

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 October 9, 2012 at 7 PM at the Duggan School, 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 was the following:

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

Excused: Wilfred Hughson

Pledge to the flag

Seat David Slater

Motion to approve the minutes from the September 11, 2012 Planning Board meeting by Bill Brey, second by Steve Simpson

All in favor - 7

Opposed - 0

Agreed and carried

Daniel Gettel: There are three items on the agenda tonight. One is a public hearing. Just so the public is aware, originally there was to be another public hearing to be held at 7:30 pm. We stated at the last meeting we wouldn't start the Mansion House public hearing until 8pm. We will stick with that time table in the event that some people arrive later, expected to begin at 8pm. The items on the agenda this evening will not be reviewed in the order listed on the agenda. In fact item #2 is just a procedural issue we will probably take care of next. If it is okay with applicant #3 we would like to take you second. I don't know if your client is here. For tonight's public hearing, I believe BJ said 5 minutes for each to speak. If you would like to speak at the public hearing please sign in. If you haven't signed in, I will give you an opportunity before the public hearing starts to come up and sign in. Like I said, that will start at 8pm. This is a public hearing, we are here to listen to the public. This is not going to be a debate. This isn't going to be a question and answer period. We are really here to hear from the people who may be impacted by any action this board takes on this project. Please be courteous to the people in the audience, you may not all have the same opinion. I am assuming a lot of you have the same opinion, but there are probably going to be people here that don't necessarily share your opinion. Please be courteous to the people around you. If someone says they love one aspect of the project, I don't think it is necessary for everyone in the audience to come up and say I love that also. If you want to agree with the person, you just agree. I want to keep the meeting going. That is about it. Like I said, the public hearing will

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begin at 8pm. We will give you an opportunity to sign in before that starts. We are going to move on with item #2 on the Agenda.

2) Request for third extension of reissuance of final conditional subdivision approval for the preserve at Chapin Estate Subdivision.

Daniel Gettel: Just for the record, I did say the applicant did not need to be here to represent this, it is pretty much a procedural item. We extended this approval in the past. The last extension was for one year, which was granted December 13th 2011. Jacy, I understand this board has the authority to extend and we were actually encouraged by the state to extend approvals on subdivisions such as this.

Jacqueline Ricciani: And the town code was amended to be compatible with the state recommendations, and you can extend for any period of time you deem reasonable.

Daniel Gettel: I think it is common knowledge with the board members that the Preserve at Chapin Estates is tied up in litigation. I would make the recommendation to the board that we grant the application a final conditional subdivision approval extension for a period of one year, which would expire October 2013, let's make it for the date of our October meeting.

Motion to grant a final conditional subdivision approval extension to expire October 8, 2013 by Steve Simpson, second by Mike Cassaro

All in favor-7

All opposed -0

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 Yasgur Road Production, LLC. (Greenman-Pederman, Inc.)

Rock Stahovic – Greenman-Pederman, Inc. – Engineer, and Jeryl Abramson presenting.

Daniel Gettel: As I said before the meeting, we do have 20 minutes. If you would like to give a presentation, this is the first time we are hearing this application. What are you looking for? I do have some comments from my own review of the project. If you want to tell us what you are looking for.

Jeryl Abramson: Actually you have seen this plan before.

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Daniel Gettel: There are four other board members who have not seen this before.

Jeryl Abramson: Some of you may remember me from years ago. Some of you may not, so we will fill you in. Basically the plan we are presenting tonight has already been approved in 2004. It is the same exact plan. We updated a few things, we changed a few things to make it more up to date. Basically it is the same thing. What we are asking for, it is different this time, is permission to sleep. We want to have people for three days. They are coming anyway. We think after 44 years maybe it is time to host people that come to our community and treat them with respect and offer them some accommodations, and let them stay for the three days. We are offering sanitation, security, insurance, and a plan. We meet all health codes. We want to know if we can have people sleep for three days. I also have for you letters of intent from our subcontractors. We will go over all the things, and any questions.

Daniel Gettel: We will receive into record all the documents. I did have a chance to review your application. I spoke to your engineer briefly during the work session. Our next step would be lead agency status on the environmental. Other agencies have 30 days to respond, whether they want to be lead agent, or if we should take it. I think it is most logical that we be lead agent, but it is not entirely up to us. My concern is that there are currently a few discrepancies in the EAF. I do think this should be resolved prior to our sending it out to a number of state agencies. Specifically there is a little bit of a discrepancy about the acreage that will be used for camping. The EAF, I believe, says 42, the plan says 47.

Rock Stahovic: The difference there between the 47 and 42, is actually the one calculation excluding what was going to be left as open space. Like what is not going to be utilized as campground areas. So if you do take the 47.7, take off that 6.2, you are down to 41.5. The EAF says 42.

