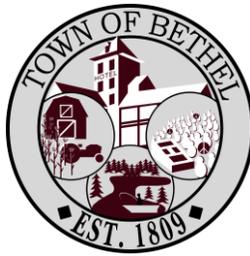


(845) 583-4350 Ext 105



(845) 583-4710 (F)

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

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

The Town of Bethel Planning Board held a Work Session on Monday, October 5, 2020 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 this time is the following;

In attendance are the following: Jim Crowley, Chairman, Steve Simpson, David Biren, Michael Cassaro, Wilfred Hughson, Robert Yakin, Jr. Alternate, Bette Jean Gettel, Code Enforcement Officer, Vicky Vassmer Simpson, Town Board Liaison, Dan Sturm, Supervisor, Jacqueline Ricciani, Attorney, Jannetta MacArthur, Recording Secretary.

Pledge to the flag

Excused: Susan Brown Otto, David Slater

Seating Robert Yakin, Jr.

***Motion to approve the July 20th, and August 3, 2020 minutes by Mike Cassaro, second by Robert Yakin Jr.***

***All in favor -6***

***Opposed-0***

***Agreed and carried***

***1) Public Hearing for a 4 Lot subdivision on Laird Road, known as Bethel Tax Map #: 11-1-26.2, proposed by CR Laird, LLC. (Fulton)***

***Return receipts received***

***Motion to close regular meeting and go to public hearing by Steve Simpson, second by David Biren.***

***All in favor – 6***

***Opposed-0***

***Agreed and carried***

Jim Crowley: George maybe you could give us a summary of the project.

George Fulton: Basically, the parent parcel is surrounded on three sides by road. It is a beautiful lot. on lots 2 and 3, lot 1 is all wooded, a large piece extends all the way to the brook, lot 2 is a beautiful field, and lot 3 is also a beautiful field. What we have done is preserved the tree lines between the lots, because there are nice tree lines there, and the deeds will reflect to leave those unless there is a dead tree or something. It does help to view of the lot and of the same token it protects the next lot down.

Basically lot 4 is going to stay as is, a very large lot, 37 acres, it contains a good size wetland, which

also has a 100 ft buffer. At this time there is no thought to do anything on lot 4. It is going to stay just the way it is. I would be glad to answer any questions. If any of the board members would like a copy of the map, I have one to put in front of you. I would be happy to answer any one from the audience if they have any questions, I would be glad to try and answer them.

Jim Crowley: BJ did you get the mailings?

Bette Jean Gettel: Yes.

Jim Crowley: Is there anyone from the public that would like to speak?

Dawn Fulton – 363 Hurd Road. I am the little square, the 2.2 acres. The only thing I really have to say is my grandfather owned this property when I was little. When he sold it, he sold it within the deed that it be kept farmland. I feel it should stay as farmland, that is how I feel about it.

Jim Crowley: Is there anyone else from the public that would like to speak?

*No one*

***Motion to go back into regular meeting by Steve Simpson, second by Wilfred Hughson.***

***All in favor – 6***

***Opposed-0***

***Agreed and carried***

Jim Crowley: Jacy, do you have any comments on this?

Jacqueline Ricciani: No, it is very straight forward. I don't know if your engineer has any comments.

Jim Crowley: I was going to ask him next.

Glenn Smith: My only issue was perc tests, and septic systems, and George presented them at the last meeting anyway. That was my only question.

George Fulton: We had the perc's and the deep test pits done prior to coming before the board, to make sure there were no problems.

Jacqueline Ricciani: I think that was submitted to BJ for the file.

Jim Crowley: The Board have any questions?

Steve Simpson: Did the 239 come back?

Bette Jean Gettel: Has come back local determination. I have Part 2 of the SEQRA here, are you ready to review?

Reading

EAF Part 2

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

regulation?

No. The proposed use is permitted by zoning.

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

Small impact.

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

No. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?

No. There are none in the Town of Bethel.

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

No. There will be no new impact.

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

No.

6. Will the proposed action impact existing?

a. Public / private water supplies?

No.

b. Public / private wastewater treatment utilities?

No.

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

No. None exist on this site.

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

No. There will be no physical changes.

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

No. There will be no physical changes.

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

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

***Motion to declare a neg declaration by Steve Simpson, second by Mike Cassaro***

***All in favor – 6***

***Opposed-0***

***Agreed and carried***

Jim Crowley: With that being said, I would ask the board if they would entertain approval for this 4-lot subdivision.

