

TOWN OF THOMPSON

-Meeting Agenda-

Tuesday, March 21, 2017

7:30 P.M.

CALL TO ORDER

ROLL CALL

PLEDGE TO THE FLAG

APPROVAL OF PREVIOUS MINUTES: March 07, 2017 Regular Town Board Meeting

PUBLIC COMMENT:

CORRESPONDENCE:

- **Sullivan County Chamber of Commerce & Industry, Inc.:** Letter to Supervisor Rieber requesting nominations for 2017 Sullivan County Pride Awards Designation.
- **Sullivan Renaissance:** Letter to Supervisor Rieber announcing receipt of the 2017 Municipal Partnership Grant award of \$15,000.00.
- **NYS DOH:** Notice that Boil Water Order for Melody Lake Acres has been Rescinded Dated: 03/09/2017.
- **Town of Forestburgh:** Notice of SEQR Lead Agency Determination – Comprehensive Plan Update.
- **Town of Bethel:** Notice of Public Hearing 04/12/17 @ 7:45 PM – Proposed Local Law #1-2017 for Regulation of Daycare Centers.
- **Town of Lumberland:** Letter to Highway Supt. Richard Benjamin, Jr. expressing thanks and appreciation for the assistance provided by the Town of Thompson Highway Department for cleanup of tree damage from a recent storm.

AGENDA ITEMS:

- 1) **Water Park Resort Hotel at Adelaar** – Authorize correspondence with U.S. Environmental Protection Agency regarding environmentally sensitive area at the Water Park Resort.
- 2) **Water & Sewer Department:**
 - a) Authorize purchase of Wet Well Wizard Aeration System to deal with fats, oils and grease in the Pump Stations. Purchase from Reliant Water Technologies \$7,385.00.
 - b) Authorize purchase of Security System at Kiamesha Water & Sewer Facility for installation of (5) Security Cameras from PN Alarm \$1,684.00.
 - c) Declare (2) 2007 Chevy Pickup Trucks and John Deere F735 Lawn Mower Surplus.
 - d) Authorize disposal of Hazardous Waste Materials from Kiamesha Lab, PEGEX \$4,237.75.
 - e) Review and discuss proposal from Beehive Industries for purchase of Geographic Information System (GIS) & Maintenance Software Program.
- 3) **Town Park & Recreation Department** – Discuss purchase of new 2017 New Holland Tractor Backhoe with tool carrier under NJPA State Bid / NYS Contract # PC67265 from Westchester Tractor, Inc., Total Cost \$98,949.45.
- 4) **Bills Over \$1,250.00**
- 5) **Order Bills Paid**

REPORTS: SUPERVISOR, COUNCILMEN & DEPARTMENT HEADS

OLD BUSINESS

NEW BUSINESS

PUBLIC COMMENT:

ADJOURN

Hon. William Rieber, Jr.
Town of Thompson
4052 State Route 42
Monticello, NY 12701



196 Bridgeville Road, Suite 7
Monticello, NY 12701
Ph. 845.791.4200
Fax. 845.791.4220
chamber@catskills.com
www.catskills.com

February 28, 2017

Hon. William Rieber, Jr.
Town of Thompson
4052 State Route 42
Monticello, NY 12701

Dear Hon. William Rieber, Jr.,

The Sullivan County Chamber of Commerce is once again preparing for its upcoming Pride Awards Gala. We will be combining that event with our Annual Meeting on Thursday, November 16th – location to be determined. Since 1992 we have honored businesses and individuals from Sullivan County that have made their community and the economy a better place -- they have gone above and beyond the ordinary to make a difference.

As usual, we are asking everyone, to bring these deserving people to our attention. This is a great chance for you to get out and converse with your constituents on who they think are deserving of this prestigious award. Please work with everyone and now your constituents to submit nominations. We will cross-reference all nominations with previous winners.

Nominations should include:

- Name of the person and/or business (please verify spelling)
- Contact information (mailing address, phone number, & e-mail if possible)
- Why you believe they should be honored

The Sullivan County Pride Awards Committee will review nominations received **before Monday, April 10th, 2017** to select finalists. **Please do not directly inform any of the nominees**; we receive many nominations and unfortunately, we cannot award everyone. The Committee will notify the winner upon selection in early May.

The Chamber will honor businesses and/or individuals for the following county wide awards: Businessperson of the Year, Distinguished Achievement, Distinguished Service, Young Emerging Leader and ONE revolving township awardee. Your recommendations for these distinctions are appreciated.

We will be sending out a press release notifying Sullivan County residents to send in their nominations to us as well. We really would love this year's Pride Awards to stand out above any; especially with county resident's contributing as well. If you would like more information on the event, please call the Chamber at 791-4200. We look forward celebrating with you this year in recognizing admirable individuals of Sullivan County.

Sincerely,

A handwritten signature in black ink, appearing to read "Cathy Paty", written in a cursive style.

Cathy Paty
President/CEO

SULLIVAN



RENAISSANCE

c/o Gerry Foundation
P O Box 311
Liberty, NY 12754
(845) 295-2445
SullivanRenaissance.org
info@sullivanrenaissance.org
TDD: Dial 711

Sandra Gerry, Chair

STEERING COMMITTEE

Leni Binder
Daniel Briggs
Kathy Davidoff
Gay Donofrio
Cora Edwards
Hon. Josephine Finn
Danielle Gaebel
Ruby Gold
Judy Green
Cindy Kashan
Jacquie Leventoff
Dali Levy
Barry Lewis
Loraine Lopez
Steve Melendez
Cathy Paty
Glenn Pontier
Kristin Porter
Joyce Salimeno-Gitlin
Nicole Stevin
Jerry Skoda
Fred Stabbert III
Richard Sush
Jasmin Tejera
Anna Lise Dyhr Vogel
Rabbi Larry Zierler

STAFF

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Executive Director
Helen Budrock
Kathleen Capozzoli
Colleen Emery
Allen Frishman, Consultant
Saraid Gonzalez
Cara Kowalski
Ari Mir-Pontier
Christy TerBush
Diana K. Weiner

March 1, 2017

William Rieber, Supervisor
Town of Thompson
4052 State Route 42
Monticello, NY 12701

Dear Bill,

Congratulations on being selected to receive a Sullivan Renaissance **Municipal Partnership Grant**. It is great to have the Town of Thompson in the program again this year. Based on the information contained in your grant proposal, we are pleased to approve a grant in the amount of **\$15,000** to assist your efforts to beautify public spaces, enhance code enforcement and build a healthier community. Attached to this letter is an addendum with comments and recommendations from the grant review committee.

Enclosed is a check in the amount of \$10,000. The remaining \$5,000 will be issued upon receipt of documentation verifying expenditures of at least \$10,000, and proof of matching funds of at least \$10,000.

In the coming weeks, you will receive a binder for documenting your project along with a merchant discount card, flower dollars, progress report forms, judging criteria and other resources.

Your completed binder (consisting of monthly progress reports, photos and receipts to date) must be submitted no later than **Tuesday, August 1st**. You will have an opportunity to make a presentation to the judges on **Friday, August 4th**, and they will visit your municipality on **Saturday, August 5th**. Unless other arrangements have been made, the made, the project must be completed and a final report submitted no later than **October, 1st**.

If you have any questions, or need assistance as you proceed, please do not hesitate to contact Helen Budrock, Community Planner at (845) 295-2462.

The Municipal Partnership Program, in its second year, has already yielded tremendous results thanks to the participation of community leaders such as yourself. On behalf of Sullivan Renaissance, Thank you for your efforts to improve Sullivan County.

Sincerely,

Denise Frangipane, Executive Director

*It's great to have
Thompson join us again.*

ADDENDUM
2017 MUNICIPAL PARTNERSHIP GRANT REVIEW
GRANT REVIEW COMMITTEE COMMENTS AND RECOMMENDATIONS
FEBRUARY 15, 2017

TOWN OF THOMPSON

- Given the fact that the town is targeting the Route 42 corridor in its application, the grant review committee suggested reaching out to the owners of Marty's Service Station to see if they would be willing to improve the appearance of their property as a gateway to Adelaar.
- The grant committee felt that the town's approach to code enforcement could be stronger, and suggested collaborating with the Village of Monticello on targeted code enforcement along the Route 17B corridor from the Village boundary to the Bethel town line. These efforts would align with some of the work being undertaken as part of the "Grow the Gateways" Corridor study mentioned in the application.
- The grant committee suggested exploring partnership opportunities with the Village of Monticello (see comment above). If possible, the "Parks and Recreation Facilities Study" that is being commissioned by the town should also include recreational facilities in the Village of Monticello. It was noted that grant funding for "shared services" will be a priority in the next Consolidated Funding Application cycle this spring.