Daniel Gettel: You understand my position. I want to make sure everything is the same before it is submitted to different agencies. There is a little discrepancy in the number of parking, if you go from the site plan to the EAF. There are a couple of questions on the EAF that are not answered. I rely on Part 1 of the EAF in order to prepare Part 2. Even if it doesn't apply to the project, you have to address part 1. I want to make sure we are on the same page and that we start off on the right foot. There is also a question under Part B. Question 17 addresses the disposal of solid waste on the site. You correctly addressed generating solid waste in question 16, but you are not disposing of it on the site. Question 17 is about disposing solid waste on the site, and you are not. That should be a no. That is a big trigger for other agencies to look at. As far as our review is concerned, we are going to look at Chapter 120, the zoning regulations which address campgrounds and recreation. Also, Chapter 120-3 requires that a license be granted by the Code Enforcement Officer after an application has been approved under the Special

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Use procedures. The Planning Board reviews Special Uses, so we will also be reviewing it as a Special Use. That is outlined in Section 345-30. And the Site Plan review is outlined in Section 345-31. So those are the three, the Chapter and the two Sections that we will be looking at specifically for this project. I think at this time I would like you to address the minimal corrections to the EAF. Get us a new EAF. At the next meeting, assuming next month, we would start the SEQRA process, with submissions to the other agencies and get that 30 day timetable going. We are on a state route, so we are going to have to do a State 239 review and a County 239 review. The two forms coincide. I know in the past there were questions about the escrow account. I understand the escrow has been resolved, and there is no outstanding money in the old escrow account. We started fresh this morning. I want to make sure everyone is aware that we are starting fresh with escrow. This project can proceed as a new application. I do want you to keep in mind though there is only one person here that was on the board when you made the original application. It is going to be fresh for most of us.

Jeryl Abramson: Okay. Would you like me to go over the map?

Daniel Gettel: If you would like to tell us a little about the map, or have your engineer tell us. I think it is pretty straight forward. Is there an event you are planning? Is it something you are planning?

Jeryl Abramson: It's not really an event. It is the weekend that everyone comes up. We all know they are coming up.

Daniel Gettel: So you anticipate this will be Woodstock weekend? We have an unspecified date, assuming around Woodstock weekend.

Jeryl Abramson: I thought we had included the dates.

Daniel Gettel: You submitted additional information this morning that I didn't get a chance to read, and if it came in today I didn't review it. From what David (Biren) is showing me, it is in the introduction.

Jeryl Abramson: The management plan explains everything.

Daniel Gettel: If you want to briefly touch on the management plan.

Jeryl Abramson: Basically for those of you who don't know who we are, we have the old Max Yasgur homestead. Not the original site of Woodstock. There has been a lot of contention over the years about the people that come here, and the town hosting the people that come here. It seems ... the situation has not been resolved properly. It is not conducive to business in this community. It isn't fair to the people who want to come

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here, and it's not fair to the people to whom Woodstock means something, whether we understand that or not. I think that we have to understand another point of view. The people who come here want to come here because it is special to them. It is sacred ground to them. We don't have to agree with it. We do have to accommodate them. I think after 44 years it's time to say let's have some peace and a little prosperity. The people that are here tonight want to spend money in this town. Why can't we give them that opportunity? What we are proposing ... what we have been doing for years during a feud... all I'm saying is, let's put down the gauntlet, let's stop the feud, let's stop pretending these people are going away. When they do go away we miss them, and we miss the money. Let's be logical. We can accommodate several thousand people. Logically, we accommodate two to three thousand. We have them coming off Route 17B onto Yasgur Road. I don't want to get ahead, I will follow the management plan. We only advertise through word of mouth and the internet. This is not going to be wild, this is not 1969. This is really targeting the people who are in this Woodstock group. All of our promotion is on the internet. We will be doing presales. We do control our sales through wristbands. We have professional security. These are the go to guys in the industry, in the festival industry. They do the northeast. They subcontract to the Pfish people. They basically do these kinds of events in the northeast. They are the best. We have used them before. They are very low key. We call them our peacekeepers and we love them. I am anxious for the board to meet some of the people. Some of them are here tonight. Some of the people who have worked with us over the years, they are fabulous people and you are going to love them when you get to know them. We do have handicap accessibility. We have a trailer behind the house and we use that as the command center for EMS and for peace patrol. We find this is a good location. We have handicap accessibility right near there. It is by the house, near EMS and near security. We have accessibility from the road. There is an emergency exit (showing on map) and more parking over here. It is all mapped out how many cars we can have in this area. Based on the number of cars, which is 930 cars more or less, that's two to three thousand people. That fills our lot assuming two to three people in a car. Some cars have four, some have one. This is how the whole operation works. We will have dumpsters available, being two – thirty yard dumpsters. We are by code supposed to have 35 toilets. We upped it a little bit, and have about 40. We clean them every day. They are serviced every day. The sanitation is great. We use Lang from Narrowsburg. If anyone knows Ned Lang you know you can eat off his toilets. They are great. He does a great job. We will have barrels throughout the area, where the people are camping. Fifty five gallon drums. They will be collected through the weekend, put into the dumpsters and taken out. We will have vendors, we have a vending area. This whole area is well lit. We bring in generator lights. We are required by code to have a 50 foot buffer between us and all neighboring properties. We do 100 foot just to keep the peace. We do not want any cows dying this time. We do recycle. We do cleanup within a few days. All foodservice is subcontracted through vendors. Local vendors get first priority to vend. Anyone from the Town of Bethel, Sullivan County, gets first priority to vend. Traffic, I

