

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 29, 2013 at 7 PM at the Dr. Duggan Community Center, 3460 State Route 55, White Lake, NY. A special meeting of the Planning Board followed on the same date at 7:30 PM.

In attendance: Daniel Gettel, Chairman, Steve Simpson, Vice Chairman, Michael Cassaro, David Biren, Wilfred Hughson, David Slater, Planning Board Members, Daniel Sturm, Supervisor, Victoria Vassmer-Simpson, Councilwoman, Lillian Hendrickson, Councilwoman, Jacqueline Ricianni, Attorney, Bette Jean Gettel, Code Enforcement Officer.

Absent: Susan Brown-Otto, Planning Board Member,
Walter Norris, Alternate Board Member

Excused: Jannetta MacArthur, Recording Secretary

Pledge to the flag

Motion to approve the minutes from the October 8, 2013 Planning Board meeting by Steve Simpson, second by Michael Cassaro

All in favor - 7

Opposed - 0

Agreed and carried

- 1) Application for a Transient Campground to be located on Best Road for specific dates of May 22 – 27, 2014, known as Bethel Tax Map #: 16-1-39, 22-1-1, 22-1-4, 22-1-21, and 22-1-22, proposed by Bethel Woods Center for the Arts and ID&T/SFX Mysteryland, LLC.**

Daniel Gettel: If you don't mind giving us a presentation. As a Planning Board we have seen this before. If you just want to tell us where you are and what has changed since the last time we saw this application.

Laura Jacobsen: Yes, I will. My name is Laura Jacobsen and I am the project Manager for Mysteryland. This is our third presentation here and we are summing up some important information and also we heard that there were some questions and some things that were not really clear. In the presentation we first want to talk about ticket sales about the information, about Mysteryland and about the planning and then we will talk about the drawing that you are

Town of Bethel
Planning Board
PO Box 300, 3454 Route 55
White Lake, NY 12786

all looking at. First of all we want to tell you about ticket sales. First, I know there have been rumors that tickets are already on sale that they are sold out. That's all not true. We are not on sale yet, so they cannot be sold out. We are going to sell camping tickets and day tickets. The camping tickets are going to be for the people who are going to stay at the Mysteryland Camping and the day tickets are for the people who are going to come in on Saturday and Sunday. Camping is 7,500 people and the visitors on Saturday and Sunday are 12,500 people. The festival days are Saturday and Sunday and we are aiming for 11:00 in the morning until 2:00 at night. The camping we want to open on Friday in the morning at 9:00am and we want to have all of the visitors out of the camping on Monday at 6:00pm. We chose these hours so the egress, especially on Monday, can go in a smooth way. The same goes for Friday, so we have a lot of time for all of the visitors to get in. Mysteryland is twenty-one plus, so it's not eighteen. We also heard rumors about that. It is twenty-one plus. When we are going to sell the tickets all of the tickets are going to be sold on-line. So no hard tickets, but all tickets on-line and it is going to be on our Mysteryland website. From the website you can click and it will redirect you to our ticketing shop and that is hosted by Pelochic. Pelochic is the company who is selling all of the tickets for all of our events. So it is all going to be on-line sales and we are not on sale yet. I think that is the most important information about the ticket sales that I can share with you right now. We have two important sources of information where you can find ride information about Mysteryland. That is first of all our own website. It is the Mysteryland.com website. Second it is the site for Bethel Woods. I know there is a lot of information already on-line, but it is a lot of written press, people making up their own stories so that is why on-line there are already stories of us already selling tickets or about our announcing a lot of people are attending. The right information is on those two websites and we have this info e-mail address which is Info@Mysteryland.com. Everybody can use that address for questions and they will end up in our mailboxes and we will start to answer those questions. In the picture this is the Bethel Woods website. Now you see there is the whole press release with all the information we have right now. And this is our Mysteryland website. What is very important is the whole schedule of how we are going to work from now. First of all we need to get the Special Use Permit for the camping. Before we have that we will not communicate about the camping. We will not start ticket sales. We just don't talk about it. So, until that moment there is no communication from us about the camping. As soon as we have the Special Use Permit for the camping then we start announcing. Then we are going to tell everyone that it is going to be a festival with camping and then we are going to start the ticket sales. For that matter we will wait until we have an official approval to do that. When we announce everything our whole marketing campaign will start. The marketing campaign first of all is going to lead to eventually that we are sold out. With the whole marketing campaign we would like to sell all of our tickets, but what is also very important is about event branding. It is about explaining to people that this is Mysteryland and this is what we are going to do and also give them information, for example, the event info.