Gerry Foundation Inc
To: TOWN OF THOMPSON-MUNICIPALITY 191893

Check Number: 004842
Date: 03/03/2017

Invoice Number	Date	Description	Amount	Discount	Paid Amount
MUNI GRNT PH I-2017	March 1, 2017	MUNI PARTNERSHIP GRNT PH I	\$10,000.00	\$0.00	\$10,000.00

TOTALS: \$10,000.00 \$0.00 \$10,000.00

THIS CHECK IS VOID WITHOUT A BLUE & GREEN BACKGROUND AND AN ARTIFICIAL WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

Gerry Foundation Inc
One Cablevision Center
Liberty, NY 12754

TD Bank

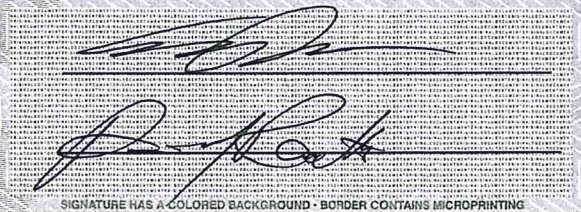
004842
1-1367/260

Pay Ten Thousand Dollars and 00 Cents

DATE: Mar 3, 2017
AMOUNT: \$10,000.00

to the Order of:

TOWN OF THOMPSON-MUNICIPALITY
4052 ROUTE 42
MONTICELLO, NY 12701



SIGNATURE HAS A COLORED BACKGROUND - BORDER CONTAINS MICROPRINTING

⑈004842⑈ ⑆026013673⑆ 4252185537⑈

We must spend \$10,000 matching funds/LABOR
Then we will get AN ADD'L \$5,000.



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

March 9, 2017

William Rieber
Town of Thompson
4052 Route 42
Monticello, NY 12701

Re: Melody Lake Acres
Town of Thompson
Boil Water Order

Dear Mr. Rieber:

Water sample results for samples collected at the above-mentioned facility on March 6, 2017 and March 7, 2017, indicated the water supply to be of a satisfactory bacteriological quality at the time of sampling. The Boil Water Order issued by this department on March 2, 2017 is hereby rescinded and normal use of this supply may resume.

Public notification must be made in a manner reasonably calculated to reach all persons served by the water supply within 24 hours. One or more of the following forms of delivery are acceptable:

- 1) local broadcast media such as radio or television
- 2) hand delivery of notice to persons served by the water system
- 3) posting the notice in conspicuous locations throughout the area served by the water system

If you have any questions regarding this matter please contact this office at (845) 794-2045.

Sincerely,

Michelle Glover-Brown
District Director

MGB:via

Enclosure

cc: Michael Messenger

Received 3/10/17

**SEQR
Lead Agency Determination
Town of Forestburgh Comprehensive Plan Update**

NOTICE TO: ALL INVOLVED & INTERESTED AGENCIES

FROM: Forestburgh Town Board
Forestburgh Town Hall
332 King Rd.
Forestburgh, New York 12777

MAILING DATE: March 3, 2017

PROJECT TITLE: Town of Forestburgh Comprehensive Plan Update
Town of Forestburgh, Sullivan County, New York

SEQR TYPE: Type I Action

PROJECT DESCRIPTION: Pursuant to the New York State Environmental Quality Review Act (SEQR) this Environmental Assessment Form (EAF) evaluates the potential impacts that could result from the following action by the Forestburgh Town Board: Town of Forestburgh Comprehensive Plan Update. The action consists solely of a legislative action and therefore will not result in any direct construction or development.

This notification is for the purpose of designating a lead agency according to the requirements of Article 8 of New York State Environmental Conservation Law for the following proposed action:

Town of Forestburgh Comprehensive Plan Update

If no written objections are received within 30 days of the above date of this notice, the Forestburgh Town Board will assume the role of Lead Agency. Attached is Part I of the Full Environmental Assessment Form for this action.

CONTACT PERSON: Daniel Hogue, Town Supervisor
Forestburgh Town Board
Forestburgh Town Hall
332 King Rd.
Forestburgh, New York 12777
(845) 794-0611
Forestburghsupervisor@gmail.com

Involved Agencies:

Town of Forestburgh Town Board (Lead Agency)
Forestburgh Town Hall
332 King Rd.
Forestburgh, New York 12777

Sullivan County Department of Planning and Environmental Management
Sullivan County Government Center
100 North Street – P.O. Box 5012
Monticello, New York 12701

Town of Forestburgh Planning Board
Forestburgh Town Hall
332 King Road
Forestburgh, New York 12777

Interested Agencies:

Town of Forestburgh Comprehensive Plan Special Board
Forestburgh Town Hall
332 King Road
Forestburgh, New York 12777

Town of Forestburgh Zoning Board of Appeals
Forestburgh Town Hall
332 King Road
Forestburgh, New York 12777

Town of Forestburgh Building Department
Forestburgh Town Hall
332 King Road
Forestburgh, New York 12777

Town of Forestburgh Parks and Recreation
Forestburgh Town Hall
332 King Road
Forestburgh, New York 12777

Forestburgh Fire Department 1
2539 State Route 42
Forestburgh, New York 12777

Town of Forestburgh Highway Department
1401 Sackett Lake Road
Forestburgh, New York 12777
Attn: Joe Ruggieri, Highway Superintendent

Eldred Central School District
600 State Route 55
Eldred, New York 12732
Contact: Robert Dufour, Superintendent

Monticello Central School District
237 Forestburgh Rd.
Monticello, New York 12737
Contact: Tammy Mangus, Superintendent

Town of Bethel
PO Box 300
White Lake, New York 12786
Contact: Dan Sturm, Supervisor

Town of Lumberland
1054 Proctor Road
Glen Spey, New York 12737
Contact: Jenny Mellan, Supervisor

Town of Mamakating
2948 Route 209
Wurtsboro, New York 12790
Contact: William D. Herrmann, Supervisor

Town of Thompson
4052 Rt. 42
Monticello, New York 12701
Contact: Bill Rieber, Supervisor

Town of Deerpark
420 Route 209
PO Box 621
Huguenot, New York 12746
Contact: Gary Spears, Supervisor

County of Sullivan
100 North Street
Monticello, New York 12701
Contact: Luis Alvarez, Chairman of the Legislature

County of Orange
15 Matthews St.
Goshen, New York 10924
Contact: Steven M. Neuhaus, County Executive

New York State Department of Environmental Conservation
Region 3 Office
21 South Putt Corners Road
New Paltz, New York 12561-1696
Contact: Margaret Duke

New York State Office of Parks, Recreation and Historic Preservation
New York State Historic Preservation Office (SHPO)
Peebles Island Resource Center
PO Box 189
Waterford, New York 12188-0189
Contact: William Krattinger, Historic Preservation Specialist

New York State Department of Transportation
Region 9
44 Hawley Street
Binghamton, New York 13901-3200

National Park Service
Northeast Regional Office
US Custom House
200 Chestnut Street, 5th Floor
Philadelphia, Pennsylvania 19106
Contact: Mike Caldwell, Regional Director

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Update Comprehensive Plan		
Project Location (describe, and attach a general location map): Town of Forestburgh		
Brief Description of Proposed Action (include purpose or need): Periodic Review and Update of Comprehensive Plan		
Name of Applicant/Sponsor: Town of Forestburgh Town Board		Telephone: (845) 794-0611
		E-Mail: forestburghsupervisor@gmail.com
Address: 332 King Rd.		
City/PO: Forestburgh	State: NY	Zip Code: 12777
Project Contact (if not same as sponsor; give name and title/role): Supervisor Daniel Hogue, Jr.		Telephone: (845) 794-0611
		E-Mail: forestburghsupervisor@gmail.com
Address: 332 King Rd.		
City/PO: Forestburgh	State: NY	Zip Code: 12777
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B: Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town Board Approval	May 4, 2017
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town Planning Board Referral - discretionary	March 2, 2017
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Sullivan County - 239-m Approval	April 6, 2017
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? Yes No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) Yes No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? _____

b. What police or other public protection forces serve the project site?

c. Which fire protection and emergency medical services serve the project site?

d. What parks serve the project site?

