



lot subdivision. What we are proposing lot #1 here on my left, 3.7 acres, lot #2 below, 2.87 acres, lot #3, 2.89 acres. What we have done as you can see at the top you will see an outline of a guesthouse, and a primary house. Currently this is all one lot. What we have done since we have used the existing driveway entrance, to supply driveway access to all 3 lots, What we would be doing with this subdivision is breaking apart the two existing houses, into individual lots so the guest house would be on #1, and the primary house is on lot #3. All three driveways access from the original access to the property. They then split off into a shared driveway for lot #2 and 3, and lot 1 breaks away from the other two driveways, into a parking space right at the county right away. As you can see as delineated on the map is a federal wetland. We have stayed away from that wetland with our driveway so we are not affecting that area at all. The guesthouse where lot #2 is we are also showing a septic system that can accommodate 3 bedrooms. Lot #2 the same, we show a septic system, that can also handle a 3 bedroom house. And lot #3 what is shown is a septic system that can handle 4 bedrooms. The well radiuses are shown. We have a 50 ft and 100 ft offset for the 2 top lots. Lots 1 and lot 3 and a 50 ft offset for proposed well location for lot #2, the existing well we have abandoned as it falls within the septic system offsets. Sheet #2 what we have is our standard construction with the specification as far as erosion controls measures both and build out of an individual lot, we also show a zoomed in driveway detail which gives the existing driveway access which is a 30 ft access to the current property. That then breaks off lot #1 has 15 ft of that, and lot #2 15 ft strip of that which then tapers down into a 12 ft driveway which services the parking area for lot #3, and the drive for lot #2. Below we have the private driveway maintenance declaration, which details the percentage of the responsibility each homeowner has to the maintenance of the shared area driveway. Sheet #3 has all of our soil information from all of our individual tests and gives size and criteria for each on each lot based on number of bedrooms. The easements for driveways two of them are shared and all three of them use the common right away by the county. (Showing on map) Here we have lot #3, driveway easement onto lot #2. As you can see this is the shared entrance, and then lot #3 shares this section of lot #2 to continue down to their home. This is lot #2 and lot #3 driveways easement to lot #1; they all share the general entrance within the right away. That is all within the right away. The next detail here shows a utility easement for lot #2 onto lot #3. We have provided an additional 15 ft off lot #2 onto lot #3 so that lot #2 can place utilities poles within their property lines, within this easement, having lines going overhead. The only other thing I believe in accordance with 911 regulations we have added the proposed name for the shared driveway as Doovahd Rd. I believe that's it.

Michael Weeks: My plans are dated latest revision February 13, 2009.

Jennifer Barnes: That is the last thing added.

Dan Gettel: At this time, we would like to hear some public comment on this. Please come forward, and state your name for the record.

Ray Browne – Rt 55 – White Lake – I own the property adjacent next to the proposed subdivision. Last year when this came before the board as a four lot subdivisions I objected, and the reason I objected then was because of the wetness of the property and where they had the septic located. (Showing property line) one septic system here, and one septic system here, there is no topography. It goes downhill and sideways. Accordingly to what I'm reading from the minutes from last month when Mr. Illing was here, indicating it's concave saying the water is going to go away from the wetland. It all collects here, depending on Mother Nature, and certain times of the year, this gets so wet, I can't see that it can handle a septic system. Mr. Illing has indicated this was tested before, I know when they did it; I watched them when they did it. They never did anything from up there. Showing today's photos, it is extremely wet, the top one, it

goes toward the road it gets worse. It develops into a stream. It all collects down at the bottom. Why didn't he put something in the middle where he indicates it is dry, instead of running toward my property? The well is there. That is my comment to the board. (Submitting photos) The septic systems being placed where they are is my objection. I don't know how they are going to function. In the summertime is okay, but it isn't always dry. My question to the engineer? Why didn't he put septic in the middle of the property where it is dry. (4 photos accepted by Mr. Browne)

Michael Fox Rt 55 White Lake: I own the property bordering the backside of the proposed subdivision. It is nice to see it sized down. My objection is the same as Mr. Browne. I don't know how the septic is going to work, if you would check and see how wet the property is now. If it is moved over, I don't know. The ground is a lot dryer toward the existing buildings. Other than that, it is nice to see it scaled down.