Town of Bethel
Planning Board
PO Box 300, 3454 Route 55
White Lake, NY 12786

Before the event is really going to happen it is very important to explain to all of the visitors how they can arrive at Bethel Woods, where they need to park their car and that they need to have a parking ticket. So we are really using our marketing campaign to first sell out the tickets, but to inform the visitors on how everything is going to work. Then we will get into the whole production operation process which we are already in right now. We are making the drawings, creating all of the plans, working together so that the whole process is already running. Eventually, two weeks before the event, we will start the buildup. That is the latest part in our schedule of getting this event done. For us it is very important that we also request from the Planning Board, we would like, for us, for our planning it would be really good if we could have the Public Hearing on November 12th and if it's possible the approval meeting for November 29th. That is our request from the Planning Board if that is possible. Then, I think, let's dive into the drawing for the camping. I would like to ask the engineer and Brian to join me.

Brian Tamke: I am the project manager for Mysteryland. Since we were here last in the beginning of October, we have gone ahead and translated our Site Plans to local zoning maps, to show property lines, to show topography, to show an expanded space for the program to adhere to zoning with the amount of space we have per square foot per camper. We have gone ahead and as the map will show and as Ken will update afterwards, go over the amount of space we have allotted for camping. Go over the different layout we put on the map to reflect different zoning codes not only with space but to restrooms, dumpsters, sanitary facilities, showers, so on and so forth as well as updated parking areas to reflect the amount of space. I will let Ken go ahead.

Ken Ellsworth: My name is Ken Ellsworth. I am with Keystone Associates. We are out of Binghamton New York. We have been helping the group prepare the set of plans that you have in front of you now and working with Glenn Smith, your Town Engineer to lay the camping and the parking out. What you have in front of you now is more of the recent plans and I will go through some of the ordinances that we had to go through that Glenn is working with us on. We were sent out to find or to accommodate 7,500 people approximately for camping and parking. In working with Glenn we ended up developing four tents per site and four people per tent. It all comes down to needing about 78 Acres for camping. You will see on your plan right now that this area here (showing on map) is the camping area. It is laid out into a grid pattern. It needs some additional layout for that. We understand that. What you are seeing there is 96 Acres in lieu of the 78 Acres that we need. What we will do in our next phase of this is to lay that out so that there is an access road, a couple of sites, then another access road. You will see that laid out a little bit more like the parking that we will talk about in a minute. That reflects about 469 campsites using the numbers that Glenn asked us to use. You will actually see those in the next plan as opposed to, as I said, just the grid. In the parking we are providing 3,282 spaces for the

Town of Bethel
Planning Board
PO Box 300, 3454 Route 55
White Lake, NY 12786

cars. That is in these areas here (showing on map). Glenn asked us to use 10 foot x 20 foot parking spaces with 20 foot isles. That is what those reflect at this point. We have room to expand those if we have to. It comes down to being about 1,800. If you look at the numbers we need 1,800 spaces if you think four campers are going to come in a car, but you don't know that so we are trying to make use of that. We actually have three times what we think we need but you just don't know how they are going to arrive. The facilities are shown on this plan, and again, I am using this scale, but there are larger scale maps attached. These are the orange areas that you see. Each one of those areas reflect five (5) toilets, four (4) showers, two (2) wash stations and one (1) dumpster. We were also charged with them not being more than five hundred feet from any one campsite. Dispersals throughout there will be adjusted. What we needed was approximately, based upon the numbers about sixty-one (61) toilets divided between his and her toilets and what we have shown on the plan right now is one thousand (1,000) toilets, eighty (80) showers, forty (40) wash stations and twenty (20) dumpsters. I guess in this presentation what we are trying to bring across is we have more than what we need and the layout needs to be tweaked, Glenn needs to see this set of plans once again to make any comments, additional comments, but for the most part we have satisfied ourselves that this area is large enough to make this concept work. I think that is it. Thank you.

Brian Tamke: Thank you guys very much for the time. That is the update based on Site Plans and the zoning codes.