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
• Total number of phases anticipated _____
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
• Anticipated completion date of final phase _____ month _____ year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,
 i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:
 i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

Yes No
 Yes No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
- ii. Describe types of new point sources. _____
- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 - If to surface waters, identify receiving water bodies or wetlands: _____
 - Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
- ii. In addition to emissions as calculated in the application, the project will generate:
 - _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 - _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 - _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 - _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 - _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
 - _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration: _____

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
Describe: _____

n.. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
- ii. Anticipated rate of disposal/processing:
 - _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 - _____ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
- ii. Generally describe processes or activities involving hazardous wastes or constituents: _____
- iii. Specify amount to be handled or generated _____ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities:

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____

 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
<i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ _____	
<i>ii.</i> Source(s) of description or evaluation: _____	
<i>iii.</i> Extent of community/habitat:	
<ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
<i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
<i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
	<input type="checkbox"/> Yes <input type="checkbox"/> No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Town of Forestburgh Date March 2, 2017

Signature  Title Supervisor

marilee (clerk-town of thompson)

From: Bethel Clerk, Rita Sheehan <bethelclerk@hvc.rr.com>
Sent: Friday, February 24, 2017 11:52 AM
To: 'Thompson'; 'Liberty'; 'Callicoon'; 'Cochecton'; 'Tess McBeath'; Highland; 'Lumberland'; Tusten; 'Tusten'
Subject: Proposed Local Law #1-2017
Attachments: Bethel local law zoning amendments.day care, accessory use, recreational facility.Final.February 20, 2017.docx; Zoning Bulk Table 02-16-17.pdf; RESOLUTION to introduce a local law 2 or 2017.February 20, 2017.docx

Attached please find Proposed Local Law #1-2017 to amend the Town of Bethel Zoning Code to regulate development of Daycare centers. Also attached is the resolution to introduce and the proposed bulk and use tables.

Have a great weekend!

Rita J. Sheehan, CMC, RMC
Town Clerk/Registrar
Records Management Officer

Town of Bethel
3454 Route 55
P.O. Box 300
White Lake, NY 12786
Phone: (845) 583-4350 ext. 11
Fax: (845) 583-4710
E-Mail: bethelclerk@hvc.rr.com
Website: www.town.bethel.ny.us
Facebook: Town of Bethel New York
Home of the 1969 Woodstock Music and Art Festival

From: Bethel Clerk, Rita Sheehan [<mailto:bethelclerk@hvc.rr.com>]
Sent: Friday, February 24, 2017 10:40 AM
To: 'Dan Gettel' <danielgettel@verizon.net>; 'David Biren' <dbiren997@aol.com>; 'David Slater' <dslater@g-whitepark.com>; Jacqueline Ricciani <jricciani@riccianijose.com>; 'Mike Cassaro' <outdoormediacorp@gmail.com>; Robert Yakin <byakinjr@hotmail.com>; 'Steve Simpson' <energy25@verizon.net>; 'Susan Brown' <brownsusanlynn@aol.com>
Cc: 'Building Department' <bldgdept@libertybiz.rr.com>; 'Jannetta MacArthur' <jannettamacarthur@yahoo.com>
Subject: Proposed Local Law #1-2017

Dear Planning Board Members, Jaci, BJ and Jannetta:

Attached please find Proposed Local Law#1-2017 to amend the Town of Bethel zoning code to regulate the development of daycare centers, proposed bulk and use table and resolution introducing the proposed law. The Town Board has set a public hearing for April 12th. Please put on your April 3rd Agenda for review and recommendation.

Have a good weekend!

Rita J. Sheehan, CMC, RMC
Town Clerk/Registrar

Records Management Officer

Town of Bethel

3454 Route 55

P.O. Box 300

White Lake, NY 12786

Phone: (845) 583-4350 ext. 11

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E-Mail: bethelclerk@hvc.rr.com

Website: www.town.bethel.ny.us

Facebook: Town of Bethel New York

Home of the 1969 Woodstock Music and Art Festival

**RESOLUTION OF TOWN BOARD OF THE TOWN OF BETHEL
TO INTRODUCE A LOCAL LAW TO AMEND CHAPTER 345 “ZONING”
OF THE TOWN CODE OF THE TOWN OF BETHEL**

WHEREAS, the Town Board of the Town of Bethel (“Town Board”) heretofore adopted a Zoning Code under the authority of the NY Town Law § 261, which Zoning Code appears as Chapter 345 of the Town Code of the Town of Bethel (the “Town Code”); and

WHEREAS, it appears to be in the best interest of the Town to make amendments to Chapter 345 (Zoning) as it relates to Day-Care Centers; and

WHEREAS, it appears to be in the best interest of the Town to make amendments to Chapter 345 (Zoning) as it relates to Recreational Facility, Private Noncommercial Outdoor; and

WHEREAS, it appears to be in the best interest of the Town to make amendments to its Bulk and Use Tables; and

WHEREAS, this Resolution introduces proposed Local Law No.1 of 2017, a copy of which is attached hereto, and which, if enacted, will amend Chapter 345 of the Town Code and the Bulk and Use Tables; and

WHEREAS, the Town Board determines that the proposed revisions to the Town Code (hereafter, the “proposed action”) are subject to the State Environmental Quality Review Act (ECL, Article 8) and its implementing regulations (6 NYCRR Part 617) (collectively, “SEQRA”) as a Type I action; and

WHEREAS, the Town will to act as lead agency for SEQRA review purposes.

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby introduces proposed Local Law No. 1 of 2017; and be it

FURTHER RESOLVED, that a public hearing on the proposed Local Law shall be scheduled for April 12, 2017 at 7:45 p.m. which public hearing shall be conducted at the Dr. Duggan Community Center, Meeting Room, 3460 Route 55, White Lake, NY 12786 and proper notice of the public hearing shall be duly given; and be it

FURTHER RESOLVED, that a copy of proposed Local Law No.1 of 2017, as introduced, shall be forwarded to the Town of Bethel Planning Board for its review and recommendation in accordance with Town Code §§ 48-2.B and 345-65.A; and be it

FURTHER RESOLVED, that a copy of proposed Local Law No. 1 of 2017, as introduced, shall be forwarded to the Sullivan County Department of Planning and Environmental Management, along with a full statement of the proposed action, for review and recommendation in accordance with New York State Town Law § 239-m and Town Code § 345-65.B; and be it

FURTHER RESOLVED, that the Town Board of the Town of Bethel declares that it will act as lead agency under SEQRA and will provide notice of its intent to other involved agencies, if any; and be it

FURTHER RESOLVED, this Resolution shall become effective immediately.

Motion by Town Board member Dawn Ryder, seconded by Town Board member Lillian Hendrickson, and adopted upon a roll call vote as follows:

		<u>AYE</u>	<u>NAY</u>
Bernie Cohen	Voting	X	
Lillian Hendrickson	Voting	X	
Dawn Ryder	Voting	X	
Vicky Simpson	Voting	X	
Daniel Sturm	Voting	X	

Duly adopted by 5 ayes, 0 nays the 22nd day of February, 2017.

Town of Bethel
Local Law No. 1 of the Year 2017

A local law to amend certain sections of Chapter 345 of the
Town Code captioned Zoning, by:

Repealing and replacing the definition of Day-Care Center
as set forth in 345.5

Amending the Bulk and Use Tables with respect to Day-Care Centers

Repealing and replacing Section D of the definition of
Recreation Facility as set forth in 345.5
and

Repealing and replacing 345.15C(1) and adding 345.15C(4)
In relation to Accessory Structures

Be it enacted by the Town Board of the Town of Bethel as follows:

Article I. Amendment of Town Code Chapter 345

Section 1.1. Section 345-5 of the Existing Zoning Code is hereby amended so as to delete the definition of Day-Care Center therefrom, and to replace the same with the following text:

DAY-CARE CENTER - A facility licensed or authorized and regulated by the State of New York Department of Social Services pursuant to Section 390 of the Social Services Law. A Day-Care Center program provides for more than three hours and less than 24 hours per day of care away from the child's home by an individual, association, corporation, institution or agency by someone other than the parent, step-parent, guardian, or relative within the third degree of consanguinity of the parents or step-parents of such child for three or more children. A Day-Care Center shall not include a day-camp, after-school program operated for the primary purpose of religious education or a facility operated by a public school district.

Section 2.1. Section 345-5 of the Existing Zoning Code is hereby amended so as to delete section D of the definition of Recreational Facility and to replace the same with the following text:

D. RECREATIONAL FACILITY, PRIVATE NONCOMMERCIAL OUTDOOR – A recreational facility such as a pool, tennis court, playground or similar amenity that is operated by a private organization, to include but not limited to summer camps, schools or similar organizations, and open only to bona fide members, guests or residents of that private

organization. Private noncommercial outdoor recreational facilities are subject to the requirements of Section 345-17(B) of this chapter.