Jacqueline Ricciani: Before you do that, you should see if there are any conditions attached to this approval. I don't think there was anything that was recommended by your engineer, the only traditional one is to pay all fees

***Motion to approve four lot subdivision with all fees to be paid by Mike Cassaro, second by Wilfred Hughson***

***Roll call vote:***

***Robert Yakin – Yes***

***Mike Cassaro \_ Yes***

***Steve Simpson – Yes***

***David Biren – Yes***

***Wilfred Hughson – Yes***

***Jim Crowley – Yes***

***Motion passed***

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

***Return receipts received***

***Motion to go into public hearing by Steve Simpson, second by David Biren.***

***All in favor – 6***

***Opposed-0***

***Agreed and carried***

Glenn Smith: As I briefly discussed at the last meeting, this is the Chatwal Hospitality Lodge at Chapin Estate. It's on Chapin Trail, which comes in from the Gatehouse on Rt 55, it is basically 8 separate parcels, that comprises of about 55 acres. The orange line that is all parcels Chapin Trail that goes from the middle of the property here. Essentially the project is scaled down from what it was a year and half ago, about 35 ft and multitude of buildings. Now it is down to 16, and most of it is existing buildings. There is a slight disturbance, and new structures to be built. Steve's former

house which is the Lodge building is staying as is, that is going to be converted to 3 keys and the restaurant, kitchen in that building. The existing guest house, will stay as is, the Grebel house, which exists is 4 keys, the only thing proposed is the tree house to be built in the wooded area near Toronto Reservoir which will be two bedrooms, one key there. And proposed are 5 glamping tents in the open field on the opposite side of Chapin Trail. Each of the buildings will be serviced by a separate septic system. A subservice septic system for the main lodge, restaurant building. A separate system for the guest house buildings, separate septic system for the tree house. The existing septic will be rehabbed for the Grebel house, and a separate septic system for the 5 glamping tents over here. There will be a few pump stations required, obviously because it is more than 100 ft from the water and several streams. For water supply we will need Health Department approval. Basically, there are three existing wells, well #1 by the main lodge here which is about 3 gallons per minute. There is well #2 existing which is down by the guest house which is 15 gallons a minute, there is well #3 over here which is 6 gallons a minute, they will be tied together for a central water supply for storage and treatment. That has to be approved by the Department of Health. This is considered a public water supply. For the restaurant and the dining facility, that is all regulated by Health Department also. They are quite stringent on what is done. As we discussed at the last meeting there was a foundation for a model home that was built last year. That has been incorporated in the plan also. At some point and time there may be some concern segmentation on the Seqra, if it came back in six months to build on that model as Jacy suggested we should probably show it now. I put a note on the plan, the foundation of that model, it is only a one-bedroom model, I have to size the septic system for that area, another 110 gallons per day. We received quite a few comments from Jason Pitingaro, the engineer for the Town. I responded to those a few weeks ago. I got some back from him today, which were a lot less than before. Some of the comments were the same ones that he had the last time that I responded too. Some of his comments were that we would need Health Department approval on the water system. There will need to be a SWPPP done, that is being undertaken also. The little pond on the other side of Chapin Trail you need a DEC permit because we had a couple of water lines and sewer lines crossing that very small stream that comes down to Toronto, but it is a classified stream, and there is an application to DEC. There are a few other agencies we still have to get through, but I don't see any issues with that at all. That is essentially it Mr. Chairman.

Jim Crowley: Does the public have any comment?

*No one*

Jacqueline Ricciani: Any written comments?

Bette Jean Gettel: No written comments received.

Jim Crowley: Jacy do you have anything else?

Jacqueline Ricciani: One of the things the applicant stated is the parking. That has been raised in the past. There are now 5 spaces at the Grebel house? Jason mentioned there should be a handicap spot. Can you squeeze another spot?

Glenn Smith: That's not a problem. We can probably add another space.

***Motion to go into regular meeting by Steve Simpson, second by Mike Cassaro.***

***All in favor-6***

***All opposed-0***

***Agreed and carried***

Jim Crowley: Does the board have any concerns?

No one

Bette Jean Gettel: There was no need for a County 239 on this.

Jacqueline Ricciani: If the board doesn't have any questions, I recommend you go on to the environmental review.

Glenn Smith: Yes, it was the long form.