Daniel Gettel: Okay, I can point out a couple of things. I appreciate the fact that you have an engineer. It was kind of a struggle to get an engineer to respond so quickly and I appreciate Keystone stepping in. Glenn has been working closely with both the applicant and Keystone and I do think things are going in the right direction. It wasn't mentioned during the presentation, but since the last meeting you scrapped the idea of having RV's at the RV camping.

Brian Tamke: Yes. Based on the updated planning for the size of the camping area we thought it would be more beneficial to wait, to hold off on RV camping until we determine how the camping works. This year the traffic patterns come through and then determine whether or not it is a more feasible option next year to be able to place it more strategically within the site. This year it will be strictly tent camping as opposed to as mix between tent and RV camping.

Daniel Gettel: I did speak with Glenn about having you demonstrate that you have the bulk, that you can meet the bulk requirements with the area. We are not saying that the camping is going to be spread over the 96 Acres. That it may be congested more to one area than others, but that will all come out in later plans, but we are not talking about 96 Acres of tents. We are saying that in order to meet the bulk requirements this is what you need to reserve for camping. It came

Town of Bethel
Planning Board
PO Box 300, 3454 Route 55
White Lake, NY 12786

up at one of the last meetings, I am not sure if it was during the meeting or after, how do you handle non-ticket holders showing up for the concert?

Brian Tamke: Non-ticket holders, we have security that is at the perimeter and as attendees come that are asked for a parking pass in order to get into the parking areas first and foremost. From there they are walked directly to the entrances where they are checked for tickets and for camping passes as necessary. If they don't have them they are escorted back to their cars and are asked to leave the property.

Daniel Gettel: And the parking lots are open fields at this time. Are there going to be parking attendants, or stripes, or how are you going to control the people?

Brian Tamke: Yes, we hire for all of our events professional teams to come in, stripe the fields, make sure the appropriate amount of space that we allocated in the planning is reflected in the actual execution. They will come in, stripe the field leading up to the event, they manage the parking, the ingress and egress, as well as monitoring the parking lots throughout the course of the event. So, just as we plan leading up, we plan and execute during with ample coverage and teams.

Daniel Gettel: Again, I am going to point out that we are specifically looking at camping for this event. If Bethel Woods decided to have a concert they could have a concert without our approval and without any of our review. We are specifically looking at the camping, but I do like the idea that the camping traffic arrives on a Friday when there is no concert and leaves on a Monday. In reality, I do not think the traffic is going to be too heavy for people arriving or leaving for camping, no larger than a small concert at Bethel Woods. On Saturday and Sunday, it would be more of a larger concert, but it is spread out during the day, it is not a specific two hour, three hour, four hour time frame. It is going to be spread out.

Brian Tamke: That is correct.

Daniel Gettel: I assume we are going to hear more about traffic and your traffic plan by the next meeting too.

Brian Tamke: Yes, absolutely.

Daniel Gettel: I did get a chance to speak to you briefly about noise. Jacy, we do have to look into specifically Bethel Woods. If they have limitations on when they can have, what the noise limitations are for Bethel Woods. We don't want to be more restrictive with this application than

Town of Bethel
Planning Board
PO Box 300, 3454 Route 55
White Lake, NY 12786

directly across the street. It is kind of foolish to say that Bethel Woods can have music until two in the morning but you have to shut off at midnight. Again, you do have to go to the Town Board for the noise ordinance permit, but we are going to set some guideline on when that can happen, but it is not going to be more restrictive than Bethel Woods. I don't think that would be fair to you. And, just so the board is aware, I do think what we need to do is handle this project consistent with other projects we have handled in the past, specifically camping projects. Some of the conditions we have had on other projects are going to carry over to your project. When you have a specific contract with a trash hauler we want proof that you actually have a contract with such and such a person by such and such a date. We will set that as part of the conditions. I am sure your security people can give you something in writing that they have been hired, that you have a contract with them, that they are going to work such and such. That is something that we are going to look at also. That's really about it. I know Glenn did not get a chance to do a final review because he was going out of town and wasn't available tonight. I do appreciate that you are working closely with Glenn. He did mention something about the parking area maybe needing some tweaking, but I think there is a little bit of tweaking that has to be done everywhere but again, you are three weeks into this as far as the engineer goes, less than three weeks.

Brian Tamke: Yeah, technically a week and a half.