Section 3.1. Section 345-15(C)(1) of the Existing Zoning Code is hereby amended so as to delete current section 345-15(C)(1) and replace with the following text:

345-15(C)(1) In no instance shall an accessory structure be located closer than 10 feet from the side and rear lot lines.

Section 3.2. Section 345-15(C) of the Existing Zoning Code is hereby amended by adding the following text:

345-15(C)(4) All accessory structures must meet the zoning requirements and setback requirements of the principal use of the property upon which they are sited, except this provision shall not apply to single-family dwellings, two-family dwellings and farm operations.

Article II. Amendment of the Bulk and Use Tables.

Section 1.1. The Bulk and Use Tables are hereby amended to allow for Day-Care Centers in all zoning districts within the Town of Bethel subject to the specific requirements as set forth in the amended Bulk and Use Tables. Amended Bulk and Use Tables are attached and made part hereto.

Article III. Miscellaneous Provisions.

Section 1.1 RATIFICATION, READOPTION AND CONFIRMATION

Except as specifically modified by the amendments contained herein, the Code of the Town of Bethel as adopted and amended from time to time thereafter is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 1.2 INCLUSION IN CODE

It is the intention of the Bethel Town Board and it is hereby enacted that the provisions of this local law shall be included in the Code of the Town of Bethel; that the sections and subsections of this local law may be renumbered or re lettered to accomplish such intention; and that the word "local law" shall be changed to "chapter," "section" or other appropriate word, as required for codification.

Section 1.3 RENUMBERING

The location and numerical designation of this local law and the sections included herein

shall be delegated to the discretion of the codifier, General Code, which may renumber or re letter this local law and sections as are necessary to accommodate these amendments.

Section 1.4 CODIFIER'S CHANGES

This local law shall be included in the Code of the Town of Bethel. The codifier shall make no substantive changes to this local law, but may renumber, rearrange and edit it without first submitting it to the Bethel Town Board. Any such rearranging, renumbering and editing shall not affect the validity of this local law or the provisions of the Code affected thereby.

Section 1.5 SEVERABILITY

The provisions of this Local Law are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 1.6 EFFECTIVE DATE

This Local Law shall take effect immediately upon adoption and filing with the Secretary of State as provided by the Municipal Home Rule Law.

Town of Bethel, New York
Schedule I - Table of Use and Bulk Requirements

Revised February 16, 2017 bjg

District Intent	Lot area, minimum (acres)	AD - Airport Development District P - Permitted Use SP - Special Permit Use	Use Type	Minimum Lot Area	Width	Depth	Required Setbacks in Feet			Max. Bldg. Coverage Height in Feet	Maximum Height in Feet	Notes	Accessory Uses
							Front	Rear	Side, Both				
This district is intended to provide an area in & around the Sullivan County International Airport to both protect the airport & collateral uses from intrusions & surrounding properties from negative impacts from airport-related & industrial activities.		A. Business Uses											
		Campgrounds & RV parks - Transient	P**	5	200	200	75	50	25	75	35'		Garages, parking & loading areas
		Day-Care Center	SP	2	150	200	50	50	25	50	30'	Pursuant to license	Signs, not including billboards
		Eating & drinking places	SP	2	150	200	50	50	25	50	30'		Other accessory uses customarily appurtenant to a permitted use
		Hotels and motels	SP	6	400	400	100	100	50	100	35'		
		B. Industrial Uses											
		Airports	SP	100	1,200	1,800	500	500	250	500	35'		
		Light Industry	SP	2	150	200	50	50	25	50	30'		
		Manufacturing	SP	2	150	200	50	50	25	50	30'		
		Primary Offices for all Industrial Users	SP	2	150	200	50	50	25	50	30'		
		Research and Development	SP	2	150	200	50	50	25	50	30'		
		Telecommunications Facilities	SP	2	150	200	50	50	25	50	30'	See §345-28 for Bulk Requirements	
		Warehousing	SP	2	150	200	50	50	25	50	30'		
		C. Community Facilities											
		Recreation facility, occasional or temporary commercial outdoor	P**	5	200	200	75	50	25	75	35	May also require Noise Permit	

* Subject to Site Plan Approval by the Town Building Dept. The Bldg Dept has the right to forward any site plan application under its jurisdiction to the Town Planning Board for review.
 ** Subject to site plan approval by the Town Planning Board.

Town of Bethel, New York
Schedule I - Table of Use and Bulk Requirements

District Intent	2 AG - Agricultural District P - Permitted Use, SP - Special Permit Use	Use Type	Minimum			Required Setbacks in Feet			Max. Bldg. Coverage	Maximum Height in Feet	Notes	Accessory Uses
			Lot Area	Width	Depth	Front	Rear	Side, 1				
<p>This district is intended to complement agricultural farmlands & protect them from various development intrusions which would be incompatible therewith while allowing farm & other large land owners flexibility to earn a reasonable return.</p>	A. Residential Uses											
	One-family detached dwelling	P	3	200	200	75	50	25	75	20%	35'	Accessory farm buildings Boathouses and boat docks
	Manufactured home	P	3	200	200	75	50	25	75	20%	35'	Farmstands (roadside for sale of farm products) See §345-26.B
	B. Community Facilities											
	Cemeteries	P*	5	300	300	75	75	50	100	10%	35'	Garages, parking & loading areas Home occupations, professions and trades
	Essential services	SP	6	400	400	100	100	50	100	20%	35'	Signs, not including billboards
	Golf Course	SP	75	1,200	1,500	400	400	200	400	10%	35'	Other accessory uses customarily appurtenant to a permitted use
	Recreational facility, commercial-outdoor	SP	25	600	600	100	100	100	200	10%	35'	
	Recreational facility, commercial-indoor	SP	10	400	400	100	100	75	150	10%	35'	
	Recreation facility, occasional or temporary commercial outdoor	P**	5	200	200	75	50	25	75		35	May also require Noise Permit
	Shooting Range	SP	25	600	600	200	200	200	200	10%	35'	See §345-17D
	Telecommunications Facilities	SP										See §345-28 for Bulk Requirements
	C. Agricultural Uses											
	Agribusiness	P	3	200	200	75	50	25	75	20%	35'	
	Farm operations, buildings and activities	P	3	200	200	75	50	25	75	20%	35'	See §345-33
	Greenhouses - commercial	P*	3	200	200	75	50	25	75	40%	35'	
	High density poultry or swine raising	SP	50	900	1,200	400	400	200	400	20%	35'	See §345-34
	Keeping Non-Domesticated Animals	P	3									
	Nurseries	P*	3	200	200	75	50	25	75	20%	35'	
	On-site processing of agricultural products	P	3	200	200	75	50	25	75	20%	35'	
D. Business Uses												
Bed & breakfast	P*	3	200	200	75	50	25	75	20%	35'		
Campgrounds & RV parks - Non Transient	SP	25	600	600	200	200	150	300	20%	35'	Subject to §120	
Campgrounds & RV parks - Transient	P**	5	200	200	75	50	25	75		35'	Pursuant to license	
Day-Care Center	SP	3	200	200	75	50	25	75	20%	35'		
Equipment Sales	SP	6	400	400	100	100	50	100	20%	35'		
Home-based business	SP	3	200	200	75	50	25	75	20%	35'	See §345-20	
Hotels and motels	SP	6	400	400	100	100	50	100	20%	35'		
Kennels	SP	10	400	400	100	100	75	150	20%	35'	See Local Law	
E. Industrial Uses												
Light industrial uses	SP	6	400	400	100	100	100	200	20%	35'		
Mining	SP	25	600	600	200	200	200	400	20%	35'	NYSDEC Regs also apply	
F. Other												
Conservation Subdivision											See §345-24	