Michael Weeks: The only comment relative is a representative from our office was there when the deep pits were done as well as the perc tests. The soils were suitable.

Dan Gettel: Anyone else from the public that would like to make comment.

None

***Motion to close public hearing by David Biren, second by Bill Brey***

***All in favor -7***

***All opposed -0***

***Agreed and carried***

Dan Gettel: Since you are first on the agenda as a board we might as well.....obviously there are concerns about the sewer system. Wes isn't here to address them. I don't know if you have anything you would like to ad

Jennifer Barnes: I would like to say; a representative from your engineering office was there. They are raised bed systems, which will accommodate the flow. Typically with raised beds there is a trench around the edge to take any type of runoff and divert it around. There shouldn't be a problem.

Dan Gettel: How many copies of that map did Wes leave you.

Jennifer Barnes: I have this copy; your office has two copies, one of which was stamped by Mike Woods. The official copy of Mike's signature.....

Dan Gettel: I only ask because the reduced copy that we have, doesn't conform to the plan that you have. There are some slight discrepancies. I want to make sure that we are all looking at the right plan. I would like to see a full size. Michael, what are your lot areas?

Michael Weeks: 2.7, 2.89, and 2.87. I received one in the mail after the meeting.

Dan Gettel: The reduced copies are slightly different. I'm not saying they are substantially different; there are some slight discrepancies.

Michel Weeks: What I reviewed was #7

Susan Brown Otto: How many raised beds?

Jennifer Barnes: One is replacing the existing system.

Dan Gettel: But since this a continuation of the past review, they don't need to meet the new standards for raised beds

Susan Brown Otto: What are the procedures with raised beds system in the Town of Bethel under the old rules then. Does the town engineer review the plans, or what are the procedures with raised beds.

Tim Dexter: Alternative systems are reviewed by DOH.

Jennifer Barnes: They will go in front of the DOH at the time of installation

Michael Weeks: The DOH may wish to witness the soil tests as well.

Susan Brown Otto: They submit their plans, and then they are reviewed.....

Mike Cassaro: What time of year was that soil test done

Michael Weeks: The end of July

Dan Gettel: Any other comments

Susan Brown Otto: What about the driveway. The issue is the comment from the county

Dan Gettel: The county 239 review came back for a local determination. They did question the amount of impervious material. The question was whether we could shorten the driveway or make it a .....

Jennifer Barnes: They will be submitting their own site map where they will be locating the house

Dan Gettel: The county says additionally due to hydrology of the site we urge the applicant to consider locating the new house closer to Rt 55 to decrease the impervious surfaces created by such a long driveway. We did discuss this as a board prior to the meeting at our work session. Perhaps as a compromise of shortening the driveway call for more of a pervious material to be used for the driveway, no blacktop. If that is the case, we would like a note put on the map in that effect for lot #2.

Jennifer Barnes: One thing again with the storm water as has been discussed previously is for lot #2, we are including the cistern design in the plans to handle the roof runoff.

Dan Gettel: That is only the one lot or....

Jennifer Barnes: The other two homes are existing.

Dan Gettel: So can we ask for the note be put on the map that there be more pervious material for that driveway

Jennifer Barnes: As a condition of approval?

Dan Gettel: Right

Michael Weeks: You want to prohibit from blacktop

Dan Gettel: We want to decrease the impervious surface

Jennifer Barnes: We would like final approval tonight. Of course we know that driveway name in accordance with 911 is going before the board this Thursday? I believe that is the only thing along with this note

Dan Gettel: I don't think you will have a problem with the road name being approved

Tim Dexter: Environmental assessment form, short needs to be done

Dan Gettel: Already had a neg declarative for a larger subdivision, I will read through it.

