

Town of Bethel
Planning Board

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The Town of Bethel Planning Board held a meeting on February 12, 2013 at the Dr. Duggan Community Center, 3460 State Route 55, White Lake, New York with an executive session beginning at 6:30 PM and a work session beginning at 7:00 PM. A regular meeting of the Planning Board followed on the same date at 7:30 PM. On the agenda at this time was the following:

In attendance: Daniel Gettel, Chairman, Steve Simpson, Vice Chairman, Susan Brown Otto, Michael Cassaro, David Biren, David Slater, Daniel Sturm, Supervisor, Victoria Vassmer-Simpson, Councilwoman, Jacqueline Ricianni, Attorney, Michael Weeks, Engineer, BJ Gettel, Code Enforcement Officer, and Jannetta MacArthur, Recording Secretary

Also in attendance: Bernie Cohen, Councilman

Excused: Wilfred Hughson

Motion to go into executive session to discuss a personnel matter at 6:30 pm by Mike Cassaro, second by Steve Simpson

All in favor – 6

Opposed - 0

Agreed and carried

Motion to go out of executive session at 7:30 pm and go back into regular session by Mike Cassaro, second by Steve Simpson

All in favor - 6

Opposed - 0

Agreed and carried

Pledge to the flag

Motion to approve minutes from the January 8th Planning Board meeting by Steve Simpson, second by David Slater

All in favor – 6

Opposed - 0

Agreed and carried

1) Personnel Matter

Daniel Gettel: We did have an opening for an alternate member on the Planning Board. We conducted interviews tonight. The advertisement was in the Sullivan County Democrat twice. We did have quite a few applicants. All of the applicants were highly qualified this time. It was nice to see that we had people interested in serving on the Town Planning Board. There is only one opening on the Planning Board at this time.

Motion to recommend to the Town Board that they appoint Mr. Walter Norris, as alternate member to the Planning Board, by Mike Cassaro, second by David Biren

All in favor – 6

Opposed - 0

Agreed and carried

2) *Public Hearing for a Special Use and 2-lot subdivision located on State Route 17B, known as Bethel Tax Map #: 37. -1-15.1, proposed by 980 Route 17B, Inc. (Marshall)*

Daniel Gettel: Mr. Marshall if you would please give a brief presentation to the audience. If anyone is here for the public hearing, we do ask that you sign in.

Lawrence Marshall: Good evening, my name is Larry Marshall. I am the project engineer for this application. The application is two fold. First it is a two lot subdivision, subdividing approximately 2.016 acres off the parent 34 acre parcel. It is located at the corner of NYS Route 17B and Royce Road. The 2 acre parcel is located right at that corner of those intersecting roads. The purpose of that subdivision is to construct a Dollar General Store. This is a subdivision located in the C 17B zoning district. The remaining lot will conform to zoning requirements. There are several easements that will be transferred back and forth between the two lots for access, construction easements, grading, etc. The site plan is for an 8,988 square foot Dollar General retail store to be located on lot #1 of the proposed subdivision. The proposed site plan shows an access off NYS Route 17B. That access will be strictly for right hand in and right hand out turns only. It does not have full access movement. The full access on the site will be obtained from Royce Road. The lot will be served by a private well and septic system both of them reviewed and approved by the town engineer. We propose a total of 33 parking spaces for the lot. It will also be serviced by propane for heat. We have to deal with the storm water according to predevelopment standards, as well as treatment runoff. We have a large bio retention basins located in the corner of Royce Road and NYS Route 17B that will treat the water to predevelopment levels before conveying it to an existing culvert that crosses under Royce Road. I failed to mention that the proposed entrance off NYS Route 17B has been reviewed and approved by the NYS DOT. We have prepared an appropriate landscaping plan and lighting plan for this site plan. Did you want me to go through the landscape and lighting plans?

Daniel Gettel: I think the lighting plan conforms to the Gateway District standards. If you would like to touch a little bit on what they look like. I don't think we need specifics during the public hearing.

Mr. Marshall: The lighting plan has been designed to minimize the lighting upon the site, while providing a nice uniform light to provide safety to anyone who is coming to the site during nighttime hours. Basically what we have done is all lights on the site are fully shielded, will not produce a glare, glow out from the light, all of them are downward facing. They will light the parking lot without creating any light pollution. To conform to the Gateway District standards lights at the entrance have been designed in a decorative fashion. We do have cut sheets that show the style of the lamp. The lights on the building are standard shoebox lights, as well as the rear lights.

Susan Brown Otto: We have copies of these lights, which ones..., is it the Lexington lights that are the entrance lights?

Mr. Marshall: The Lexington lights are the entrance lights, correct.

Susan Brown Otto: What about the flat ones versus the wall packs?

Mr. Marshall: The wall packs are installed on the building. The flat lens is the light to the rear of the site.

Susan Brown Otto: Are they led lights?

Mr. Marshall: No, they are not.

Jacqueline Ricciani: There was a case a few years ago out of Liberty where the court said that when there is a subdivision being proposed as opposed to a site plan or some other type of application, but exclusively for subdivisions, that a review of the long Environmental Assessment Form should be done before going into a public hearing, that way members of the public can comment on SEQRA as well as the site plan or the subdivision. After the public hearing is when this board votes on SEQRA and the level of impact or whether there is a negative declaration or something else.

Daniel Gettel: You realize that I don't feel it makes any sense, but if you feel that is what we need to do, that is the way we will do it. Part 1 has been on file in the Town, so we really do not need to go into Part 1. In preparation of this meeting we did do a draft of the Part 2. I will read through Part 2 of the long EAF.

Part 2

1) Will the Proposed Action result in a physical change to the project site?

Yes, most construction projects result in a physical change to the project site. There will not be construction on slopes of 15% or greater, but there will be some excavation and the removal of materials from areas that have substantial slopes. I would consider these Small to Moderate Impacts.

2) Will there be an effect on any unique or unusual landforms?

No, there are no unique landforms.

3) Will Proposed Action affect any water body designated as protected?

No, there are no bodies of water on this site and any discharges will be addressed under the SWPPP.

4) Will Proposed Action affect any non-protected existing or new body of water?