Daniel Gettel: In the last week and a half things have really... I do think in the last week and a half things have evolved more into a project that we could consider. Jacy, do you have any comments, or are there any comments from the board?

Jacy Ricciani: Do you want to discuss Plaza Central?

Daniel Gettel: Yes, is that what it is called on the plan?

Brian Tamke: Correct.

Daniel Gettel: There is a section in the code...

Jacy Ricciani: 345-17 I think.

Daniel Gettel: 345-17 includes Amusement and Entertainment. The Ag District permits the camping as a Commercial Outdoor Recreation. You also have an area where the campers are going to have a small stage area with entertainment?

Town of Bethel
Planning Board
PO Box 300, 3454 Route 55
White Lake, NY 12786

Brian Tamke: Correct.

Daniel Gettel: If you read that section, Section 345-17 paragraph “A” states that no buildings or structures shall be located within one hundred feet of a property line, so you may have a problem with the stage in that area, where it is shown on the current map.

Brian Tamke: That can be adjusted.

Daniel Gettel: And there is also the second paragraph, subparagraph 2 of paragraph “A” goes on to state that any unenclosed recreation facility shall not be located within one hundred and fifty feet of any property line, so I do think you are going to have to look at the little mini concert, let’s call it, in the camping area to make sure it is not within one hundred and fifty feet of a neighboring property. Since you do have one neighbor, I would suggest that you let us know if you are going to put up some kind of barricade to protect the neighbor’s property from trespassing, whether it be temporary fencing or barricades, or security, or how you are going to handle it since it is very close to the camping area, specifically the entertainment area of the campground.

Brian Tamke: Sure.

Daniel Gettel: The rest of the section, I asked you to look at four sections of the code. Basically, Chapter 120 talks about camping, but camping in our code is pretty much for establishing more of a year-round camping facility, not a temporary thing such as this. We have had this problem in the past because the camping calls for planting trees, cutting in roads and really that is not feasible for a four day weekend. But, I do think you have met the conditions of the other sections that I asked you to look at, specifically the Special Use Permit and Section 345-31, which would be the Site Plan. Since our last meeting we did get a full EAF which has been on file with the Town. The Planning Board did have the opportunity to look at it. I personally did look at it and I know Glenn has looked at it. If there are no comments from the board I would entertain a motion that we declare our intent to be Lead Agency. I don’t know if there is anybody more logical to be Lead Agency than us and that would start the thirty day clock ticking on that. Do I have a motion to declare our intent to act as lead Agency for this application?

Motion to declare our intent to act as Lead Agency by Mike Cassaro, second by Steve Simpson

All in favor - 6

Opposed – 0

Agreed and carried

Town of Bethel
Planning Board
PO Box 300, 3454 Route 55
White Lake, NY 12786

Daniel Gettel: BJ, you will take care of the mailings for Lead Agency. We did go through a list, there are approximately fourteen (14) agencies that should be notified for this event, thirteen (13) or fourteen (14). BJ will take care of that. You submit enough plans so that she has enough copies. Please provide her with fourteen (14) copies of everything.

Brian Tamke: Absolutely.

Daniel Gettel: One thing that Glenn did suggest and I do think it is worth repeating is that before we mail the EAF to any other agency that Keystone should have a chance to look at the EAF. Perhaps tweak it if you have to. It does not affect our Lead Agency status, but I do believe it talks about thirty-nine Acres (39 Ac) in the EAF and you are now about ninety-six (96). There may be some things that you want to make sure the maps and the forms coordinate. In all fairness and so the board is aware it is a new form. The State did not make it any easier to review these projects. It is going to be much harder on the Planning Board, and on the applicant to get the EAF reviewed, but it is what it is. We also have some notices that have to go out, so BJ, if you would, send out the Ag Data Statement and send out the County 239M letter. I believe that since this is in an Ag District it has to go to the County for a 239.

BJ Gettel: Correct.

Daniel Gettel: Jacy, anything else? Just so the audience is aware, this is our third time seeing this application, but we will eventually have a Public Hearing for this once we get... We are at the point now that we probably should go to Public Hearing as the application is full enough that we can call it a complete application. That is our next logical step. Until tonight we were not able to go to Public Hearing. At that time we can accept public comment for or against, just public comment in general.

Jacy Ricciani: The applicant is going to need to send out notices to the adjoiners for Public Hearing.

Daniel Gettel: Yes, if we do give them a Public Hearing. That is our next logical step.