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think we covered it. We keep everything moving. On Friday we will have three lanes going into the parking area, and going out we do one. One line coming down Route 17B, coming up Yasgur Road, then we split into three lanes and park them. That gets the cars moving faster. We have three ticket gates, gate keepers, they are also locals.

Daniel Gettel: Do you have parking attendants, traffic control?

Jeryl Abramson: We have gate keepers, security, and we have parking attendants. The people at the gate do not do parking. To leave we do the reverse of the whole thing. Pedestrian crossings are marked here. It is well away from the traffic areas. Emergency access is here. There are shale roads going through all of this. Should we need to get an ambulance in we can. If there is a real emergency we can get emergency vehicles in there. We do have fire extinguishers. We will have camping. This was the issue last time. In 2004, a little history, you gave us a permit, this board gave us a permit to host an event for 22 hours a day. You wanted us to remove everyone from our fields by 4 am, put them out on 17B in the middle of the night with no place to go knowing they are probably not in the condition they should be in to go, and bring them back in 2 hours later. This is all because we didn't want to have camping. I am asking, does that make sense?

Daniel Gettel: I also don't want to rehash history either.

Jeryl Abramson: I don't want to rehash history either. This is why I am bringing up the past. We want to have this camping issue resolved. That is why we are here. So don't say that well that was yesterday. We are still having the camping discussion. We are still having the sleeping outdoors discussion. You can sleep in your vehicle as long as your vehicle is not intended for sleeping. Okay, how are we going to resolve this so that these people who want to come to this town, this is a tourist town, how are we going to resolve this, so they are not fined, so landowners are not held in contempt of court, or not fined for having too many campers, or not enough, how are we going to resolve this? We have never had a safe, sanitary situation. We chase these people from one piece of real estate to another. We have humiliated them, and we fine them. They are still nice enough to want to come back. How long are we going to keep doing this? It is forty four years of missed opportunities? Do we want to keep doing the same thing over and over again? Is this really working for this community? We had the worst Woodstock weekend ever this year. Or was it the worst because they stopped coming?

Daniel Gettel: Jeryl, I don't want to get off track. We do have a public hearing coming at 8 pm. As far as the specifics go, I do think we have a good plan in place. I do think we have a good start. Like I said, I would like to resolve some of the small issues so we can proceed. You are good talking about specifics, and some are more technical. I think more of that will come later in the review. I don't think it is necessary right now.

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Tonight is more of an introduction. It is important to know that the Health Department does approve camping. It is not a formal permit, but they do have to approve the camping. The number of drinking facilities, number of porta-johns, shower facilities, It isn't totally in our hands. There will be another review agency involved. I want to make sure we have everything inline.

Jeryl Abramson: I spoke to the Board of Health, they said that as long as we follow the code, and the code is on here.

Daniel Gettel: I did have a chance to review that, you did have it submitted well in advance.

Bill Brey: Has the code changed since 2004? The code now permits them to sleep in a tent?

Jacqueline Ricciani: Yes

Daniel Gettel: Chapter 120

Bill Brey: That's what I wanted to know. Then that isn't a problem.

Jeryl Abramson: I don't think it ever was, but somehow it was.

Bill Brey: It was code. They can do it now.

Daniel Gettel: Jeryl, we are in a good spot to proceed. I do want to make sure things conform from the plans to the application.

Motion to receive and file three letters of intent from Enviroventures, they will be providing portable restrooms and dumpsters, Sherick Associates, insurance company, Marker Protection Services, bonded security, by David Slater, second by Bill Brey

All in favor - 7

All opposed - 0

Agreed and carried

Daniel Gettel: Like I said. If you revise the EAF make sure the map and the EAF conform. Specifically, make sure you address all of the questions, and correct # 18, or #17, the dump on the property question. I think that may be wise.

Jacqueline Ricciani: They are going to need something from the Department of Health confirming that it does meet code. It is in the Town of Bethel code.