Jim Crowley: Lets go through them.

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

- a. The proposed action may involve construction on land where depth to water table is less than 3 feet. No
- b. The proposed action may involve construction on slopes of 15% or greater. No
- c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface. No
- d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material. No
- e. The proposed action may involve construction that continues for more than one year or in multiple phases. Yes

Jacqueline Ricciani: I think the EAF said 18 to 24 months?

Glenn Smith: 1 year.

Jacqueline Ricciani: Glenn while I am thinking about it, it said on the EAF that construction time on Saturday would start at 8am, Town code says you can't start until 10 am on Saturday.

Glenn Smith: I had 8 am to 12 pm. Okay, fine. Just Saturday?

Jacqueline Ricciani: The rest of the time is fine.

- f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides) No
- g. The proposed action is, or may be, located within a Coastal Erosion hazard area. No.

*2. Impact on Geological Features - The proposed action involve construction on slopes of 15% or greater (e.g., cliffs, dunes, minerals, fossils, caves).*

No.

*3. Impacts on Surface Water - The proposed action may involve construction on land where bedrock is exposed or generally within 5 ft the existing ground surface?*

Small impact

*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.*

Small impact

*5. Impact on Flooding - The proposed action may result in development on lands subject to flooding. No*

Jacqueline Ricciani: You can make the determination, say no, and then go onto the next.

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

No.

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

No. Bald eagles do not apply to this.

Steve Dubrovsky: The eagle population is on the other side of the lake. There are none where we are working.

Jacqueline Ricciani: On the EAF, you got a hit for the bald eagle. You have to address it.

Jim Crowley: I am addressing it by distance.

Jacqueline Ricciani: If you are going to address it by saying that based on that report this project will not have any impact on the bald eagle, then that is how you are addressing it.

Jim Crowley: I say it doesn't have any affect on the bald eagle, unless the board has something else to say, because it is farther out of the buffer zone than what is required. You are at 2,000. I would say that is pretty good.

Mike Cassaro: I don't think it should be included or made a condition either.

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

No.

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

No.

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

No.

*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. There shall be no impact on open space or recreation.

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

No. There are none in the Town of Bethel.

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

No.

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

Small

*15. Impact on Noise, Odor, and Light - The proposed action may result in an increase in noise,*

Small

*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.

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

Yes.

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

No.

That's it gentleman

Jim Crowley: Any comments or questions? If not, I would like to entertain a negative declaration.

***Motion to grant negative declaration by Steve Simpson, second by David Biren***

***All in favor – 6***

***Opposed-0***

***Agreed and carried***

Jim Crowley: Does the board have any more questions or comments for this project? Jacy do you have any other questions?

*No one*

Jacqueline Ricciani: You need to read the criteria. Do you want to read 345-21 has two things that refer to commercial? Because this is a commercial use that is contiguous to residential use, one of the things you can consider is whether the existing setbacks should be extended. Do you want that section of the code Jim?

Jim Crowley: What is the board's feeling on that? To me it looks like there is enough there. It's buffered.

Jacqueline Ricciani: Some of these buildings.....

Jim Crowley: And the buildings already exist.

Glenn Smith: The only one that doesn't exist is the tree house, and that has 60- 70% .....

Jim Crowley: I don't see..... unless the board thinks otherwise to extend those setbacks.

Glenn Smith: What you have now is sufficient. You don't have to do anything.

Jim Crowley: I think it more than suffices.

Reading 345-21

All lighting shall be designed so to avoid unnecessary or unsafe spill over of light and glare onto operators, motor vehicles, pedestrians,

David Biren: My concern is parking. I think now is the time you give us sufficient parking. It is easier to give it now than later. Handicap parking especially. Walkways sufficiently lit. Those are the things that I am concerned about.

Jacqueline Ricciani: Do you mean lighting for the parking lot?

David Biren: Parking lot, and all the pathways. There is not much lighting, but so people can see where they are walking.

Glenn Smith: All the lights are led's. It is all well-lit.

David Biren: Is the restaurant going to be handicap accessible?

Glenn Smith: It has to be.

David Biren: Thank you.

Jacqueline Ricciani: When you get to each of these criteria it helps you with your evaluation and determination whether this special use permit should be granted. These are the different things you need to consider, so you need some discussion.