No, no bodies of water.

5) Will Proposed Action affect any surface or groundwater quality or quantity?

No, not to the magnitude referenced in the examples.

6) Will Proposed Action alter drainage flows or patterns, or surface water runoff?

Yes, but any development with a land disturbance would trigger a yes for this question. I checked yes for the example that the Proposed Action would change floodwater flows. Also under Other I noted that as part of their review the NYSDOT has requested that improvements be made at the intersection of Royce Road and NYS Route 17B to alleviate minor flooding issues. Both are Small to Moderate Impacts.

Jacqueline Ricciani: And those are incorporated in the site plan?

Mr. Marshall: They retracted that request.

Daniel Gettel: Are you aware of that Michael? There was a request by the NYS DOT that the culvert on Royce Road be changed to a larger diameter. That would have entailed actually raising Royce Road to accommodate the larger culvert. I didn't know that was resolved.

Mr. Marshall: I apologize. I thought you were included on those correspondences back and forth to the NYS DOT. I can certainly get those to you. Unfortunately, it is an email and I don't have it this evening. I can forward that to the board tomorrow morning for their review. They had originally requested that the installed culvert along Royce Road be raised. It is an existing condition and we didn't feel like it was our problem to fix, we are reducing the flows.

Daniel Gettel: In the correspondence that I did see about that it was kind of a questionable issue as to whether it had to be done. I know it was a suggestion, I just didn't know what was involved. It doesn't affect SEQRA because it would still be a Small to Moderate Impact for question #6.

Daniel Gettel continuing with Part 2.

7) Will Proposed Action affect air quality?

No. We are not talking about 1,000 vehicle trips per day.

8) Will Proposed Action impact any threatened or endangered species?

No. The applicant has indicated that none exist on the site. It should be noted that the NYSDEC did mention the White Lake Brook and the fact that bald eagles may exist in the vicinity of the brook. The parent parcel borders on a tributary to the White Lake Brook, but the parcel to be developed is over eight hundred feet from the tributary and is well away from White Lake Brook.

9) Will Proposed Action substantially affect non-threatened or non-endangered species?

No. No migratory fish or wildlife, nor the removal or mature forests.

10) Will Proposed Action affect agricultural land resources?

No. Not agricultural land.

11) Will Proposed Action affect aesthetic resources?

No. There are no scenic views.

12) Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?

No, this is a vacant parcel.

13) Will Proposed Action affect the quantity or quality of existing or future open space or recreation opportunities?

No. This is not open or recreational space.

14) Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area established pursuant to subdivision 6NYCRR 617.14?

No. The site does not contain, nor is it contiguous to, a critical environmental area.

15) Will there be an effect to the existing transportation system?

No, not dramatic. Most shoppers tend to stop in to a business such as this on their way home or to somewhere else. The NYSDOT, which has jurisdiction over the entrance, has indicated that they are comfortable with its location and design.

16) Will Proposed Action affect the community's sources of fuel or energy supply?

No, not to the extent of those listed as examples.

17) Will there be objectionable odors, noise, or vibrations as a result of the Proposed Action?

No, no blasting, no odors.

18) Will Proposed Action affect public health and safety?

No. No hazardous wastes, no hazardous chemicals or explosive gases.

19) Will Proposed Action affect the character of the existing community?

No. It is a permitted Use in a Commercial District.

20) Is there, or is there likely to be, public controversy related to the potential adverse environmental impacts?

No, as long as the erosion control measures are in place prior to construction.

Daniel Gettel: That's it for Part 2. There are two items that were Small to Moderate Impacts based upon our review of the EAF. Jacy doesn't suggest that we vote on it at this time, but we will have to vote on it before we do any action on this proposal. Correct?

Jacqueline Ricciani: After the public hearing.

Motion to open the public hearing for public comment by David Biren, second by Susan Brown Otto

All in favor – 6

Opposed - 0

Agreed and carried

Daniel Gettel: If I could make a brief statement. We have a public hearing this evening for the Dollar General store, which is proposed to be located on Royce Road and NYS Route 17B. This is a public hearing. We are here to listen to the public. This is not going to be a public debate. This isn't going to be a question and answer period. Hopefully most of your questions have been addressed during the applicant's presentation. Typically, we limit the public comment to five minutes. If someone before you has a comment, if they say they love a certain thing about the

application or they hate something about the application, there is really no need to keep repeating the same statement. We would like to try to limit it to five minutes for each person to speak. The first person on the list for public comment is Debra Gabriel.

Debra Gabriel – 339 Perry Road, Bethel: I would like to support this project and hope that you will vote yes for this project. Thank you.

Daniel Gettel: Next would be Ron Borella.

Ron Borella – 164 Burr Road, Bethel: I am also in favor of this project, but I would like to ask a few questions. Entrance and exit is going to be where?

Mr. Marshall: It will be right hand in and right hand out on 17B. It will be a restricted access. Basically, proceeding in the westbound lane on NYS Route 17B you will be able to make a right hand turn into this site, and at exiting they won't be able to make a left hand turn. There will be full access off Royce Road that will allow people to make a right and a left onto Royce Road, and then of course come down on Royce Road to make a left or right.

Daniel Gettel: It is a limited access, very similar to the Jeff Bank. Actually the state pretty much dictated how this would be laid out, and where it would be.

Ron Borella: One more question, what style is the building?

Mr. Marshall: That is one note I did not address. There has been a rendering provided for the building.

Ron Borella: That I am not in favor of, the rest I am.

Daniel Gettel: Dawn Rider.

Dawn Ryder: I welcome business to Bethel. I know a lot of young people need summer jobs. I am sure the visitors to our town would welcome it. I do some have some concerns with the traffic situation. I was originally under the assumption that we were going to try to bring it under the traffic light, coming out of the gas station. To have a one way in and a one way out, I understand the principal, but I have witnessed many persons at the Jeff Bank making a left. I am a little concerned about that.

Daniel Gettel: Jonathan Hyman.

Jonathan Hyman: Do I get Deb Gabriel's five minutes?

Daniel Gettel: No.