Jeryl Abramson: I did speak to the DOH. He was very confused about that. He really

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can't determine whether or not we are within code until during or after the event. So as long as we cite the codes, and say we intend to meet the codes, we are within the codes.

Jacqueline Ricciani: Has he asked to review the plan to make sure the plan is consistent with the code?

Jeryl Abramson: No, because we are citing their code.

Daniel Gettel: Their code only lists what is required.

Jacqueline Ricciani: How do we know what is on the plan is accurate?

Jeryl Abramson: Because my engineer has verified it.

Jacqueline Ricciani: Okay.

Daniel Gettel: For the record, Glenn Smith, our engineer, will be reviewing this on behalf of the board. They (The Health Department) don't issue a specific permit.

Jeryl Abramson: Do you understand what I am saying. They do an onsite review. They will come over during the event and determine if there are any violations. We are above code.

Rock Stahovic: If I may, Glenn Smith will be reviewing that plan. In his review, everything that is placed on the plan whether it comes out of the chapter 120, or if it is in the code that states follow DOH, he will be seeing that, and would be able to review that and make sure we meet the code. If there is a discrepancy, Glenn would comment on any discrepancy whether it is through the Town of Bethel, or DOH.

Jacqueline Ricciani: It is a factor that this board has to take into account.

Rock Stahovic: If it is going to be reviewed by Glenn, we would default to Glenn. If he has any comments we would take them under advisement. If any changes are necessary they would be made, and then submitted to the board.

Daniel Gettel: I assume you get email at this email address that is on the business card. What we normally do is the engineer will send us review comments. They normally come in right before the meeting. We don't expect you to address them by the meeting, but we do want you to be aware of them. That is the best we can do, to submit to them two weeks in advance, we have to give them time to review too. I will forward this address to Glenn, and ask him when he submits information to us, that he gives you a copy, so you are aware of what we are up to. Also, if you are making submissions to the

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board it would be beneficial to you to send a copy to Glenn also. I don't want you to send to Glenn, and not to us. I want to make sure we are in the same loop.

Rock Stahovic: It would be addressed directly to the board, with a copy to Glenn.

Daniel Gettel: I don't think everything has to be funneled through us, we are volunteers, and we are not around every day reviewing the mail. Send to both of us, so we are on the same page, as long as we are kept in the loop.

1) Public Hearing for a Hotel/Spa, 1623 State Route 17B, White Lake, known as Bethel Tax Map #: 33-5-2.1, White Lake Mansion, LLC. (Sudol)

Daniel Gettel: If anyone wants to speak at the public hearing, please come forward and sign in. Jess if you would give a brief overview for the audience. Please present your project to the audience. The board has obviously seen it, but we do want the audience to have the information.

Jess Sudol: Good evening members of the board, and audience. My name is Jess Sudol. We are an engineering and architectural firm with offices in Rochester and Albany, NY. We are here tonight to review the White Lake Mansion project, which is a proposed Spa and Resort located at the intersection of South Route 55 and Route 17B across from the firehouse. I will walk everyone through the proposal. What we are looking to do, and then of course we will hear the public comment. What you see on this map is what the proposed development is to look like. Currently there is an existing building on the site. On our proposal, that building would be removed. We do intend to build a replica of the mansion building, which is right in front of the parcel. We realize the significance of that building to the community. That building would house the operations of the entire facility, which is again a spa and resort, a small retail component which will have t-shirts and hats, which may say White Lake Mansion Spa and Resort. It would have a reception area for people checking in, some conference rooms, and general gathering areas for people staying at the resort. It would also include dining, conference rooms, that type of thing. If a group of people come for a weekend they would have a place to meet. There would be two additional hotel style buildings. They are not very large buildings. Each one only has 36 rooms. They are basically three stories. Each story has twelve rooms, with the first story having a reception area. Building A, the basement, is actually a parking garage so there is some public parking underneath the building. Building B, which is in the southeast corner of the parcel, houses the spa itself. We have a floor plan of the actual spa. It is a health spa, and also a therapeutic spa. I mistakenly said at the last meeting that the spa was set up if where doctors could purchase the rooms, and then send their patients, and then have insurance reimbursement, that is not the case. That was a mistake on our part, and a misinterpretation on some of the material that was presented.

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Daniel Gettel: The insurance part was the misinformed part, not that the doctors can't buy in.