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Town of Bethel, New York

Schedule I - Table of Use and Bulk Requirements

District Intent	3 AGR - Agricultural Residential District	Use Type	Minimum			Required Setbacks in Feet			Max. Bldg. Coverage	Maximum Height in Feet	Notes	Accessory Uses	
			Lot Area	Width	Depth	Front	Rear	Side,1					Side, Both
<p>The purpose of this district is to recognize that there are some small residential communities within agricultural areas that should be protected from incompatible development activities.</p>	P - Permitted Use	SP - Special Permit Use											
	<p>Lot area, minimum (acres)</p>												
	<p>A. Residential Uses</p>												
			P	3	200	200	75	50	25	75	20%	35'	Accessory farm buildings Boathouses and boat docks
			P	3	200	200	75	50	25	75	20%	35'	Farmstands (roadside for sale of farm products) Garages, parking & loading areas
	<p>B. Community Facilities</p>												
			P*	5	300	300	75	75	50	100	10%	35'	Home occupations, professions and trades
			SP	6	400	400	100	100	50	100	20%	35'	Signs, not including billboards
			P**	5	200	200	75	50	25	75		35	Other accessory uses customarily appurtenant to a permitted use
	<p>C. Agricultural Uses</p>												
			P	3	200	200	75	50	25	75	20%	35'	
			P	3	200	200	75	50	25	75	20%	35'	See §345-33
			P*	3	200	200	75	50	25	75	40%	35'	See §345-34
			P	3	200	200	75	50	25	75	20%	35'	
			P*	3	200	200	75	50	25	75	20%	35'	
			P	3	200	200	75	50	25	75	20%	35'	
	<p>D. Business Uses</p>												
			P*	3	200	200	75	50	25	75	20%	35'	
		P**	5	200	200	75	50	25	75		35	Pursuant to license	
		SP	3	200	200	75	50	25	75	20%	35'		

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Town of Bethel, New York

Schedule I - Table of Use and Bulk Requirements

District Intent	4 C-17B Highway Commercial District P - Permitted Use SP - Special Permit Use	Use Type	Minimum Lot Area	Width	Depth	Required Setbacks in Feet			Max. Bldg. Coverage	Maximum Height in Feet	Notes	Accessory Uses
						Front	Rear	Side, 1 Side, Both				
<p>This district is intended to create an area in the Town for larger, more land intensive commercial uses and also transition from the hamlet area to the Town of Thompson, which that community intends to promote for such uses. It is intended this area be of moderate density but also be a location for auto-related uses and similar activities demanding high levels of traffic and visibility and being vehicular rather than pedestrian-oriented. Design standards for this district are intended to create higher quality development through landscaping and similar techniques but allow more signage and lot coverage than otherwise permitted outside the hamlet area. It is intended that design review apply to buildings, materials and scale, but particularly to site layout to control traffic access and minimize the strip-commercial character of the area. See §130-26.D for applicable design standards.</p>	Lot area, minimum (acres)											
	A. Residential Uses											
	One-family detached dwelling	P	1	100	150	25	25	50	25%	35'		Garages, parking & loading areas
	Two-family dwelling	P	2	150	200	50	50	50	25%	35'		Home occupations, professions and trades
	Multi-family dwelling	SP	4	300	300	75	50	100	25%	35'	§345-27: Max Density 4 DU Per Acre	Signs, not including billboards
	B. Community Facilities											Other accessory uses customarily appurtenant to a permitted use
	Community buildings	P*	2	150	200	50	50	50	25%	35'		
	Essential services	SP	2	150	200	50	50	50	25%	35'		
	House of worship	SP	2	150	200	50	50	50	25%	35'		
	Recreation facility, occasional or temporary commercial outdoor	P**	5	200	200	75	50	75		35	May also require Noise Permit	
	C. Agricultural Uses											
	Nurseries & greenhouses	P*	2	150	200	50	50	50	25%	35'		
	D. Business Uses											
	Automotive Related Uses	SP	2	150	200	50	50	50	25%	35'		
	Bed & breakfast	P*	2	150	200	50	50	50	25%	35'		
	Campgrounds and RV Parks, transient	P**	5	200	200	75	50	75		35	Pursuant to license	
	Day-Care Center	SP	1	100	150	25	25	50	25%	35'		
	Eating & drinking places	SP	2	150	200	50	50	50	25%	35'		
	Neighborhood stores < 5,000 s.f.	P*	2	150	200	50	50	50	25%	35'		
	Professional and business office	P*	2	150	200	50	50	50	25%	35'		
	Retail Uses	SP	2	150	200	50	50	50	25%	35'		
	Service Uses	SP	2	150	200	50	50	50	25%	35'		

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Note: All non-residential development in HC-Highway Commercial District is subject to Gateway Design Guidelines as described in §345-18.

Town of Bethel, New York

Schedule I - Table of Use and Bulk Requirements

District Intent	CS - Community Settlement		Minimum		Depth		Required Setbacks in Feet			Max. Bldg. Coverage	Maximum Height in Feet	Notes	Accessory Uses	
	Use Type	Permitted Use	Lot Area	Width	Depth	Front	Rear	Side, 1	Side, 2	Max. Bldg. Coverage				
<p>This district is intended to create an additional and complementary higher density neighborhood of high quality behind Route 17B towards Kaunonga Lake, where sewer services are readily available and pedestrian linkages can be effectively created. It is further intended this area accommodate higher density residential development that might otherwise take place and detract from more rural parts of the Town that would be better off staying rural from both quality of life and economic perspectives. Design standards are intended to promote walking to shops with sidewalks, mixed-use buildings with shops beneath and residences above. A full-range of commercial uses that do not require large land areas is intended along with high landscape standards, parking in the rear where possible, modest limits on signage, use of decorative lighting and design review of building design, materials and scale. See §1304.18 for applicable design standards.</p>	P	Permitted Use	0.5	100	150	25	25	10	25	30%	35'	Garages, parking & loading areas Home occupations, professions and trades Real estate and home occupation signs Other accessory uses customarily appurtenant to a permitted use		
	P	Special Permit Use	1	100	150	25	25	25	25	50	30%		35'	
	SP	Special Permit Use	2	150	200	50	50	25	50	50	30%		35'	
	P*	Community Facilities	0.5	100	150	25	25	10	25	25	30%		35'	
	SP	Community Facilities	0.5	100	150	25	25	10	25	25	30%		35'	
	SP	Community Facilities	1	100	150	25	25	25	25	50	30%		35'	
	SP	Community Facilities	1	100	150	25	25	25	25	50	30%		35'	
	P*	Community Facilities	1	100	150	25	25	25	25	50	30%		35'	
	SP	Community Facilities	1	100	150	25	25	25	25	50	30%		35'	
	P**	Community Facilities	5	200	200	75	50	25	75	75			35	May also require Noise Permit
	P*	Business Uses	0.5	100	150	25	25	10	25	25	30%		35'	
	P**	Business Uses	5	200	200	75	50	25	75	75			35	Pursuant to license
	SP	Business Uses	0.5	100	150	25	25	10	25	25	30%		35'	
	SP	Business Uses	0.5	100	150	25	25	10	25	25	30%		35'	
	P*	Business Uses	0.5	100	150	25	25	10	25	25	30%		35'	
P*	Business Uses	0.5	100	150	25	25	10	25	25	30%	35'			
SP	Business Uses	0.5	100	150	25	25	10	25	25	30%	35'			
SP	Business Uses	0.5	100	150	25	25	10	25	25	30%	35'			
D. Other												Note: All non-residential development in CS-Community Development District is subject to Gateway Design Guidelines as described in §345-18.		

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Town of Bethel, New York Schedule I - Table of Use and Bulk Requirements