Jonathan Hyman: It was my understanding from a long time ago, that the reason we went to the five minutes was when there was a room of 100 people and so we wouldn't be here until midnight. Maybe you will allow me to go over the five minutes. Good evening Chairman Gettel

and planning board members. I own a house in Smallwood and I have lived here as a full-time resident many, many years. Thank you for holding this public hearing. I have testified before this planning board on many occasions over the years, last in 2011 as an individual, to comment on the Flea Market project at the intersection of Rt. 17B and Pine Grove Road, which is the main entrance to Smallwood and will also be directly across the road from the project being discussed tonight. Prior to that, as most of you know, I was before this body as the Director of the citizen's organization; *Preserve Smallwood Country Life, or PSCL*, for many years. This group espouses a belief, as I do as well, that while development in Bethel is both necessary and inevitable, it should be ushered in carefully, employing principles of smart growth while at the same time using the best of the professional planning and design resources available to our town. Though most of our goals and work are accomplished and completed surrounding PSCL's advocacy to ensure the former Smallwood Golf Course property will be developed in a manner which both respects the land and best reflects the character of the neighborhood. I still represent PSCL on a Town committee that is finalizing the details of uses by our town of the golf course property, which it now owns. Careful consideration must be given to this project because it is located at such an important and well-traveled gateway to a major portion of Sullivan County and Bethel. What's more, this "hot spot" is also the entrance to Smallwood and a large portion of Chapin Estates several miles down Pine Grove Road past Smallwood. Since the time the flea market on Rt. 17B and Pine Grove Road was approved in 2011 other uses for Pine Grove Road have become a reality, so you must also now take into account the fact that the Toronto Reservoir boat launch has re-opened to the public at the end of Pine Grove Road, and our own town will soon be opening a town park on the Smallwood Golf Course property, to be accessed by, yet again, Pine Grove Road. Furthermore the 17B corridor at this intersection is not only the gateway to White Lake and the downtown Kauneonga Lake restaurant district, but is also the gateway to the Bethel Woods Performing Arts Center, to western Sullivan County, to the Sullivan County Delaware River towns, and indeed, even to parts of Pennsylvania. In short, a lot of people use this section of road for business, pleasure, commuting locally or to New York City, and simply to get from point A to point B. I believe your general review and site plan review and careful consideration of what it will take to mitigate impacts, particularly traffic, before granting approval is vital. What will this project look like? Not this year but 3, 5, 10 years from now? What will the signage look like? How bright will the lights be at night? Will, like the Citgo station, the exterior lights be off when business hours are over? Will you require this as part of the special use permit the developer seeks? Will you require the developer to build something other than a generic pole building? Will there be clear construction and design guidelines for this site that the Town will be willing to enforce with meaningful fines and appropriate discipline? Over the last several summers traffic has backed up on Rt. 17B down the hill on the Citgo side of the road towards Monticello. Three times while I was stopped in traffic a car came to screeching halt right behind me because it came over the crest of the hill at too high a rate of speed to stop safely. Traffic was also backed up down Pine Grove Road into Smallwood 10-15 cars deep sometimes, on days when the flea market was operating, and this was not only on days and times when the Bethel Woods Center hosted concerts. This caused a number of problems. Traffic also backs up, moving at a crawl, all the way to the west on Rt.17B at the Rt. 55 light There is only one lane at Pine Grove Road exiting Smallwood onto Rt. 17B and because of this traffic gets backed up and it cannot filter off as one would hope for a right turn on red onto Rt. 17B. This causes another problem. People frustrated by the jam-up at the stop light exit onto Waldhiem Road and travel past Malek real estate and then exit right onto Rt. 17B on a steep hill with a blind spot.

This is dangerous. More dangerous over the last several years was the parking on both sides of Rt. 17B and the incredible amount of pedestrian traffic crossing both Pine Grove Road and Rt. 17B. I have already submitted pictures I took of cars and pedestrians illegally parked and walking on Rt. 17B when I testified at the flea market public hearing in 2011. One of the pictures clearly depicts a family with a young child crossing Rt. 17B in what I think was a neglectful and dangerous act. They, like I, were lucky I did not hit them. Pine Grove Road is the major entrance into Smallwood which is the most populated area of Bethel by far. Additionally, as I mentioned, it is also the entrance to a large portion of the Chapin Estate and other community destinations as well. The maps I viewed in the file do not reflect this. Pine Grove Road is a major, major thoroughfare and it would do everyone good to acknowledge this as this project is evaluated, hopefully, more seriously as it relates to traffic impacts in the SEQRA process.

Indeed, the introductory section of part 2 of the Environmental Assessment Form states under general information, long-term, short-term, and cumulative effects should be considered. This project will not exist in a vacuum. I would like to review a number of items from the Building Department's file and the Environmental Assessment Form and comment on them.

- in section one, EAF, part B #18, under Project Description, the developer states that no pesticides and herbicides will be used. What about upkeep of all of the landscaping that will be in place? On the subject of landscaping, I suggest that you require the developer and whichever company claims ownership of the Dollar General Store site post construction to bond the landscaping.

- in section one, EAF part C # 12 under Zoning and Planning Description, must recheck the EAF on this before submitting.

- EAF Part 2 under general information in Projects Impacts and Their Magnitude it states, long-term, short-term, and cumulative effects must be considered. Indeed, this project will not exist in a vacuum and it must be evaluated accordingly.

- EAF under impact on plants and animals, p.14, the developer checked the no box. But in the file there is a letter from the DEC stating otherwise, in a January 2, 2013 letter stating, "Master Habitat Database records indicate that site is located near or within habitat of Bald Eagle." The DEC goes on to say that additional evaluation may be required to assess the situation around this project and the sensitivity of this, "sensitive resource." It's worth noting that the project is 2/10 of a mile uphill from White Lake Brook and within roughly one mile or less from Lybolt Brook, White Lake, Smallwood Lake AKA Mountain Lake, and an unnamed stream running through the old Waldheim Hotel property that runs parallel to Pine Grove Road.

