

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 July 9, 2013 at 7 PM at the Dr. Duggan Community Center, 3460 State Route 55, White Lake. A regular meeting of the Planning Board followed on the same date at 7:30 PM. On the agenda at this time is the following;

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

Excused: Walter Norris, Alternate

Full board in attendance

Pledge to the flag

Motion to approve minutes from the June 11, 2013 meeting by Steve Simpson, second by Wilfred Hughson

All in favor – 7

Opposed-0

Agreed and carried

1) Application for a proposed 2 Lot Division located off of Pine Grove Road, known as Bethel Tax Map #: 55B-1-1, proposed by Gibson McKean.

Gary Packer, Surveyor presenting: Each of you has a map in front of you. This is essentially (showing on map) the Cliff Lake track. I don't know if you are familiar with it. It is a beautiful, pristine, nice area. We are proposing to subdivide the property into two pieces. It is bounded on the south by the town line. It is bounded on the east by the Chapin Estates Development. On the west there is a Woodstone Development property which hasn't been subdivided yet. On the north, we have essentially the same. In the center of the property there is an odd property line, which you are all familiar with. What the reservoir systems did for a surveyor, it is a nightmare. They find the elevation, five feet above the normal pool level then go fifty feet horizontally from that. It doesn't follow a particular contour, and it's rather complicating, but it is on there. A lot of easements have been placed on the property in the past, which are conservation easements which precludes development beyond what we are proposing to do. It isn't like someone will be able to go down there and build a bunch of houses. There is a flood easement, which is in the middle of the property. There were some precautions taken on the reservoir system, on the damn. That is typical of other places. In the event of a structural failure, they are saying,

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stay away from here. It is kind of immaterial in this particular instance, but essential in places on the other reservoir where they were developing. We are essentially saying we would like to divide the property into two pieces, 180.85 Acres on the west side of Black Lake Creek and the reservoir, and 267.67 Acres on the east side of the creek and the reservoir. There is access off of Pine Grove Road, which is a fifty foot wide Right of Way, carefully spelled out in several conveyances and in the conservation easement, even to the extent that if they worked it a little bit and if it had to be moved they could move it, but it would remain fifty feet wide. The stream, the road, it can't get much simpler.

Daniel Gettel: We were reading some of the deeds prior to the meeting. Some of the deeds are from the '90's. It's probably Orange and Rockland co-development. They mention some structures. Are there any buildings on the property?

Gary Packer: Okay. There are no buildings on the property at this point in time. There are two places, not on this portion of the property on the east side of the reservoir, but south of the Bethel line there are two places where each could have a bath house essentially. Each of those areas were set aside for a bathhouse, 1,700 square feet was the maximum size that the bathhouse could be and that was one place that it did go to the high water mark of the reservoir. It did not stop at this weird line.

Daniel Gettel: That doesn't affect this property?

Gary Packer: No, absolutely not. Then there is a 3rd access point, which is a State access. If you fished a little bit, you would be familiar with it.

Daniel Gettel: Jacy, I know you didn't have a chance to read the deeds but do you have any questions or concerns?

Jacqueline Ricciani: No, I haven't read it yet. I am assuming the McKean's purchased this, because according to this ...

Gary Packer: There should be a reference on the map, which shows the McKean's purchased ...

Jacqueline Ricciani: I haven't looked at it yet. I see it here.

Daniel Gettel: Is there a reason you are subdividing now? Obviously there is a reason for everything. It is hard to argue against a 180 Acre lot.

Jacqueline Ricciani: What is the purpose of subdividing the parcel at this point?

Gibson McKean: We can do a three parcel subdivision. These two and the remainder will be the total parcel.

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Jacqueline Ricciani: What is the remainder?

Gibson McKean: The total piece is 1,300 Acres. So these two and the remainder will be the subdivision.

Jacqueline Ricciani: It is actually a larger parcel than what is shown on the map?

Gibson McKean: It is not all in the Town of Bethel.

Jacqueline Ricciani: Okay. What town is the rest of it?