Jacy Ricciani: In respect to the noise, I am looking through the Special Use Permit that was granted for Bethel Woods and so far I do not see anything specific about noise. Our code is very general and does not have any times when noise can or cannot begin or end, so it is just a reasonable standard.

Daniel Gettel: Brian, could you speak to that a little. The concerts let out at what time would

Town of Bethel
Planning Board
PO Box 300, 3454 Route 55
White Lake, NY 12786

you say?

Brian Tamke: 2am is what we have scheduled to end at this point.

Daniel Gettel: And for the camping you would want.... You would want to provide a little extra for the people who have the camping.

Brian Tamke: Correct.

Daniel Gettel: You want them to enjoy the camping, so you would want that later than 2am.

Brian Tamke: Correct.

Daniel Gettel: I believe in your Operational Plan, as you would call it, which we also have, I believe you have 4am.

Brian Tamke: That is what we have tentatively have stated as an amount, yes.

Daniel Gettel: And that would be Saturday and Sunday or would that include Friday?

Brian Tamke: That would include Friday, Saturday and Sunday and it would be a mix of theatrical programing or movies or silent events. It is not going to be...

Daniel Gettel: Well, it's not going to be a mime.

Brian Tamke: Maybe.

Jacy Ricciani: It is going to be amplified though.

Daniel Gettel: Are you going to have amplified....

Brian Tamke; Yes, we will have amplified sound. Absolutely. We will be reaching out for a noise permit through the Town separately.

Daniel Gettel: Well, we may set some restrictions on facing the speakers away from the adjoiners, which would actually benefit your people anyway. I think we will have to handle that as we did with others, facing the speakers away, perhaps pointing them down towards the ground so the noise does not travel as far. We will get into that as we get more specifics. That is about

Town of Bethel
Planning Board
 PO Box 300, 3454 Route 55
 White Lake, NY 12786

all that I have. Are there any comments from the board? We did speak about a Public Hearing earlier. That is our next logical step. In order for us to grant them a Public Hearing we have to first have a complete application. I do feel we have a complete application at this time so we could consider granting them a Public Hearing. We already have two Public Hearings set for November 12th, which is our next regular meeting. We have the Flea Market set to begin at 7:30, and we have the cell tower set to begin at 8:00. I would think that both of those could be resolved by 8:30 if we could consider granting them a Public Hearing, we could start at 8:30. Are there any comments from the board? If there are no comments I would entertain a motion that we grant this application a Public Hearing, set to begin at 8:30 on November 12th.

Motion to schedule a Public Hearing for this application on November 12th, to begin at 8:30pm by Michael Cassaro, second by Steve Simpson

All in favor - 6

Opposed – 0

Agreed and carried

Daniel Gettel: So, we will look at a Public Hearing for November 12th. BJ will provide you with a list of adjainers that have to be notified. Eric is in the audience, I assume Eric has some information on who has been notified in the past. You are responsible for certified mailings, return receipt. Is there a narrative? No, this is just a notice. The public will be welcome to come to our next meeting and we will let them speak.

Brian Tamke: Thank you very much.

Daniel Gettel: Are there any questions from the board before we adjourn. Before we do move on you had mentioned that the best case scenario being our second review being November 29th. That date is coming from the thirty day deadline from today. I think that is a little too close to Thanksgiving so I do not think that is going to happen. We may want to consider, and we do not have to decide tonight, but I just want you to know the logic behind it. They asked, and we did consider the first Tuesday of December which would be the 3rd. Our next meeting would be scheduled for December the 10th. We will talk about that at the Public Hearing. I did want the Planning Board to be aware of where that number was coming from, you were asking for November the 29th.

Brian Tamke: Time is of interest to us. Just to make sure we can appropriately announce and put our tickets on sale prior to Christmas and the New Year. That is our preference, the 29th. It was only a request and only that. Thank you.

Town of Bethel
Planning Board
PO Box 300, 3454 Route 55
White Lake, NY 12786

Daniel Gettel: If there is nothing else from the board I would entertain a motion that we adjourn.

Motion to adjourn by David Biren, second by David Slater

All in favor – 6

Opposed – 0

Agreed and Carried

Meeting adjourned at 8:00pm.

Respectfully Submitted;

Daniel E. Gettel

Daniel E. Gettel

Planning Board Chairman