District Intent	FC - Forest Conservation P - Permitted Use, SP - Special Permit Use	Use Type	Minimum Lot Area	Width	Depth	Required Setbacks in Feet			Max. Bldg. Coverage	Maximum Height in Feet	Notes	Accessory Uses
						Front	Rear	Side, Both				
<p>This creation of the Forest Conservation District was recommended in Section 3.1.4 (A) of the Town's Comprehensive Plan. The district is intended to preserve a very low density development pattern in the southern portion of the Town while ensuring that natural features in this portion of the Town are conserved.</p>	A. Residential Uses											
	One-family detached dwelling	P	5	200	200	75	50	25	75	10%	35'	Accessory farm buildings Boathouses and boat docks
	B. Community Facilities											
	Cemetery	P*	5	300	300	75	75	50	100	10%	35'	Farmstands (roadside for sale of farm products)
	Community buildings	P*	5	300	300	75	75	50	100	10%	35'	Garages, parking & loading areas
	Essential services	SP	5	300	300	75	75	50	100	10%	35'	Home occupations, professions and trades
	Fraternal organizations	SP	10	400	400	100	100	75	150	10%	35'	Signs, not including billboards
	Golf Course	SP	75	1,200	1,500	400	400	200	400	10%	35'	Other accessory uses customarily appurtenant to a permitted use
	Recreational facility, commercial-outdoor	SP	25	600	600	100	100	100	200	10%	35'	
	Recreational facility, commercial-indoor	SP	10	400	400	100	100	75	150	10%	35'	
	Recreation facility, occasional or temporary commercial outdoor	P**	5	200	200	75	50	25	75		35	May also require Noise Permit
	Shooting Range	SP	25	600	600	200	200	200	200	10%	35'	See § 345-17D
	Telecommunications Facilities	SP										See §345-28 for Bulk Requirements
	C. Agricultural Uses											
	Agribusiness	P	5	300	300	75	75	50	100	10%	35'	
	Farm operations, buildings and activities	P	5	300	300	75	75	50	100	10%	35'	See §345-33
	Greenhouses - commercial	P*	5	300	300	75	75	50	100	40%	35'	
	Keeping Non-Domesticated Animals	P	5									See §345-34
	Nurseries	P*	5	300	300	75	75	50	100	10%	35'	
	D. Business Uses											
Bed & breakfast	P*	5	300	300	75	75	50	100	10%	35'		
Campgrounds & RV parks, nontransient	SP	25	600	600	200	200	150	300	10%	35'	Subject to §120	
Campgrounds and RV Parks, transient	P**	5	200	200	75	50	25	75		35	Pursuant to license	
Day-Care Center	SP	5	200	200	75	50	25	75	10%	35'		
Eating and drinking places	SP	5	300	300	75	75	50	100	10%	35'		
Hotels and motels	SP	6	400	400	100	100	50	100	20%	35'		
Kennels	SP	10	400	400	100	100	75	150	10%	35'	See §§345-21K and 83-11	
E. Other												
Conservation Subdivision												See §345-24

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Town of Bethel, New York Schedule I - Table of Use and Bulk Requirements

District Intent	Use Type	Minimum Lot Area	Width	Depth	Required Setbacks in Feet			Maximum Coverage Height in Feet	Notes	Accessory Uses	
					Front	Rear	Side, Both				
<p>This district is intended to create and maintain an attractive gateway into the heart of Bethel and complement the Performing Arts and Agriculture Districts that it adjoins. It is, moreover, specifically intended to accommodate a range of generally passive recreational and resort-related uses that build upon the agricultural and performing arts uses prevalent in the area. Design criteria for this district are intended to ensure that all commercial uses are landscaped properly and are subjected to design review with respect to building materials, design and scale. The intent is to effectively blend these commercial elements into the working landscapes of both the existing natural environment and the built environment being created within the Performing Arts District. Signage is intended to be strictly limited, lot coverage restricted to modest amounts, utilities placed underground and residential density maintained at a moderate level. See §130-18 for applicable design standards.</p>	7	G-17B - Gateway Commercial District									
	P - Permitted Use	SP - Special Permit Use									
		Lot area, minimum (acres)									
		A. Residential Uses									
		One-family detached dwelling (w/public sewer)	P	0.5	100	150	25	25	10	25	35'
		One-family detached dwelling (w/o public sewer)	P	2	150	200	50	50	25	50	35'
		B. Community Facilities									
		Cemetery	P*	2	150	200	50	50	25	50	35'
		Community buildings	P*	2	150	200	50	50	25	50	35'
		Essential services	SP	2	150	200	50	50	25	50	35'
		House of worship	SP	2	150	200	50	50	25	50	35'
		Recreation facility, occasional or temporary commercial outdoor	P**	5	200	200	75	50	25	75	35
		C. Agricultural Uses									
		Agribusiness	P	3	200	200	75	50	25	75	35'
		Farming operations, buildings and activities	P	3	200	200	75	50	25	75	35'
		Keeping Non-Domesticated Animals	P								
		Nurseries & greenhouses	P*	3	200	200	75	50	25	75	35'
		On-site processing of agricultural products	P	3	200	200	75	50	25	75	35'
		D. Business Uses									
		Bed & breakfast (w/ public sewer)	P*	1	100	150	25	25	25	50	35'
	Bed & breakfast (w/o public sewer)	P*	2	150	200	50	50	25	50	35'	
	Campgrounds and RV Parks, transient	P**	5	200	200	75	50	25	75	35	
	Day-Care Center	SP	2	150	200	50	50	25	50	35'	
	Eating & drinking places (w/ public sewer)	SP	1	100	150	25	25	25	50	35'	
	Eating & drinking places (w/o public sewer)	SP	2	150	200	50	50	25	50	35'	
	Hotels and motels	SP	6	400	400	100	75	150	150	35'	
	Neighborhood stores ≤ 5,000 s.f. (w/ public sewer)	P*	1	100	150	25	25	25	50	30%	
	Neighborhood stores ≤ 5,000 s.f. (w/o public sewer)	P*	2	150	200	50	50	25	50	30%	
	Professional & business office (w/ public sewer)	P*	1	100	150	25	25	25	50	30%	
	Professional & business office (w/o public sewer)	P*	2	150	200	50	50	25	50	30%	
	Retail Uses (w/ public sewer)	SP	1	100	150	25	25	25	50	30%	
	Retail Uses (w/o public sewer)	SP	2	150	200	50	50	25	50	30%	
	Service Uses (w/ public sewer)	SP	1	100	150	25	25	25	50	30%	
	Service Uses (w/o public sewer)	SP	2	150	200	50	50	25	50	30%	

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Note: All non-residential development in GC-Gateway Commercial District is subject to Gateway Design Guidelines as described in §345-18.

Town of Bethel, New York Schedule I - Table of Use and Bulk Requirements

District Intent	8 H-17B Hamlet Commercial District P - Permitted Use SP - Special Permit Use	Use Type	Minimum Lot Area	Width	Depth	Required Setbacks in Feet			Max. Bldg. Coverage	Maximum Height in Feet	Notes	Accessory Uses	
						Front	Rear	Side, 1					Side, 2
<p>This district is intended to create a higher density commercial and mixed-use neighborhood of high quality around White Lake, where sewer services are readily available, pedestrian linkages can be effectively created and it is possible to establish a destination shopping center within the Town. Design standards are intended to promote walking to shops with sidewalks, mixed-use buildings with shops beneath and residences or offices above, and higher density commercial development. A full-range of land uses is intended along with high landscape standards, parking in the rear where possible, modest limits on signage, use of decorative lighting and design review of building design, materials and scale. Restaurants and small shops that will create tourist interest in the hamlet area and support surrounding residential uses are encouraged. See § 130-18 for applicable design standards.</p>	A. Community Facilities												
	Community buildings (w/ public sewer)	P	0.5	100	150	25	25	10	25	35%	35'	Garages, parking & loading areas	
	Community buildings (w/o public sewer)	P	1	100	150	25	25	25	50	35%	35'	Home occupations, professions and trades	
	Essential services (w/ public sewer)	SP	0.5	100	150	25	25	10	25	35%	35'	Signs, not including billboards	
	Essential services (w/o public sewer)	SP	1	100	150	25	25	25	50	35%	35'	Other accessory uses customarily appurtenant to a permitted use	
	House of worship (w/ public sewer)	SP	1	100	150	25	25	25	50	35%	35'		
	House of worship (w/o public sewer)	SP	2	150	200	50	50	25	50	35%	35'		
	Recreation facility, occasional or temporary commercial outdoor	P**	5	200	200	75	50	25	75		35	May also require Noise Permit	
	B. Business Uses												
	Campgrounds and RV Parks, transient	P**	5	200	200	75	50	25	75		35	Pursuant to license	
	Commercial recreational facilities, indoor (w/ public sewer)	SP	0.5	100	150	25	25	10	25	35%	35'		
	Commercial recreational facilities, indoor (w/o public sewer)	SP	1	100	150	25	25	25	50	35%	35'		
	Day-Care Center	SP	1	100	150	25	25	25	50	35%	35'		
	Eating & drinking places (w/ public sewer)	SP	0.5	100	150	25	25	10	25	35%	35'		
	Eating & drinking places (w/o public sewer)	SP	1	100	150	25	25	25	50	35%	35'		
	Hotels and motels (w/ public sewer)	SP	2	150	200	50	50	25	50	35%	35'		
	Hotels and motels (w/o public sewer)	SP	4	300	300	75	50	50	100	25%	35'		
	Neighborhood stores (< 5,00 s.f.) (w/ public sewer)	P*	0.5	100	150	25	25	10	25	35%	35'		
Neighborhood stores (< 5,00 s.f.) (w/o public sewer)	P*	1	100	150	25	25	25	50	35%	35'			
Professional & business offices (w/ public sewer)	P*	0.5	100	150	25	25	10	25	35%	35'			
Professional & business offices (w/o public sewer)	P*	1	100	150	25	25	25	50	35%	35'			
Retail Uses (w/ public sewer)	SP	0.5	100	150	25	25	10	25	35%	35'			
Retail Uses (w/o public sewer)	SP	1	100	150	25	25	25	50	35%	35'			
Service Uses (w/ public sewer)	SP	0.5	100	150	25	25	10	25	35%	35'			
Service Uses (w/o public sewer)	SP	1	100	150	25	25	25	50	35%	35'			
												Note: All non-residential development in HAC-Hamlet Commercial District is subject to Gateway Design Guidelines as described in §345-18.	

