susan Brown Otto: This is a bungalow colony.

Daniel Gettel: This is a summer camp, not a bungalow colony. It is a preexisting nonconforming use. This is an application for site plan approval. The proposed shule location is permitted. The existing shule could have been taken down and rebuilt in the same footprint without our review and approval. What is shown on the plan? Is that existing or is that proposed?

Herman Fisher: Existing.

Daniel Gettel: Can you show the proposed shule? It is slightly smaller?

Herman Fisher: Yes.

Jacqueline Ricciani: The casino is going to be the same, just going to be one story.

Bette Jean Gettel: Correct.

Jacqueline Ricciani: You have seen this camp before. They have a five-year plan to tear down and replace existing housing.

Bette Jean Gettel: They are trying to bring the facility up to code. What they currently have, 70% is what we call firetraps. Unfortunately last year they experienced that problem where they had a unit catch on fire. Luckily they didn't lose a second building.

Daniel Gettel: The site plan has to be updated. Glenn and I spoke that the site plan needs to be updated. If something is already built it should be shown as being built. We know that there is a

new synagogue across the street that should be shown. There is a men's mikva that is next to the swimming pool that was built. I don't know if it is new or renovated. That is not shown on the plan at all. Whatever buildings are there should be on the map. What I had suggested to the applicant is that he should review the site plan procedures, Section 345-31. He should review Section 345-16, which is the landscaping section, and Section 345-22, which is the parking and loading standard. I think we also spoke at the last meeting and at the work session that by right they can replace the casino in the same footprint. I therefore believe we should concentrate the majority of our review on the new kitchen building and the landscaping associated with the kitchen. Glenn, if you would please. Mr. Fisher, typically what we do is ask you to give Glenn a chance to look at the plan as our engineer. He will tell you what he thinks he needs. We have a little bit of a problem with the scale of the plan. It should be a convenient scale, but I am not going to ask you to redraw the plan. So the board is aware, summer camps are not permitted in the district so there are no zoning requirements for summer camps in the district bulk regulations. So, what we did was we took the most logical compatible building that is permitted in the district, there are a number of buildings where the public would gather, and those require a front yard of 50 feet, or 75 feet off the centerline of the road. We told them to use that standard for the setback off the road for the proposed kitchen. I believe previous plan showed the kitchen is over a 100 feet off the side yard, probably closer to 150 feet, but that number is not on the plan. It has to be posted. I'm not saying he is right up against the property line, it is relatively generous. I would suggest you (Mr. Fischer) give Glenn your contact information. Glenn, if you could get together with him. There are a lot of notes on this plan.

Susan Brown Otto: What about the septic?

Jacqueline Ricciani: This is just conceptual.

Daniel Gettel: BJ, do you have an escrow?

Bette Jean Gettel: Yes

Daniel Gettel: Next time you bring this to the Planning Board you have to have some of this updated. The next meeting is the first Monday in December. Mr. Fisher, do you have any questions for us?

Mr. Fisher: I have to take his comments (Glenn Smith).

Jacqueline Ricciani: Did you want to talk about sidewalks?

Daniel Gettel: Mr. Fisher, one thing we did speak about before the meeting is we would like to see a pathway from the dorms to the kitchen. They should not have to walk on the road. There should also be lighting.

Jacqueline Ricciani: That all needs to be shown on the site plan.

Daniel Gettel: Thank you Mr. Fischer.

Daniel Gettel: Is there anything else from the board? Vicky, do you have anything from the Town Board?

Vicky Vassmer Simpson: No, there is meeting this week.

*Motion to adjourn by Steve Simpson, and Susan Brown Otto*

*All in favor – 7*

*Opposed - 0*

*Agreed and carried*

*8:55 pm*

Respectively submitted,

*Jannetta MacArthur*

Recording Secretary