- EAF #11 under Impact on Aesthetic Resource, developer checked no. Based on the overall design and use of materials of the building I have no doubt that there is an impact. The design of the building is generic and does not reflect best practices in design. I question the aesthetics of both sides of the building that will be facing Rt. 17B and Royce Road. This building as proposed is simply an ugly steel building that an Architect or Planner would tell you is unsightly and unnecessarily generic. In its 239 review the County Planning Department makes quite clear its opinion of the building. The County uses the recently built Jeff Bank building as an example of a building more appropriate to and suited for the style of building Bethel needs.

- EAF #15 under Impact on Transportation, developer checks yes and then states the only impact will be congestion when cars come and go to "an event" which I suppose means Bethel Woods. This is the same comment the flea market owner put forth and it is simply not the case. Until a professional traffic analysis is performed it is irresponsible for this board to rely on the developer's assurance that all will be fine based on consulting a trip generation manual using

only projected trips to the Dollar General Store. In addition to the issues I have already stated, I think now that large tractor-trailers will be pulling on and off of Rt. 17B from Royce Road there will also be a site distance issue for vehicles head east on 17B.

- EAF #18 under Impact on Health, developer checked no under health and safety but I would argue that safety is a serious issue and refer you back to #15, Impact on Transportation systems.
- EAF #19 under Community Character developer checked no to the question as to whether or not the project will set an important precedent for future projects. I think County Planning made it clear this is an important project by using the Jeff Bank building as a model. They felt strongly enough about this to actually include in their letter to you, pictures of buildings (including other less generic Dollar General Stores) that would be more aesthetically pleasing and appropriate for Bethel. And, it is worth noting, research has shown that people will shop and live in places that are easily to travel to and pleasant to look at. I am certain that a Planner or Architect would not approve of the design for the rear of the building facing Royce Road or the side of the building facing Rt. 17B.
- EAF # 20 under Community Character I find it interesting that the developer checked yes to the question as to whether or not the project would cause controversy. He did so, because I suspect they are well aware that these types of canned, generic buildings and sites are eyesores.
- as part of the EAF you are the Responsible Lead Agency. As of now part three is blank. In part 3 you are required to list any major potential impact even if you believe it can be mitigated. To not list the traffic issue is simply wrong and dangerous. I think you, the planning board, could make the case that you complied with SEQR and EAF part 3 if you required a traffic study and then had it reviewed carefully by both the Town's Engineer and Planner. Our town has a planner and I hope that as soon as you can, you bring him in to consult on this project. And I remind you that you can do this at the expense of the developer. Notwithstanding the individual merits and drawbacks of the projects I have commented on over the years, my message has always been the same. The residents of the Bethel deserve nothing less than a thorough review of the development projects proposed for their town. A review that conforms with all local, state and federal laws, and that honors the wishes of the majority of people who have stated unequivocally that they want sustainable development which respects Bethel's rural, community character. You have the power to respect these wishes while still allowing for development. But you must be resolute in your insistence that regardless of the additional costs involved in complying with our Town's Planning Board's vision it is in the best interest of all, if the project's design mitigates as many potential impacts as possible, especially the issues of traffic and congestion and design. As we have all learned from the various projects nearby that have been badly developed or developed in violation of our town codes, it is virtually impossible to simply say oops and get a do-over. This is a project that needs to be vetted and designed very carefully. I urge you to take the necessary care to get it done right.

Thank you for considering my remarks.

Daniel Gettel: Did you want to turn in your notes?

Jonathan Hyman: Based on what I have heard, I would like to come back tomorrow, and bring them in.

Daniel Gettel: Then we will have to rely on the minutes.

Jonathan Hyman: I have always been able to turn them in the next morning.

Daniel Gettel: I don't know if it is a problem.

Jacqueline Ricciani: It's not part of the meeting. There are times the public hearing is held open so that members of the public can submit their comments later, if you want it to be part of the record and the proceedings, but it's not going to be done as part of this meeting when people turn in their comments afterwards. If the board wants to leave the public hearing open for other comments... If you just want to annotate them now, whatever you want to do, and before this agenda item is done. I am not trying to make your life difficult, but it just doesn't seem appropriate that you are going to make something part of the record that this board is not going to have available to it while this agenda item is open.

Jonathan Hyman: Understood.

Daniel Gettel: Would anyone else from the public like to speak?

No one.

Motion to close public hearing by Steve Simpson, second by David Biren

All in favor-6

Opposed-0

Agreed and carried

Daniel Gettel: Mr. Marshall, there are probably a few things we should clear up for the public. One thing that was raised was the question of signage. I don't understand it, but Dollar General has the signage review as a separate application. There is no signage that is going to be approved as part of the project. It is a separate application. We do have some standards that we want to meet, but we are not reviewing that tonight.

Susan Brown Otto: When are we getting the signage?

Daniel Gettel: That is up to the applicant, when they want to apply.

Mr. Marshall: That is not part of my application. I've been told specifically not to ask for that.

BJ Gettel: Susan, with the last applicant (Dollar General) it was the same way.

Daniel Gettel: As far as the lighting. Michael did you have a chance to look at the lighting tonight?

Michael Weeks: Yes, we received a new submission, Friday or yesterday.

Daniel Gettel: I know the lighting plan was submitted before, but there was an error on the plan, so that was corrected on the latest plan.

Michael Weeks: You now have the latest plan. There was a revision made from the previous

plan, there was still some spillover. A revision was made to correct to that. They are in the new plan, and it conforms to our code.

Mr. Marshall: We didn't add any fixtures; we just relocated one of the fixtures, at the east side of the entrance. We relocated it to the west side of the entrance, to reduce the spillover.

Daniel Gettel: Michael, do you have any comments in regards to what is still outstanding on this application?

Michael Weeks: From my review today, I believe the only thing outstanding were some minor things in the SWPPP report.

Daniel Gettel: I would like them to address the letter from the county, as far as the removal of the culvert on Royce Road. I wasn't sure that was resolved.

Mr. Marshall: We just forwarded the email. It is an email from Christine Klein, from the NYS DOT. It was also sent to you, BJ.

Jacqueline Ricciani: It's not that long. There are other comments that are relevant to this board's consideration. Their comments are as follows (reading from the email):

1. A no left turn sign needs to be installed along the driveway exit.
2. The inside radius in the sketch, it is a 36" inch radius, it should be curved. It is mountable to further chanalize the exit, and discourage left hand turns.
3. Although desired, we will not require a placement of the additional pipe under Royce Road.