Gary Packer: Highland and Lumberland.

Jacqueline Ricciani: It is in both Highland and Lumberland. Okay, so you will end up with 3 parcels. What is the purpose of having 3 parcels if you can't do anything with them?

Gibson McKean: There the value lies in the hunting.

Daniel Gettel: We were assuming that before the meeting, that it would more likely be hunting than anything else.

Gary Packer: You can't develop the property, other than those 2 bathhouses, which are not in the Town of Bethel. It is a hunting preserve, and fishing.

Daniel Gettel: Does the board have any questions? Obviously we touched on a County 239, which is required, as is the State, I believe, BJ?

BJ Gettel: As is the Town of Lumberland and the Town of Highland, the County 239, the State 239, and the Ag.

Daniel Gettel: As to the adjoiners in Bethel and the towns of Highland and Lumberland we can't waive a public hearing for a subdivision, even as minor as this is. We can't do it. I know you are not asking, but I hate to have you notify 30 plus people in Bethel alone.

Gary Packer: The adjoiners are essentially shown on the map.

Daniel Gettel: Mostly Chapin Estates. You will have to work closely with BJ. I have no problem moving it to a public hearing for August. I don't see that it is necessary to send on to an engineer for review, it is pretty straightforward. We aren't talking about building lots. This is strictly a subdivision. No buildings, no structures.

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Gary Packer: It is kind of a natural subdivision as Black Lake Creek pretty much bisects this property into two parcels right now. Both have frontage on Pine Grove Road.

Daniel Gettel: It is pretty much a natural subdivision, but it doesn't meet the natural subdivision criteria of the Town of Bethel. If there are no questions from the board I would entertain a motion that we grant this application a Public Hearing.

Motion to grant this application a public hearing on August 13th, to begin at 7:30 pm by Mike Cassaro, second by Steve Simpson.

All in favor – 7

Opposed - 0

Agreed and carried

Jacqueline Ricciani: One thing that BJ and I were just discussing. Because there is some kind of a connection to the reservoir system, if there are any other state agencies that we might need to notify along with the County.

BJ Gettel: We are thinking NYS DEC.

Jacqueline Ricciani: We are wondering if there are any other agencies besides the DEC. I would hate to have anyone come and give you a hard time because they couldn't comment on whatever it is. I will look into that.

Daniel Gettel: We do have 32 days before the meeting. The notification has to be 14 days prior.

BJ Gettel: But to do all this other stuff, I need 30 days, and the County likes 30 days.

Daniel Gettel: Any other agencies you are talking about just get the common comment period, it isn't necessarily 30 days.

Steve Simpson: Would you have to contact Orange and Rockland, or Eagle Creek?

Gary Packer: They are an adjoiner, yes. O & R is kind of out of title with anything that would be within 500 feet.

Daniel Gettel: If they own property, they would need to be notified.

BJ Gettel: But they do have the easement through there.

Gary Packer: Good point. I will check that. I think it was transferred over. The flood easement is associated with Toronto (reservoir), I think that was transferred over.

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Jacqueline Ricciani: It might be the name of the company that owns that damn now. I want to say Eagle Creek owns it now.

Gary Packer: I believe they are all the same right now. I believe Toronto is the same as Cliff, and that is Eagle Creek.

Daniel Gettel: We are talking about a short EAF, so we don't need to do Lead Agency. The work is going to be in the adjoiners.

Jacqueline Ricciani: You aren't aware of any bald eagles or anything? Anything endangered?

Daniel Gettel: It isn't construction, it is just a subdivision. Is there anything from the Town Board?

Vicky Simpson: This week's meeting is this Thursday. We have a very light agenda.

Susan Brown Otto: What about the ribbon cutting for the Dollar General?

BJ Gettel: When we receive notification, the permit for operating, Rita will send out notifications.

Motion to adjourn by Steve Simpson, second by David Biren

All in favor – 7

Opposed - 0

Agreed and carried

Respectively submitted,

Jannetta MacArthur
Recording Secretary