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Town of Bethel, New York Schedule I - Table of Use and Bulk Requirements

District Intent	Use Type	Minimum Lot Area	Width	Depth	Required Setbacks in Feet			Max. Bldg. Coverage	Maximum Height in Feet	Notes	Accessory Uses	
					Front	Rear	Side, Both					
<p>This district is intended to recognize the importance of the "Woodstock Festival" site & its surrounding environs as a premier location of our national heritage. The Town desires to preserve & further this national heritage by creation of this zoning district. The performing Arts Center Development District is intended to encourage & permit an orderly & planned development of uses devoted to the performing arts & to provide economic development within the community by creating a tourist destination on a large tract of land compatible with the natural surroundings of its location. These district regulations allow a range of land uses & supporting services necessary to facilitate development of a nationally prominent performing arts destination & a planned development. These regulations are further intended to encourage flexibility, creativity & innovation in design as well as the protection of ecologically sensitive land.</p>	9 PA - Performing Arts Center Development											
	P - Permitted Use SP - Special Permit Use											
	A. Residential Uses											
	One-family detached dwelling (w/ public sewer)	P	0.5	100	150	25	25	10	25	25%	35'	Accessory farm buildings
	One-family detached dwelling (w/o public sewer)	P	3	200	200	75	50	25	75	25%	35'	Food and craft concessions Garages, parking & loading areas
	B. Community Facilities											Home occupations, professions and trades
	Community buildings	SP	3	200	200	75	50	25	75	25%	35'	Signs, not including billboards to a permitted use
	Essential services	SP	3	200	200	75	50	25	75	25%	35'	Performing Arts Center Planned Development
	Golf course	SP	75	1,200	1,500	400	400	200	400	25%	35'	
	Institutional uses	SP	10	400	400	100	100	75	150	25%	35'	
	Recreational facility, commercial-outdoor	SP	3	200	200	75	50	25	75	25%	35'	
	Recreational facility, commercial-indoor	SP	3	200	200	75	50	25	75	25%	35'	
	Recreational facility, private non-commercial, outdoor	SP	3	200	200	75	50	25	75	25%	35'	
	Recreation facility, occasional or temporary commercial outdoor	P**	5	200	200	75	50	25	75			May also require Noise Permit
	Schools	SP	3	200	200	75	50	25	75	25%	35'	
	Telecommunications Facilities	SP										See §345-28 for Bulk Requirements
	Theaters	SP	3	200	200	75	50	25	75	25%	35'	
	C. Agricultural Uses											
	Agribusiness	P	3	200	200	75	50	25	75	25%	35'	
	Farming operations, buildings and activities	P	3	200	200	75	50	25	75	25%	35'	See §345-33
	Keeping Non-Domesticated Animals	P										See §345-34
	Nurseries & greenhouses	P*	3	200	200	75	50	25	75	25%	35'	
	On-site processing of agricultural products	P	3	200	200	75	50	25	75	20%	35'	
	D. Business Uses											
	Bed & breakfast (w/ public sewer)	P*	1	100	150	25	25	10	25	25%	35'	
	Bed & breakfast (w/o public sewer)	P*	3	100	150	25	25	25	50	25%	35'	
Campgrounds & RV parks - Non Transient	SP	25	600	600	200	200	150	300	25%	35'	Subject to §120	
Campgrounds & RV parks - Transient	P**	5	200	200	75	50	25	75	25%	35'	Pursuant to license	
Day-Care Center	SP	3	200	200	75	50	25	75	25%	35'		
Eating and drinking places	SP	3	200	200	75	50	25	75	25%	35'		
Hotels and Motels	SP	6	400	400	100	100	50	100	25%	35'		
Interpretive center	SP	3	200	200	75	50	25	75	25%	35'		
Museums	SP	3	200	200	75	50	25	75	25%	35'		
Professional & business office	P*	3	200	200	75	50	25	75	25%	35'		
Retail Uses	SP	3	200	200	75	50	25	75	25%	35'	Integrated into overall Development Plan	
Service Uses	SP	3	200	200	75	50	25	75	25%	35'	Integrated into overall Development Plan	
E. Mixed Uses												
Planned Unit Development (PUD)	SP	50	600	600	100	100	100	200	25%	35'	See §345-25	
F. Other												
Conservation Subdivision											See § 345-24	

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Town of Bethel, New York

Schedule I - Table of Use and Bulk Requirements

District Intent	Use		Minimum		Required Setbacks in Feet			Maximum		Notes	Accessory Uses
	Type	Lot Area	Width	Depth	Front	Rear	Side, Both	Coverage	Height in Feet		
<p>10 R-17B Rural Gateway District P - Permitted Use SP - Special Permit Use Lot area, minimum (acres)</p> <p>A. Residential Uses One-family detached dwelling</p> <p>B. Community Facilities Essential services Recreation facility, occasional or temporary commercial outdoor</p> <p>C. Agricultural Uses Agribusiness Farming operations, buildings and activities Keeping Non-Domesticated Animals Nurseries & greenhouses On-site processing of agricultural products</p> <p>D. Business Uses Bed & breakfast Campgrounds & RV parks - Transient Day-Care Center Eating & drinking places Hotels and motels Professional and business office</p>	P	3	200	200	75	50	25	75	20%	35'	Accessory farm buildings Farmstands (roadside for sale of farm products) Garages, parking & loading areas Home occupations, professions and trades Signs, not including billboards Other accessory uses customarily appurtenant to a permitted use
	SP	3	200	200	75	50	25	75	20%	35'	
	P**	5	200	200	75	50	25	75		35	May also require Noise Permit
	P	3	200	200	75	50	25	75	20%	35'	
	P	3	200	200	75	50	25	75	20%	35'	See §345-33
	P*	3	200	200	75	50	25	75	20%	35'	See §345-34
	P	3	200	200	75	50	25	75	20%	35'	
	P*	3	200	200	75	50	25	75	20%	35'	
	P**	5	200	200	75	50	25	75	20%	35'	Pursuant to license
	SP	3	200	300	75	75	75	150	20%	35"	
SP	6	400	400	100	100	50	100	20%	35'		
P*	3	200	300	75	75	75	150	20%	35"	Note: All non-residential development in RG-Rural Gateway District is subject to Gateway Design Guidelines as described in §345-18.	

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Town of Bethel, New York Schedule I - Table of Use and Bulk Requirements