Jacqueline Ricciani: The second comment about the 36 inch radius on the entrance, has that been reflected in the plan?

Mr. Marshall: All of the changes she requested have been made. I apologize for this, but I did forward another email just now to Mike from Christine Klein, that says we have no other comments, and that we are fine.

Daniel Gettel: Just so the public is aware of this, there has been a lot of back and forth with the state through Christine Klein, for the proposed driveway, where it is going to be, how it should be configured, exactly where it should be located. The state for months now has been sending correspondence back and forth to BJ, and the planning board, to the applicant and to the engineers, about the proposed driveway and they pretty much told us exactly where it is going to be, and this is exactly how it going to be. We are okay with it. There have been minor changes, but they pretty much have dictated where the entrance is going to be.

Jacqueline Ricciani: This process started months before the board saw the plan.

Daniel Gettel: As far as any connection to the Citgo station, through the traffic light, as a Planning Board, we did look at that. I know the applicant also did approach the people who own

the Citgo. They are not here this evening, but they were not interested connecting the Citgo. The way the right of way is written for the Citgo Station, it is very restrictive to any further development, especially off of the Citgo property. Besides the fact it wasn't really feasible because of where the actual gas pumps were installed, and the fact that the well is in the front yard, it wasn't feasible to get to the Dollar General through the traffic light, but it is something that, as a board, we did pursue. As far as herbicides go, I don't think we are talking herbicides that are anything that would be above what one would consider as a residential.

Mr. Marshall: If they decide to use herbicides or pesticides for lawn treatment, it is nothing different than a single family home that is at the discretion of Dollar General.

Daniel Gettel: Every commercial project that we have approved in the last several years, we have required a one-year bond on the landscaping. That is something that is a condition of our approval. The Flea Market had a bond, Jeff Bank had a bond, the Mansion House has a bond, and they are often bonded.

Jacqueline Ricciani: Actually, Mr. Chairman, during the work session, when you were all deliberating, Michael and I talked about that. Michael suggested \$2,500.00.

Daniel Gettel: That is more than usual.

Mr. Marshall: What type of bond is that?

Daniel Gettel: It is a cash bond to insure that whatever landscaping dies, that we have the funds go in, if you don't, and replace whatever has died, and that the landscaping is maintained.

Jacqueline Ricciani: Is the no left turn sign noted on the plan?

Mr. Marshall: Yes, it is. It is a little bit crowded near the entrance, but it is on there.

Daniel Gettel: I believe the Town Board has to vote on it too, the no left turn sign, as you did with the bank.

Daniel Sturm: I believe so.

Daniel Gettel: Any comments, Jacy?

Jacqueline Ricciani: One thing that has been discussed in the past is about no packing materials and no crates.

Daniel Gettel: We had talked about another condition under the special use, that there would be no storage of packing crates, any merchandise, on the exterior of the building as is common with some of the other Dollar General stores. We were advised that wouldn't happen.

David Slater: Speaking of the building, have we seen the building?

Daniel Gettel: We have seen an elevation, not a floor plan.

David Slater: Does it meet our 17B corridor guidelines?

Daniel Gettel: Our 17B guidelines are not specific. They do ask for certain criteria. One of the things we are supposed to do is evaluate ours with other buildings in the area. Now, does that involve the liquor store, the Citgo station, the Post Office? There are questions about that. What we asked them to do, and in the past we had approved the application, is that the building incorporate some of the same materials as the Jeff Bank. This is the building they came back to this board with. It is a little generic, and it is a mix between what their Dollar General store typically looks like and what we requested. I do think it does address what we asked them to do. Could it be more attractive? It also has to be economically feasible. We had a Dollar General store proposed at the bottom of the hill, which wasn't economically feasible to build, so they abandoned that project. There is only so much that we can ask for, as far as the aesthetics of the building. I do think they upgraded their building. I do think it meets the guidelines. I'm sure there are other people that would disagree with that statement. It does meet the Gateway standards. We are not in Cape Cod. The County sent us pictures that look like a Cape Code McDonalds. Perhaps this is a good time to address the M239 review.

Daniel Gettel: The state sent in their M239 review comments quite a while ago, and their comments for the most part go along with the months of correspondence we received regarding the new driveway cut. It is my understanding that the plan has been revised to address the latest concerns. You do meet the States 239 requirements. The County M239 response is another matter. Not only did it take more than 30 days for them to respond, but we actually received two different letters from them as part of the same facsimile. It took me quite a while to realize one was actually for the subdivision, and one was for the site plan and special use permit. The subdivision letter simply states that they concur with the state on the stipulation that both parties share the same entrance. This has always been a condition that the applicant has agreed to, but the actual language for the condition must be accepted and approved by the NYS DOT and the Planning Board attorney. That is one thing we haven't really resolved. On your subdivision map there is a note #9 that talks about that in the event that somebody buys the 150 ft wide strip that is immediately adjoining this lot, that they will never be granted access to NYS Route 17B. There will be no more cuts between this proposed cut and the one at the traffic lot. Jacy, the language on that, you thought, needed a little refining and we do have to get the State to approve that before we approve it, or make it a condition.

Jacqueline Ricciani: Make it a condition.

Mr. Marshall: We sent the subdivision as part of our submission. The last submission was sent to the State because they had requested a restriction on that lot. We did not receive any subsequent comments on that note. If the board requests any additional changes, we have no issue with that.

Daniel Gettel: I will reach out to Christine Klein, because I told her I would once we get the proper wording. Jacy, are you okay with the way it is worded now?

Jacqueline Ricciani: I didn't like the language that was on the subdivision map; because it talks about basically a future purchaser will not request that is really not what the restriction was. The restriction is access is not permitted. It just seemed a little too wishy-washy. I think it needs to be a lot firmer, so I was suggesting the note on the map should just be very forthright and say that "lot #2 shall not access NYS Route 17B from the remaining frontage along NYS Route 17B between proposed lot #1 and the property line of the other parcel. The second half of the language I think is okay; the first half needs to be more direct.