N  
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***Motion to approve negative declaration by Bill Brey, second by Steve Simpson***

***All in favor – 7***

***All in favor-0***

***All in favor***

Dan Gettel: How does the board feel about the application. They are looking for final.

Kimberly Rae: Just for the record, to clarify, in conducting short form environmental assessment form, the board has found no significant environmental impact for this project. It is up to the board now, to take it further or under consideration.

Dan Gettel: How does the board feel?

David Biren: I would like to ask Michael, if we could possibly move the septic out of the setback areas so it is further away from the neighbors properties, Lot #2 doesn't seem to be a problem.

Jennifer Barnes: Only the aprons of the project go over the setbacks

David Biren: I understand that, I see that. That is where the runoff will be going around the apron. If we could take out of the setbacks, the neighbors would feel better, I would feel better

Jennifer Barnes: It is only impacting its own lot. It will not be going anywhere near their wells.

This will also be a raised bed. It will absorb more water than the current ground. The immediate area actually absorbs more of the runoff.

David Biren: I would still like to see it out of the setback areas.

Michael Weeks: They probably could be shifted a small amount. With the existing testing, it could be shifted a small amount. If it were to be shifted significantly we would have to retest.

David Biren: Do you know when you did the testing?

July

Jennifer Barnes: At that time it was a rainy season at that time the tests were done.

Susan Brown Otto: July two years ago?

Michael Weeks: 07

Bill Brey: It was a rainy summer

Dan Gettel: David, you would be more comfortable to move slightly without it being tested. We are asking if you can look into shifting.

Jennifer Barnes: Our only complaint is, the reality is it really couldn't be moved much without us moving just a few feet. In reality without being off our actual testing site.

Dan Gettel: We are asking if you can look into shifting it a little without it affecting your existing tests

Jennifer Barnes: What I mean is the amount we could actual shift it before we are out of our of testing would be very insignificant

Bill Brey: I have a question for Michael, are they going to gain much by moving a few feet, you said they couldn't move it out of that certain area otherwise they would have to do the testing all over. Moving it a few feet, is that going to make any difference?

Michael: Correct. I don't see how it would. The system is compliant in terms of setbacks.

Dan Gettel: Can you address abandoning the existing well

Jennifer Barnes: By the DOH, they have guidelines

Dan Gettel: Does the board want to table this for a month, or take a vote tonight.

Michael Cassaro: I have the same problem as David with the septic system. If in fact it didn't work because of the frost in the ground, because it is a very wet area. I wouldn't want to approve it the way it is. And if you can't move it just a couple of feet because the test pits were put in a certain place at a certain time of the year, that should not be the basis for not moving, you should do another test pit. So that these people, these residences so that their interests are protected at this time of the year, when it does get wet out there.

Jennifer Barnes: The tests were conducted and the town engineer, a representative from the town engineer, witnessed.

Tim Dexter: So that you know Mike, there is 100% backup to this. I just want you to understand

Michael Cassaro: Where is that reserve, so that at a bad time of the year, like right now, when there is frost in the ground

Tim Dexter: There is a 100 % more room, more leach field; it is on the design right here

Bill Brey: If our engineer says it is going to work, it'll work

Dan Gettel: I don't think shifting septic systems is going to make a substantial change in the project, nor do I think that having them retest and relocate, this system here, on lot #2 looking from gravity from the house, you can't really move that system to much.

***Motion to approve final approval, pending all fees be paid, the note on the pervious material be placed on the map, and sign on the driveway, by Bill Brey, second by Steve Simpson***

***Roll Call***

***Mike Cassaro – Abstain – Reason – I'm not comfortable with the septic system***

***Susan Brown Otto Y – I would like to go on the record, I do note what Mr. Browne said with regard to his reservations with the septic system along the border of his property, it is my understanding with regard to the elevated mound systems however that based upon the recommendation of our engineer this is going to be the concerns or what have you with the elevated mound systems it is not going to be a problem and therefore based on that advise I will vote yes for the project.***

***Bill Brey Y***

***Dan Gettel Y***

***David Biren Y***

***Steve Simpson Y***

***Bill Thelman Y***

***6 in favor***

***1 Abstain***

***Agreed and carried***

Dan Gettel: Please ask Wes to bring in the map with addition on it, no more variations, please.