Jess Sudol: Basically, anybody can buy these units. Anyone sitting in this room can buy these units. It is going to be aggressively marketed in the tri-state area to sell similar to a timeshare. We anticipate that most of the people who will be purchasing will be purchasing for their own use and investment purposes. There is a pool area between the two buildings, with a little pool building for mechanical equipment. There are extensive landscaping elements in the whole central corridor. What we have tried to do is put the parking around the perimeter of the site so we can create a courtyard green area where people using the facility can travel from where they are staying to the main mansion building in the front, and again use those common facilities. The Route 17B area, we will put in sidewalks, and a whole enhanced landscaping area. We recognize this is part of the Route 17B corridor study, and that is the most visible area of the site. Through our design and grading plans and that type of thing, we look to continue to promote the proposed mansion building by keeping it elevated, we are not going to sink it down. All of you that are familiar with the area know that if you are on the other side of White Lake, and you look across, from Kauneonga Lake, that building really stands out. We are going to maintain that. That is why we didn't place a parking lot in front of it. There is a small parking area with a drop off, that is mainly designed for reception. The dining area inside the building will be open to the public. We do have on-site parking to accommodate that. There is also parking that is secure, so people coming in to stay for the weekend would be able to park in a secure lot. Again, the mansion building is going to be three stories. The first story is primarily some of the offices. It is not offices for people to conduct a separate business. It is offices for the staff that are working at the Mansion House. There will be approximately 100 jobs created by this project, which would be a combination of maintenance people and cooks, people working at the spa, hotel staff. It is a benefit to the community. Also there will be a dining area with an outdoor dining area. The second floor, and first floor for that matter, will primarily be conference rooms and gathering areas. There may be a small drink area. We have had to incorporate some sustainability throughout the project. We are using LED light fixtures. We are incorporating things like rain gardens, roof cisterns for the water. The runoff from the roof would go into rain cisterns, and then used for irrigation for the project. One of the things that I pointed out to the board, the owners intends to own this past their lifetime, basically keep it in the family and pass on to their kids and grandkids. It is not a situation where they are going to build this and then sell it. That is why they are willing to invest extra money in the sustainable items and really put the extra effort into the project to make sure it is a good project. It is important to me at least to know they are going to be holding on to it for a long time. We have been working on this, with the town, since ... actually, it was first introduced with other professionals almost three years ago. Our group and design team started working with the town back in the spring. We

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have met with the Planning Board several times. One of the first things that we did was get some area variances to address the building heights. We do have those variances, so we are past that. We have also been working on things such as sewer capacity, traffic, and drainage, and all of those items that you hear that fall under the realm of SEQRA. Some of you who are familiar with the project understand that is the board's obligation as lead agent to investigate, basically, the potential environmental impact associated with all of those items. We are working with the State DOT, and the Health Department. We are working with the town engineer, and we plan on continuing to work with all of those folks to basically satisfy any concerns that they do have. Again, that is a summary of the project. There was an inspection done by a third party engineer on the building, which I'm sure will be part of the record. I'm not going to read through that, I'm sure it will be available. Mr. Chairman, would you like me to include anything else?

Daniel Gettel: You have also met with the fire department and incorporated quite a number of things that the fire department requested.

Jess Sudol: That's true. We did meet with the fire department. They are right across the street. A project of this size we obviously want to pay special attention to them because it is not your average single family home. We want to make sure we are giving them all the accessibility they need to get to these buildings. We are putting in a sleeve under Route 17B, instead of dragging the hose across the road, and holding up traffic. They asked us to move around some fire department connections, where they hook the truck up to the sprinkler system at the end of the building. We added a couple of dry fire hydrants, things of that nature. We made sure they were comfortable with getting to the buildings in the back. We made sure we are not parking in their fall zone.

Daniel Gettel: If you are comfortable with your presentation, I'm fine with that. BJ, the adjoiner notifications, have we received the receipts back?

Jess Sudol: We do have the receipts for the adjoiner notifications.

Daniel Gettel: The State and the County 239's came back. The County was more concerned about the dumpster locations and plantings as far as landscaping goes. Those are simple items you can easily address. The State came back, basically again, stating that work on the driveway needs a permit from them and they want to make sure that your driveway conforms to their standards. I believe the driveway has been changed to address the states concerns. I would like to receive and file both the State M-239 review and as well as the County M-239 review.

Motion by Susan Brown Otto, second by David Biren to receive and file State M-239 and County M-239 review letters

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All in favor – 7

All opposed – 0

Agreed and carried

Daniel Gettel: Also, before we let the public speak I need to entertain a motion to go out of our regular meeting and into a Public Hearing.

Motion to go into public hearing by Steve Simpson, second by David Slater

All in favor - 7

All opposed – 0

Agreed and carried

Daniel Gettel: Like BJ said, there are a number of people who would like to speak tonight. She said 5 minutes, I was going to give you 2 minutes, but we'll stick with her 5 minutes. This is a public hearing. We are really here to listen to your comments, and I hope you have received a lot of your answers through the presentation by the engineer. If not, we will try to answer some of your questions, but it's not an open public debate. We are not going to debate it. You may not get your answers, but we do want to know your concerns.