Pinnacle Section 345-30 I & J

If the application were approved tonight, we would be approving it as a Special Use. For Special Uses we typically read Section 345-30 paragraphs I and J into the record. I will do that at this time.

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.

Those buildings are like all the other buildings in Chapin, the Adirondack design.

Jacqueline Ricciani: We received a brochure a few years ago with the design.

David Biren: Do you want to incorporate the sign in this, or are you going to come at a later date?

Glenn Smith: Do you mean signage to the property, or interior signage?

Steve Dubrovsky: The entrance where we have Chapin House, we will put a line in there.

Jacqueline Ricciani: I think the question is when somebody is driving down Chapin Trail is there going to be a sign that alerts them, they have arrived, where they need to be.

Steve Dubrovsky: Probably not a big sign.

Jacqueline Ricciani: Depending on the size, BJ can approve it. If it is less than 24 ft.

Steve Dubrovsky: Throughout Chapin we don't really have signs.

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

That will be addresses with the SWPPP

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

Robert Yakin Jr: We are protecting the same buildings we are now. Access is adequate.

4. Environmental impacts in any form.

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

5. Impacts on housing availability.

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

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

Most of it is woods out there.

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

The site is well screened from passers-by and adjoining uses.

8. Impacts on nearby property values.

There are no anticipated negative impacts on property values.

9. Traffic impacts (see § [345-22H](#)).

Section 345-22H reads:

H. Access to Route 17B and Route 55.

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

This is a residential area, where this hotel is going to be in the middle of. Are these 16 guestrooms going to create that much traffic? This is a mile into the development, the majority of the residences are past this.

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

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

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

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

We don't have any hotels.

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.

It should be a positive impact to the residents of the Town of Bethel.

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.

We had a public hearing, no one came to speak. The intention is to preserve the land as much as possible.

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

We already declared a negative dec. I don't believe the open space is impacted at all.

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

There are no anticipated economic burdens associated with any approval.

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

The proposed use is permitted in the area. More tourism, more people are going to come here.

Jacqueline Ricciani: If you want to move forward with an approval. You need to discuss conditions.

1. The combination of all of the tax lot maps into one.
2. The applicant will be getting all of the necessary permits from agencies.

3. The Town Engineer needs to approve the SWPPP. If the town engineer has any concerns, the applicant needs to comply.
4. Pay all fees
5. Add a handicap parking space at the Grebel House.

Jim Crowley: How many spaces are over there across the street?

Glenn Smith: 20 spaces across the street now.

Jim Crowley: How many handicap spots?

Glenn Smith: There is no need at the valet parking, just by the buildings.

Jacqueline Ricciani: There are two there now. Keeping in mind anyone staying at the Grebel House is not going to be parking there.

Glenn Smith: There is some parking there also.

Jacqueline Ricciani: So, the Grebel House is separate.

Glenn Smith: Based upon zoning for the main lodge, the restaurant, the guest house, tree house, Grebel House, the glamping tents, and ground maintenance staff, I have 39 parking spaces that are required, there are 41 there now. If the board wants more, we can do that.

Jacqueline Ricciani: You also have to give the applicant a little bit of a benefit of the doubt, if they discover that the parking is not sufficient....

Jim Crowley: I think, if they think they need more parking, there is plenty of space. We should grant them the ability to go with this project, talk to BJ, they don't need to come back to put in more.

Jacqueline Ricciani: You can approve this project, and approve additional parking at this location if it is needed.

Glenn Smith: It's like bank parking.

Jacqueline Ricciani: Just make that part of what you are approving

***Motion by Steve Simpson, second by David Biren to approve project with the above 5 conditions, and also additional parking if needed.***

***Roll call vote:***

***Robert Yakin – Yes***

***Mike Cassaro \_ Yes***

***Steve Simpson – Yes***

*David Biren – Yes*

*Wilfred Hughson – Yes*

*Jim Crowley – Yes*

*Motion passed*

Jim Crowley: Jacy do you have anything else?

Jacqueline Ricciani: No.

Bette Jean Gettel: Vicky does.

Vicky Vassmer Simpson: Last meeting you asked if the board could waive the 4 hours of training. The Town Board has voted that you won't have to meet that criteria this year due to COVID.

**Motion to adjourn by Steve Simpson, second by Wilfred Hughson.**

**All in favor-6**

**Opposed-0**

**Agreed and carried**

Respectively submitted,

*Jannetta MacArthur*

Recording Secretary