Mr. Marshall: That's not a problem.

Daniel Gettel: If you revise that submit it to Jacy and BJ for approval. The actual language for that note has to be resolved. That will resolve the County's 239 as far as the subdivision goes. The second letter creates some concern, one that I actually took offense to. The site plan letter, although signed by Luiz Aragon, reads as if it was written by someone else. The letter generally states that although the County appreciates the fact that the applicant has modified the physical building plan that they don't like the design of the building or the size of the Dollar General sign. What disturbs me is the fact that the County further references the Jeff Bank and the White Lake Mansion House as projects with styles that should be pursued. This disturbs me, and I believe it disturbs this board, because early on in the approval process of the Jeff Bank the County tried to meddle in that review. In regards to the White Lake Mansion House, any one who is familiar with that application would agree that at one time it appeared that a number of people associated with the County were actively working to derail the approval of that project. Now the County is throwing it back at us that this is one of the model projects we should be looking at. I find that offensive because they tried to shoot down the other two projects we just talked about. With regards to the designs of the building, I have indicated in the past that we are comfortable with the new design. This is consistent with the design we approved on a previous site, which no one objected to at that time. In my opinion the building design combines elements from the Jeff bank with elements we would anticipate would be included in the Dollar General store while keeping the project economically feasible. With regards to the sign, as I have stated, we are not reviewing the sign. This is a quirk this applicant has on both applications.

Motion to accept the New York State M239 letter, as well as the County M239 letter entitled BET12-06 Dollar General Subdivision review, and to override the County M239 letter entitled BET12-05 Dollar General site plan, special use permit by Steve Simpson, second by David Biren

Roll call vote:

Mike Cassaro: Yes

Susan Brown Otto: Yes

Steve Simpson: Yes

David Biren: Yes

David Slater: Yes

Daniel Gettel: Yes

All in favor

Daniel Gettel: My only concern about the EAF is the mention of the eagles. I know the state does mention it. I feel it is being misinterpreted, not the way the state intended. Michael, I don't know if you read the letter from the state about the eagles and the disturbance of the White Lake Brook. Most of the letter has to do with the disturbance of White Lake Brook, which no one has ever mentioned. It would actually have to be a disturbance of a tributary to White Lake Brook, which we are 800 feet away from. There is no proposal to even disturb it. The state is looking at the parent parcel, which actually borders the tributary.

Michael Weeks: I believe it is very low.

Daniel Gettel: Do you feel it is something we need to address before we vote on SEQRA?

Michael Weeks: I don't think so. If there was an actual nest on this property, we should be concerned.

Jacqueline Ricciani: My understanding when it first came in, I don't believe that there is any known nest on the parent parcel, and that is 33 acres. I don't believe there are any bald eagle nests that would be affected at all.

Daniel Gettel: They were actually talking about any disturbance of the actual brook. I think it is being misinterpreted.

Jacqueline Ricciani: I think it is misinterpreted, and should be addressed on the record.

Daniel Gettel: The state in their protection of waters letter, dated January 12th, do check that there is a tributary to White Lake Brook, and there is a protected water permit required if you disturb the bed. A protected water permit is required for an excavation or filling below the water mark. The state DEC has reviewed the State Habitat master data bank record that is where the eagle comes up. That is my only concern as far as the EAF is concerned. I would like that that be addressed. If you would, address that with the state. I think it is being misinterpreted for the parent parcel. I don't think it affects this application. It is an issue, because lot #2 is actually the parent parcel of the subdivision. That is the only issue I have with the EAF.

Jacqueline Ricciani: That is the SBL they are looking at.

Mr. Marshall: When we filled out the EAF, we filled it out pertaining to the two-lot subdivision.

Daniel Gettel: I do think if someone could reach out to the DEC, I don't think it is an issue.

Jacqueline Ricciani: Just to clarify, this will not affect any habitat of the bald eagle. Do you want to make that a condition?

Daniel Gettel: How does the board feel about making it a condition? We can run through the EAF, and run through the conditions. How do you feel as far as the time line goes?

Mr. Marshall: If we could address the bald eagle issue, and not have to come back to another meeting, that may speed things up and allow them to begin construction and meet their deadline of July 1st.

Jacqueline Ricciani: If you want to, you can make it a very specific condition that the applicant will provide in so many days that clarification.

Mr. Marshall: Is the board looking to have direct correspondence from DEC?

Jacqueline Ricciani: Documentation.

Mr. Marshall: From the DEC?

Jacqueline Ricciani: In the form of a letter.

Mr. Marshall: Would the board consider a letter from an environmental consultant to say there are no nests, and that there is no potential for nests, within so many feet...?

Michael Weeks: I think where Larry is going with this is it may take him a long time to get anything from the DEC.

Daniel Gettel: I would be okay with that, if you are okay with that.

Michael Weeks: That is what one would typically do. An expert would evaluate the habitat in the area, and determine what impact this project would have.

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

All in favor – 6

Opposed-0

Agreed and carried

Daniel Gettel: At this time I will read through Section 345-21 of the Zoning Code, which addresses General Commercial and Industrial Standards, but only two paragraphs are relevant to this application.

Paragraph A

Where a commercial or manufacturing use is contiguous to an existing residential use in any district (including those situated on the opposite side of a highway) or any approved residential lot in an RS District, the Planning Board may require that the minimum front, side and rear yards be increased by up to 50%. The Board may also require, for purposes of separating incompatible activities or shielding the residence from negative impacts, that a buffer consisting of a solid fence of wood and/or a twenty foot wide dense evergreen planting not less than six feet high be maintained, unless the

properties are in the same ownership or the full width of the yard is already wooded. See also 345-16.

345.16 is a section, which addresses landscaping. This application has a landscaping plan that conforms to zoning. As far as the setbacks are concerned the parcel is in a commercial zone, and there are no residential buildings immediately adjacent to the proposed commercial building. There are residences a little further down Royce Road and we have asked the applicant to include some “street trees” along Royce Road to soften the appearance from the road. Again, this is a commercial zone, with no immediate residential neighbors, and I see no need to increase the setbacks above what is permitted by zoning.