Karen London: I have always been intrigued by the history of the town. Dating back from 1848, the unique architecture, from what I understand, the Mansion House is the first summer hotel in the county that became famous. I urge the board to really make sure, maybe through an independent investigation, that the building truly is not salvageable. It would be so much more enhanced to have a project with this structure that other places don't have. I know it has not received historic landmark status, it is probably eligible I think. I would really urge the board to consider that strongly, an alternative to mitigating the construction of the building. Investigate any potential State and Federal subsidies that might be available for that type of historical incorporation and preservation. If that is not possible, then to make sure certainly, completely assured, that the business feasibility is there, so not the raising of a new building without completing the project. We do have something special here. It is unfortunate it hasn't been restored before. It is a unique revival.

Daniel Gettel: Thank you Karen. If you have written comments, and you do want to turn them in, we will receive and file them at the end of the meeting.

Hal Teitelbaum: Thank you very much. I do appreciate the correction that was made regarding the potential insurance reimbursement, and medical use for the project. That did catch my eye from the previous Planning Board minutes. Basically, a project of this order, the types of activities that are being discussed are not going to be reimbursed by insurance. There was also mention in the Planning Board minutes about various

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physicians being interested. Obviously that is possible, but they specifically mentioned Crystal Run Healthcare. As the managing partner of Crystal Run Healthcare, I can tell you there was absolutely no discussion with us. Obviously anyone is free to purchase units or lease units, and do whatever they want, but I do not want any misunderstanding on the part of the board of any involvement on our part. There is none. Again, this is not something that health insurance would reimburse at all. Again, that has been corrected. I am concerned however that this is a large project. I do like having development in Sullivan County. I would like them to be successful. We are all aware that we have had several failures, specifically in the Town of Bethel. We have unfinished foundations on Route 55 that have been sitting there for years. We have the Bella Lago project. We don't want another dead project. I am hoping this project will be immensely successful. I think it is important that the Planning Board require a bond for this project. This is in the heart of Bethel. This is right on Route 17B. This is the approach to Bethel Woods. This is a large project that will be missed if it is not completed. I think Karen's point is a good one. If we knock down the Mansion House, and cannot finish this project. The way to insure that does not happen is that you require a bond. I don't know if that has been done before, I have been told it has been, I don't know that as a fact. I know in many other towns bonds are required, and I suggest that one be required here. Thank you very much. I do wish you success with the project.

Joan Silna: Actually most of our questions have been answered. I did not know the variance was already given for height. I'm sorry to hear that. That is a done deal? I don't have a clear picture if this is a hotel, an apartment, a town house? They keep saying spa, yet I hear people, medical people will be flown in from other countries. There are all kinds of rumors. I don't know what it is and I live right across the street. I would like to have a clearer picture of what this is. If someone could make this clear.

Daniel Gettel: It would be operated as a hotel. The rooms themselves would be bought out like a timeshare, so if you want to use the hotel room during a certain time, you can use it is like a timeshare, or you can let the management company rent that room during off times.

Joan Silna: What happens to this during the winter?

Daniel Gettel: It is operated as a timeshare, year round. If anyone wants to come during the winter, they don't distinguish between winter and summer. I assume it will be busier during the summer.

Joan Silna: I would like to know what the plan will be during the winter. I'm sure it can't survive on a two month basis. I live right across the street. As you know we have an empty facility across the way. We are very concerned that we don't have another big empty facility near us.

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Barry Schwartz: In addition to being a homeowner and local business person, I happen to be the nearest neighbor to be precise. To add description to the description of this particular property, I am generally excited about it. The actual corner of Route 55 and Route 17B is a property I have owned for quite some time. I have a keen interest in not only what goes on here, but in the community at large. Again I support progress and development and I would like to underline that my approach to everything in life is first do no harm. That doesn't mean that you don't go forward. My son, somewhat rebellious when he was younger, used to say to me, Dad, ships weren't built to stay in port. What I mean to say is that I would like to see this launched and do very well. I do have some specific concerns. My questions are kind of precise, I will share them now. They can be either addressed here and now or whenever it is appropriate. 1. As a neighbor with concerns about the size and the scope of the project, I also have some curiosity about it, and I am curious how it might or might not impact on the well system. Will the quantity of water, the size of the project, the scope of the project, in any way have a negative impact on the existing homeowners on the potential or future development of my piece next door? So, the water table and the capacity. 2. I am a little concerned about the height and the variance, with respect to not so much the aesthetic, because I think it looks very nice. I am a little concerned on the sunlight corridors that the building to the southwest will cast shadows. Taking a step back, I see there is a parking lot on the western side of that particular property. It may be a non issue, I don't know, but I am curious about that. 3. Noise, obviously this is a spa, where there is going to be a lot of R and R. I don't expect a lot of noise. To the neighbors at large this may be a concern. I was under the impression there was going to be bus loads of people coming. I also own an apartment in Manhattan. There is a three board controversy going on right now because of some of the local independent bus companies. We all know about the rash of bus accidents lately, which I consider unregulated independence. My concern is of having buses idling on that west side parking lot. It might just be looming right over my corner, and also impact some of the residents in the neighborhood.