***2) Application for a 4-lot subdivision located on Plum Beach Road, known as Bethel Tax Map #: 31-3-17.1, proposed by Shaya Boymelgreen. (Gottlieb)***

Jonathan Farber – I am here to take questions and comments. Two of the items right now are the access issue of Hemlock Road and septic issue. I know Perry Meltzer the client's attorney sent in another letter on March 3<sup>rd</sup> regarding the access issue. We are still waiting to hear from the

board.

Dan Gettel: We're not familiar with the March 3<sup>rd</sup> letter.

Bill Brey: Does anyone have that?

Kimberly Rae: I'll address that. There was a letter dated March 3, 2009, which I received on March 6<sup>th</sup>. It was addressed to me as counsel to the Planning Board, and the Town of Bethel Planning Board by regular mail. Maybe you didn't get it Dan. It addresses certain substance issues. Upon receiving the letter on March 6<sup>th</sup>, I called Mr. Meltzer to let him know that I received the letter, and to let him know also that I had told Ms. Gettel that if you wanted to stay on the docket for tonight that was fine, but I would be unable to render an opinion on the ownership issue, which is the threshold to the Town Board taking lead agency status for seqr review. Mr. Meltzer said he wanted to stay on the docket that you would be here to answer any technical questions. I told him if that was the case that was fine. You can certainly stay on the docket. I did receive an additional piece of correspondence from the Randazo's on Tuesday, March 4<sup>th</sup>. That is the most recent submission I have received from them. I will have concluded my review of ownership by the April meeting. Ownership of somewhat distinct of egress and ingress, which will also be analyzed during seqr process, assuming we get to that, if we get to that. As I understand we did not want to hold up any technical presentations you had to add to. That is where we are

Jonathan Farber: I don't know if you talked to Perry about it, the waiver of the septic issue. I know he has worked on his comments for you on that. I don't know if you received yet

Kimberly Rae: Not yet. I did ask him how ..... about the septic issues because there are certain code requirements regarding the septic, I don't believe the Planning Board is in a position to waive, but he wanted to address that issue.

Jonathan Farber: The submittal will be well advance to the next meeting. We are going to go over the more technical items

Dan Gettel: Keep in mind though, as the board we don't feel we can move forward without the sewer issue being addressed. We don't have any options, we don't feel. Whether it be redesign....

Jonathan Farber: Road sizes, road naming and all the rest.

Dan Gettel: Thank you for coming back. Any other business that the board would like to discuss at the meeting.

Susan Brown Otto: Yes. In terms of any updates from the town board, since our last Planning Board, is there anything of importance for the Planning Board to be aware of?

Vicky Vassmer Simpson: The Town Board meeting on Thursday, we will be on the agenda for the new zoning. It may be something, any of you might want to attend

Susan Brown Otto: There was a town board on lets see, there was two town board meeting

Vicky Brown Otto: The last town board meeting, everyone from the Planning Board was invited to that. That is what was told to me, everyone was emailed

Dan Gettel: The 5:30 meeting we were all invited to, I was unable to attend

Susan Brown Otto: One I went to, but were there two special town board meetings?

Vicky Vassmer Simpson: Actually it was Ash Wednesday. The most recent one was the summary meeting that I know the entire Planning Board was invited. It was all explained. We had Rob McKeuen there, and Kimberly was there.

Vicky Vassmer Simpson: We will be having the GEIS and will be discussed on Thursday. We hope to schedule a public hearing for the zoning at that meeting if all goes according to schedule.

Dan Gettel: BJ did schedule the training session on April 22nd at the Senior Ctr. You get 2 credits

***Motion to adjourn by Susan Brown Otto second by Steve Simpson.***

***All in favor -7***

***All opposed -0***

***Agreed and carried***

***8:15 pm adjourned***

Respectively submitted,

Jannetta MacArthur

Jannetta MacArthur