Paragraph F (1)

All lighting shall be designed so as to avoid unnecessary or unsafe spillover of light and glare onto operators of motor vehicles, pedestrians and land uses in proximity to the light source. Light sources shall comply with the following standards. (The paragraph then goes on to set the lighting standards)

The lighting standards and fixture types are set by the Route 17B Gateway Design standards. This applicant has gone through great pains to insure that the lighting conforms and has provided a lighting plan that meets our requirements and standards. The remaining paragraphs generally deal with manufacturing, hazardous materials, radioactivity, emissions, equipment sales and repair, kennels and light industry, which don't relate to this site.

Daniel Gettel: Section 345-30 of the Zoning Code addresses the Special Use Procedures, and paragraphs I & J list the actual Planning Board review procedure, which I will read.

Paragraph 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 applicant has proposed a building that incorporates natural materials and colors, similar in appearance to the original Dollar General building that this board approved a

number of months ago. This building incorporates the materials we requested, while still maintaining some of the characteristics one would associate with this chain store. The design of the building complies with the Gateway Guidelines. A lighting plan has been completed which conforms to Town Code, with the lighting being designed to only illuminate the property. Signage has not been included with this application and it has been made clear that all signage must be reviewed and approved by this board under a separate review prior to any signs being installed on the site.

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

Prior to any construction being completed at this site the SWPPP and the erosion control plans approved by the NYS DEC and the Planning Board Engineer shall be in place.

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

Police coverage is adequate and is provided by three agencies, local, county and state. Ambulance services shall be provided by the Bethel Ambulance Corp, supplemented by Mobile Medic. Fire protection shall be provided by the White Lake Fire Department, which can handle this additional building. The proposal is not anticipated to have a negative impact on the educational system.

4. *Environmental impacts in any form.*

Based upon the review of the Full Environmental Assessment Form this application will not have an adverse environmental impact. A Negative Declaration has been issued.

5. *Impacts on housing availability.*

There will be no negative impact on housing. The project will create new jobs in the area, and may place a welcome demand on housing, as there is presently housing available in the area.

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

There should be no nuisance impacts.

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.*

A landscaping plan, which conforms to zoning, has been prepared and has been reviewed as part of this application. Natural screening shall be maintained along the rear of the parcel in the vicinity of Royce Road and the closest residence. The landscaping along the front of the project will be welcoming and should compliment the area.

8. *Impacts on nearby property values.*

The proposal is for the construction of a commercial building in a commercial zone. This proposal should not negatively impact nearby property values.

9. *Traffic impacts.*

This type of facility typically sees traffic that comes from the existing traffic flows and patterns, as in someone stopping to pick something up on their way home. This is not typically a single destination facility. Regardless, Route 17B is adequate to accommodate any additional traffic generated by this facility. The parking area shall be accessed from a newly constructed entrance off Royce Road, as well as a restricted entrance off NYS Route 17B. The NYSDOT has reviewed and has approved the location and alignment of this entrance.

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

The project is anticipated to enhance the area, with no identified detrimental impacts.

Paragraph 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 over concentration 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.*

There is a need for retail in the Town of Bethel. This zoning district permits the use, which is compatible to the uses 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.*

The proposed use should have a positive impact on adjoining properties. This is a commercial area and this use should compliment the other commercial uses.

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.*

There are no detrimental impacts anticipated. The application conforms to zoning.

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 a Full Environmental Assessment and a negative Declaration was granted. The proposal is anticipated to have a positive impact on job creation both during and after construction, as well as a positive impact on the economy and housing. Open space preservation will not be impacted.

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 shall be no economic burden on community facilities. The applicant has demonstrated that the project will not have a negative impact on the local roadways. Sewage treatment and water supply shall be private and shall be on-site. As with most commercial buildings, the exterior of the building will be fully accessible and the building shall be equipped with a sprinkler system. Any new tax revenue will benefit the Fire District.

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.*

This is an area in the Town of Bethel, which was identified in the Comprehensive Plan as an area to be developed commercially. The zoning is very specific for developments in this Commercial Districts as it relates to the site lighting, building design, and landscaping. The lighting, building design and landscaping plans submitted conform to this code.

Daniel Gettel: That is the end of the Commercial Standards and Special use procedures. Susan, you have a comment?

Susan Brown Otto: I have a comment regarding Route 17B and the traffic, and that the state reviewed the project and what have you. Wasn't it several years ago that there was a review of the traffic there on 17B, and whether the 55 mph speed limit should be reduced to 40 mph?

Daniel Gettel: It is my understanding that the Town of Bethel Town Board has requested that the speed limit be dropped in that area. I understand this has been done 18 times. Each time they have been denied. Perhaps if there is more commercial development, which it looks like it will be in that area, it would be something the Town Board would pursue.

Susan Brown Otto: I would like to go on record, because the traffic situation there during the summer time, especially driving west on 17B, and you are driving 55mph, and then all of a sudden bang, the traffic stops.

Daniel Gettel: As far as the traffic goes, I find it very interesting that we can bring 15,000 cars to a concert, but someone complains when we have a couple of retail business.

Susan Brown Otto: I'm not complaining about it, I'm just saying in terms of being...to bring that up again to them, that maybe they should reduce the.... revisit it and reduce the speed limit to that area.

Daniel Gettel: You have the majority of the town board here, perhaps they will listen.

Jacqueline Ricciani: Mr. Chairman, we should address the parking. The code suggests a formula, if there are standards that the applicant likes, and the applicant has provided a letter from the Dollar General.

Daniel Gettel: We had asked for a letter because, I believe you have 33 parking spaces, and you feel that is adequate for a building of this size in the experience of this retailer. Our code actually suggests, and it is just a suggestion, that you have 36. You could in theory add 3 spaces, but if they are not necessary I don't see why you want to do that. In addition, they would probably be in the front yard, or in the loading dock area, which wouldn't be the best place for them. We do have a letter.

We do have a section in our code that permits us to accept a letter. I am okay that we are 3 parking spaces short. I would rather see you be 3 parking spaces short than have you pave 3 additional spaces that would never be needed. I do think our zoning does allow for this.