Daniel Gettel: Mr. Schwartz, I don't want to rush you along, but you are getting close to 5 minutes. To answer the busing question, the only busing question that came up, is if there were people at the facility who wanted to go to Bethel Woods, they would most likely be offered a bus service to take them to Bethel Woods. It would just be taking the people out of the traffic flow to Bethel Woods. That is only time buses were mentioned.

Barry Schwartz: I appreciate you clarifying that. I wish you all well.

Alan Scott: I am with the Sullivan County Partnership for Economic Development. (Reading letter into Record) "Dear Chairman Gettel and Planning Board Members. After reviewing Globe Developers, Inc's plans for the White Lake Mansion Hotel and Spa, I am pleased to support this project. This plan includes a Condo-Hotel concept

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design with 52, one bedroom suites, 20, two bedroom suites, and outdoor pool and café, a 15 thousand square foot service spa, and 2,000 square feet of leasable commercial space. This projected \$22 million project will produce much needed construction and permanent year-round jobs. Additionally, room tax, sales tax, and property tax revenues will be created and will greatly contribute to our economy here in Sullivan County. If you have further questions or concerns, please do not hesitate to contact me. I thank you for your continued support and consideration on this matter. Please look upon this project favorably when it comes before your board.”

Judith Maidenbaum: I agree with everything that has been said. I would like to ask if we could see a picture of the front. Everyone that sits at the Fat Lady looks at the Mansion House and says how beautiful it is.

Daniel Gettel: For the record, the Fat Lady sits on the Kauneonga Lake lakefront.

Judith Maidenbaum: Oh, the Fat Lady is a restaurant. Is that what it is going to look like?

Jess Sudol: It is the proposal, yes.

Judith Maidenbaum: That actually doesn't look at all like the Mansion House. It is not a replica at all.

Jess Sudol: This is a newer one.

Judith Maidenbaum: As I was looking at it from the side, you said it was a replica, but it really isn't. It would be nice from my point of view, it is a historical building and a beautiful building. If you need to knock it down, I wanted it myself, but I couldn't afford it. I want it because it is beautiful, it has a history, it is on the lake. It means something to most of us who live here. To those who live here, most of us who have moved up here we have the history here that dates maybe two generations, our parents enjoyed themselves there, it would be nice to feel you respected that history and if you need to knock it down you would replace it with something that looks just exactly like it, especially that front building. I'm not sure why you have it like this, it doesn't look like what we are used to. You are changing the face of the lake. That is the first thing. The second thing, I understand because I myself have knocked down buildings and not replaced them. In this case, it is not a small building, it does have a presence on the lake, and perhaps you will think about that.

Dawn Ryder: I welcome a project like this in Bethel. I think it is so great to have the Performing Arts in our backyard. We need camping and hotel space. I would agree with Hal and Karen on the fact that we don't want to see more projects unfinished. So

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therefore, I thought when we did the code regulations I thought we had put in a check list to check the backgrounds and financial standings of a developer on such a project like this project. One thing I would like to ask is to make sure you research, make sure you have financials, make sure we don't not another Bella Lago just sitting there, beautiful on the outside, and undone on the inside so we can't sell it. And possibly bonds, the dismantling of the historical building we have come to grow and love. Thank you.

Susan Bunce: I have three points, two of which echo Dawn and Dr. Teitelbaum's concerns of financial ability for the project to be finished. I thought when we had the first public hearing with the Planning Board that someone on the board did say that they did say there would be a bond.

Daniel Gettel: This is the only public hearing we have had on this application.

Susan Bunce: Maybe when it was first introduced.

Daniel Gettel: It was never a public hearing. This is the third ... it could have been the Zoning Board. They had a public hearing.

Susan Bunce: As Dawn said, I hope it will be something you take seriously. Secondly I do echo Mr. Schwartz's concern about the water. My home is six houses down from the property. Since we are all on one water line I hope there is no issue with the water table. That is probably related to my last comment, the gentleman said there were some concerns with regard to the SEQRA study. I was wondering what they were and how I could find out about those.

Daniel Gettel: The SEQRA is on file, and has been on file in the Town Clerks office. The water issue I understand, Michael (Weeks) correct me if I'm wrong, there is a water distribution plan on file also in the Town Clerks office. I don't want to say that if that is not true.

Michael Weeks: There is a preliminary report that is on file at the town hall, not a final report.

Daniel Gettel: There is information on the water, there is an existing well there. It has a 35 gallon per minute pumping rate right now. The Health Department does have to approve anything they do with water. There will be a second well. There will be well studies done that will address draw down on neighbors and things of that nature as part of the Health Department review.

Susan Bunce: Was that issue with the study?

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Jess Sudol: Under the SEQRA review there are a lot of different items that we look at, there are no particular issues.

Susan Bunce: I thought you said there was something specific.

Gary Takouriun: We all support this project. I am a little excited about this myself. What I would like to see is the site plan. The Kings built the original one, which is the one still standing.

Maureen Lerner: Your business model sounds intriguing. I would love to know if there are other comparable facilities, businesses in New York. The potential revenue streams, not only for the facility, but revenue streams for the Town of Bethel. Most importantly, the financial viability, and the financial soundness of the corporation, or the company, but more important the commitment to marketing. I think the future is the opportunity. If you are going to spend money, I heard 20 some odd million, what is the commitment to do ongoing marketing, so the first year is successful, second year, third year, etc.

Daniel Gettel: Jess, are there any specific concerns you want to address? I think we addressed them as we went.

Jess Sudol: One thing I didn't mention in my presentation, Globe Developers has done these types of developments all over the world with the exact same model, and they have been very successful with them. They currently have one in Spain that is very successful.

Daniel Gettel: We will leave this up (the easel) so the public can look at it after the meeting. They do have a website you can visit. What is the name of the website?

Jennifer Teitelbaum: What is the name of the facility in Rochester?

Jess Sudol and : The Kirstein Building

Daniel Gettel: The board was aware there was a website. I know some members of the board have visited the website. We are familiar with the project in Spain., although we haven't been to Spain. Anyone else from the public?

No one

Motion to close public hearing and go back into our regular meeting with the condition that the public hearing is kept open for an additional 2 weeks for any additional written comment by David Slater, second by David Biren

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All in favor - 7

Opposed - 0

Agreed and carried

Daniel Gettel: Michael you and I had a discussion today about a number of outstanding issues. A lot of them had to do with the storm water plan actually. I don't want to say they are minimal issues, but they are issues that can be resolved. Jess has offered to sit down with you to hash out these final items.

Michael Weeks: We did go through the comments, and went through them one by one.

Daniel Gettel: I think they can be resolved. I don't think it is anything that is going cause a real problem with the project. Most of them have to do with SWPPP. There are some outstanding some issues we have to address. Prior to the public hearing I said I would receive and file some letters that were received. They were not to be read into record, but to be part of the file.

Motion to receive and file written letters from Ethan Cohen, Architect from Dadras Architect in reference to the building, and Allan Scott by Bill Brey, second by Susan Brown Otto

All in favor - 7

Opposed - 0

Agreed and carried

Daniel Gettel: Michael, do you have any comments beside the SWPPP?

Michael Weeks: Not at this time

Daniel Gettel: We were just planning on digesting the public comment. Jacy, any comments?

Jacqueline Ricciani: No

Daniel Gettel: Anything from the board, or the applicant?

Bill Brey: I have the same concern that Hal Teitelbaum and other people from the audience had about the financial ability to complete the project. We have had so many problems with developers coming in here, tearing down existing buildings, and doing nothing. We should have a bond, or some guarantee.

Daniel Gettel: Any other comments from the board?

No one

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Daniel Gettel: Vicky, anything with the Town Board?

Vicky Vassmer Simpson: At the next meeting we will be introducing the budget.

Daniel Gettel: At tomorrow night's meeting?

Vicky Vassmer Simpson: Yes

Susan Brown Otto: Can I ask a question?

Daniel Gettel: Sure

Susan Brown Otto: I know there was something in the legal announcements a few weeks ago that there was going to be a vote on buying a new fire truck, hook and ladder, in White Lake. Did that pass? I never saw anything in the paper whether that passed or not. Was the purchase of the fire department approved? Is it being purchased in anticipation of ...?

Vicky Vassmer Simpson: I have no idea.

Daniel Gettel: That is separate, and I haven't heard anything about it. That is a district vote.

Susan Brown Otto: Back in September there was a legal notice.

Daniel Gettel: They did get a new truck but I don't think it is a ladder truck.

Susan Brown Otto: This was to purchase a new truck, even if it passed, they probably didn't purchase it yet.

Daniel Gettel: I don't know.

Susan Brown Otto: Okay. Because when they need a hook and ladder on this project to go ahead...

Daniel Gettel: Monticello is standby for all the towns around because they have a hook and ladder truck. Vicky, if there are no other comments from the Town Board. We will leave the pictures up if anyone from the audience would like to come up to look at them. Can keep them and put them in Town Hall for part of the record.

Jess Sudol: Sure.

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Motion to adjourn by David Slater, second by David Biren.

All in favor – 7

Opposed –0

Agreed and carried

8:45 PM

Respectively submitted,

Jannetta MacArthur

Recording Secretary