Motion to receive and file the letter from Dollar General dated January 7th by Susan Brown Otto, second by David Slater

All in favor – 6

Opposed - 0

Agreed and carried

Daniel Gettel: Jacy, do you have any other comments?

Jacqueline Ricciani: No, just let me know when you are ready, to make sure that I have all of the appropriate conditions that the board might want to consider when approving this project.

Daniel Gettel: I do think if we are going to do any kind of approval for the project that we need to do them separately. I believe we should do the subdivision first, even though they go hand in hand. I do think it is cleaner if we do that one first.

Daniel Gettel: I would entertain a motion that we grant this application a subdivision approval with the following conditions:

- 1). The language regarding the shared driveway restriction be resolved, approved and clearly stated on the Subdivision Map, and approved by the NYS DOT prior to the Planning Board Chairman signing the map.

Jacqueline Ricciani: Is that condition going to be what that language is that we are going to be submitting?

Daniel Gettel: If you would like to put that on the record, I don't know what your language was.

Jacqueline Ricciani: That Lot #2 shall not access NYS Route 17B from the remaining frontage on NYS Route 17B between the proposed Lot #1 and property line of tax map parcel 37.1-15.2.

Daniel Gettel: You are okay with it? That doesn't limit any further development down the road. As far as the subdivision goes, the only other condition would be.

- 2). That all fees be paid to the Town of Bethel

Jacqueline Ricciani: There are no other agency approvals for that.

Motion to grant this application a subdivision approval for a two-lot subdivision with the two conditions previously stated by Mike Cassaro, second by Susan Brown Otto

Roll call vote:

Mike Cassaro: Y

Susan Brown Otto: Y

Steve Simpson: Y

David Biren: Y

David Slater: Y

Daniel Gettel: Y

Agreed and carried

Daniel Gettel: I would also entertain a motion that we grant this application a Special Use Permit with a Site Plan approval with the conditions being that:

- 1) There is to be no overnight storage of merchandise, display racks, delivery carts, reusable cartons, or the like, in any areas outside the confines of the building.
- 2) That the applicant reappear before this board, under a separate application, for the approval of any exterior free standing or building signage.
- 3) That all fees be paid to the Town of Bethel.

- 4) That a landscaping bond, in a form acceptable to the Planning Board Attorney, in the amount of \$2500.00 be in place prior to the issuance of a Certificate of Occupancy for the building to insure that all landscaping survives for a period of one year.
- 5) That the applicant furnishes the Planning Board Engineer with documentation acceptable to the Planning Board Engineer to resolve the concerns raised regarding the possibility that endangered species may exist on this parcel.
- 6) That the SWPPP report and plans be revised and/or corrected to address the outstanding concerns of the Planning Board Engineer. This shall be completed to the satisfaction of said engineer prior to the commencement of any site work.

Susan Brown Otto: What is the rule that when there is a subdivision that the money could go to the general fund?

Daniel Gettel: There are fees to be paid for a two-lot subdivision. There is \$250.00 per lot that goes to the town for a two-lot subdivision. That only affects the subdivision.

Motion to grant this application a special use permit with a site plan approval with the conditions listed above by Susan Brown Otto, second by David Biren

Roll call vote:

Mike Cassaro: Y

Susan Brown Otto: Y

Steve Simpson: Y

David Biren: Y

David Slater: Y

Daniel Gettel: Y

Agreed and carried

- 3) ***Proposed Special Use Permit for a Temporary Campground Facilities for specific dates located on Yasgur Road, known as Bethel Tax Map #: 25-1-14.1 & 15, proposed by Roy Howard and Jeryl Abramson. (Greenman-Pederman, Inc)***

Daniel Gettel: I am sorry for your loss. I never met Roy, but I am very sorry for your loss.

Jeryl Abramson: I don't know what else you want me to address. What else is there?

Daniel Gettel: What I would like to suggest, obviously you had your engineer reach out to our engineer. It seems like everything was resolved except one minor item on drinking water, which is very minor. I don't know if you received a copy of the letter.

Jeryl Abramson: We use bottled water.

Daniel Gettel: There was something about potable water in a tank. It is a very minor item.

Jacqueline Ricciani: It talked about drinking water stations.

Daniel Gettel: If you are using bottled water, it isn't an issue. Based on my information that we received from Glenn Smith, all of the issues have been addressed. February is a short month, and we do have some items that we have to do that take 30 days, so between now and our next meeting we don't have 30 days. What I would suggest is that we send this information out for the 239 reviews to the state and county. They are given 30 days to respond. And that we declare our intent to be lead agent, which gives the other agencies 30 days to respond, and then we schedule this for public hearing, which is required by zoning prior to our issuing any approvals. Since we have the 30-day item, and that February is a short month, I suggest we do all of this in April, if that meets your timeline. Does anyone have any comments? I don't know if everyone has gotten Glenn Smith's letter. Like I said everything has been addressed except the water issue, which obviously is being addressed.

Motion to declare our intent to be Lead Agency by Steve Simpson second by Mike Cassaro

All in favor-6

Opposed - 0

Agreed and carried

Motion to grant this application a public hearing for April 9th to begin at 7:30 pm by Mike Cassaro, second by Steve Simpson

All in favor – 6

Opposed - 0

Agreed and carried

Daniel Gettel: You would be responsible to reach out to the Building Department to get the addresses' of your immediate neighbors, of the individuals who need to be notified. I don't know how large the list is, but it is the applicant's responsibility. I'm not sure if it goes out 10 days prior to our meeting, it should be done the end of March.

Jeryl Abramson: Why don't you give me the dates? (speaking to BJ)

Jacqueline Ricciani: You also have to allow enough time for the green cards to get back.

Daniel Gettel: The only other item we will submit with the site plan should be the narrative details, to go out with the 239 to the County and State.

End of Item #3.

Daniel Gettel: Anything coming up at the town board?

Dan Sturm: We have a meeting tomorrow night, nothing for the Planning Board.

Motion to adjourn by Steve Simpson, second by David Biren

All in favor – 6

Opposed - 0

Agreed and carried

9:10 pm

Respectively submitted,

Jannetta MacArthur

Recording Secretary