District Intent	RD - Rural Development P - Permitted Use SP - Special Permit Use	Use Type	Minimum Lot Area	Width	Depth	Required Setbacks in Feet			Max. Bldg. Coverage	Maximum Height in Feet	Notes	Accessory Uses	
						Front	Rear	Side, Both					
This district is intended to be an area allowing for both rural development & farm uses compatible with each other. Farm uses are desired & encouraged but subjected, in more intensive situations, to the same reviews as other Special Uses. Farm uses are, within this district, treated equally with development uses & without the preferences accorded to them in the AG District by State law & Town restrictions against intrusions.	A. Residential Uses												
		P	2	150	200	50	50	25	50	25%	35'		Accessory farm buildings
		P	2	150	200	50	50	25	50	25%	35'	\$345-26.B	Boathouses and boat docks
		SP	25	600	600	200	200	100	200	25%	35'	\$345-26.C	Farmstands (roadside for sale of farm products)
		B. Community Facilities											
		P*	5	300	300	75	75	50	100	10%	35'		Garages, parking & loading areas
		P*	4	300	300	75	50	50	100	25%	35'		Home occupations, professions and trades
		SP	4	300	300	75	50	50	100	25%	35'		Signs, not including billboards
		SP	4	300	300	75	50	50	100	25%	35'		Other accessory uses customarily appurtenant to a permitted use
		SP	10	400	400	100	100	75	150	25%	35'		
		P*	4	300	300	75	50	50	100	25%	35'		
		SP	4	300	300	75	50	50	100	25%	35'		
		SP	25	600	600	100	100	100	200	25%	35'		
		SP	10	400	400	100	100	75	150	25%	35'		
		P**	5	200	200	75	50	25	75		35		May also require Noise Permit
		SP	25	600	600	200	200	200	200	10%	35'		See §345-17D
		C. Agricultural Uses											
		P	3	200	200	75	50	25	75	25%	35'		
		P	3	200	200	75	50	25	75	25%	35'		
		P*	3	200	200	75	50	25	75	40%	35'		See §345-33
		P	3	200	200	75	50	25	75	25%	35'		See §345-34
		P*	3	200	200	75	50	25	75	20%	35'		
		SP	3	200	200	75	50	25	75	20%	35'		
		D. Business Uses											
		SP	3	200	200	75	50	25	75	20%	35'		
		SP	2	150	200	50	50	25	50	25%	35'		See §345-32
		P*	2	150	200	50	50	25	50	25%	35'		
		SP	25	600	600	200	200	150	300	25%	35'		Subject to §120
		P**	5	200	200	75	50	25	75		35'		Pursuant to license
		SP	2	150	200	50	50	25	50	25%	35'		
	P*	2	150	200	50	50	25	50	25%	35'			
	P*	6	400	400	100	100	50	100	25%	35'			
	SP	10	400	400	100	100	75	150	25%	35'		See §§ 345-21K and 83-11	
	SP	3	200	200	75	50	25	75	20%	35'		See §345-20	
	SP	6	400	400	100	100	50	100	20%	35'			
	P*	2	150	200	50	50	25	50	25%	35'		See §345-22H	
	SP	25	600	600	200	200	150	300	25%	35'			
	E. Industrial Uses												
	SP	6	400	400	100	100	100	200	20%	35'			
	SP	25	600	600	200	200	200	400	25%	35'		NYSDEC Regulations also apply	

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Town of Bethel, New York

Schedule I - Table of Use and Bulk Requirements

District Intent	12 RDR - Rural Development Residential		Use		Minimum		Required Setbacks in Feet			Max. Bldg. Coverage		Maximum Height in Feet	Notes	Accessory Uses	
	P - Permitted Use	SP - Special Permit Use	Type	Lot Area	Width	Depth	Front	Rear	Slide, Both	Slide, 1	Slide, 2				Slide, 3
<p>The purpose of this district is to allow for mixed use development of a generally rural nature, while also allowing for some more intensive residential uses in areas adjoining the White Lake hamlet and the H-17B Hamlet Center Commercial District where public sewage collection and treatment is available so as to allow the hamlet to develop further as a community.</p>	A. Residential Uses														
	One-family detached dwelling (w/ public sewer)			P	0.5	100	150	25	25	10	25	25%	35'		Accessory farm buildings Boathouses and boat docks
	One-family detached dwelling (w/o public sewer)			P	2	150	200	50	50	25	50	25%	35'		Farmsteads (roadside for sale of farm products)
	Manufactured homes (w/ public sewer)			P	0.5	100	150	25	25	10	25	25%	35'	\$345-26.B	Farmsteads (roadside for sale of farm products)
	Manufactured homes (w/o public sewer)			P	2	150	200	50	50	25	50	25%	35'	\$345-26.B	Garages, parking & loading areas
	Manufactured home parks			SP	25	600	600	200	200	100	200	25%	35'	\$345-26.C	Home occupations, professions and trades
	Multi-family dwelling (w/ public sewer)			SP	2	150	200	50	50	25	50	25%	35'	\$345-27: Max Density 4 DU Per Acre	Signs, not including billboards
	Multi-family dwelling (w/o public sewer)			SP	4	300	300	75	75	50	100	25%	35'	\$345-27: Max Density 2 DU Per Acre	Other accessory uses customarily appurtenant to a permitted use
	B. Community Facilities														
	Cemetery			P*	5	300	300	75	75	50	100	10%	35'		
	Community buildings			P*	4	300	300	75	75	50	100	25%	35'		
	Essential services			SP	4	300	300	75	75	50	100	25%	35'		
	Institutional uses			SP	10	400	400	100	100	75	150	25%	35'		
	Parks & playgrounds			P*	4	300	300	75	75	50	100	25%	35'		
	Private & public schools			SP	4	300	300	75	75	50	100	25%	35'		
	Recreational facility, commercial-outdoor			SP	25	600	600	100	100	100	200	25%	35'		
	Recreational facility, commercial-indoor			SP	10	400	400	100	100	75	150	25%	35'		
	Recreation facility, occasional or temporary commercial outdoor			P**	5	200	200	75	75	50	25	75	35	May also require Noise Permit	
	C. Agricultural Uses														
Agribusiness			P	3	200	200	75	75	50	25	75	25%	35'		
Farm operations, buildings and activities			P	3	200	200	75	75	50	25	75	25%	35'		
Greenhouses - commercial			P*	3	200	200	75	75	50	25	75	40%	35'		
Keeping Non-Domesticated Animals			P	3	200	200	75	75	50	25	75	25%	35'	See §345-34	
Nurseries			P*	3	200	200	75	75	50	25	75	20%	35'		
On-site processing of agricultural products			SP	3	200	200	75	75	50	25	75	20%	35'		
D. Business Uses															
Automotive repair, service and filling stations			SP	2	150	200	50	50	25	50	25%	35'			
Bed & breakfast			P*	2	150	200	50	50	25	50	25%	35'			
Campgrounds & RV parks - Non Transient			SP	25	600	600	200	200	150	300	25%	35'	Subject to §120		
Campgrounds & RV parks - Transient			P**	5	200	200	75	75	50	25	75	35'	Pursuant to license		
Day-Care Center			SP	2	150	200	50	50	25	50	25%	35'			
Eating and drinking places			P*	2	150	200	50	50	25	50	25%	35'			
Equipment sales			P*	6	400	400	100	100	100	100	25%	35'	See Local Law		
Kennels			SP	10	400	400	100	100	75	150	25%	35'	See §345-21K and 63-11		
Hotels and motels			SP	6	400	400	100	100	50	100	20%	35'	See §345-22H		
Neighborhood stores (<= 5,000 s.f.)			P*	2	150	200	50	50	25	50	25%	35'			
Summer camps			SP	25	600	600	200	200	150	300	25%	35'			
E. Industrial Uses															
Light industrial uses			SP	6	400	400	100	100	100	200	20%	35'	NYSDEC Regs also apply.		
Mining			SP	25	600	600	200	200	400	400	25%	35'			

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Town of Bethel, New York

Schedule I - Table of Use and Bulk Requirements

District Intent	14 SR - Smallwood Residential P - Permitted Use SP - Special Permit Use	Use Type	Minimum Lot Area	Width	Depth	Required Setbacks in Feet			Maximum Coverage	Maximum Height in Feet	Accessory Uses	
						Front	Rear	Side, Both				
<p>The Smallwood Residential District is intended to preserve the character of the Smallwood Community by allowing moderate single-family residential development, community facilities and a limited variety of business uses intended to primarily serve the residents of Smallwood.</p>	A. Residential Uses											
	One-family detached dwelling	P	1	100	150	25	25	10	25	25%	35'	Boathouses and boat docks Garages, parking & loading areas Home occupations, professions and trades Real estate and home occupation signs Other accessory uses customarily appurtenant to a permitted use
	B. Community Facilities											
	Community buildings	P*	2	150	200	50	50	25	50	25%	35'	
	Recreational facility, occasional or temporary commercial outdoor	P**	5	200	200	75	50	25	75		35	May also require Noise Permit
	C. Business Uses											
	Bed & breakfast	P*	1	100	150	25	25	10	25	25%	35'	
	Campgrounds and RV parks, transient	P**	5	200	200	75	50	25	75		35'	Pursuant to license
	Day-Care Center	SP	1	100	150	25	25	10	25	25%	35'	
	Eating and drinking places	SP	1	100	150	25	25	10	25	25%	35'	
	Neighborhood stores (< 5,000 s.f.)	SP	1	100	150	25	25	25	50	25%	35'	See §345-22H

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** Subject to site plan approval by the Town Planning Board.

** Such as Tennis and Swim Clubs

General Bulk Standards	Use Type	Minimum Lot Area	Width	Depth	Required Setbacks in Feet			Maximum Coverage	Maximum Height in Feet
					Front	Rear	Side, Both		
P - Permitted Use SP - Special Permit Use									
Lot area, minimum (acres)									
	P*	0.5	100	150	25	25	10	25	
		1	100	150	25	25	25	50	
		2	150	200	50	50	25	75	
		3	200	200	75	50	25	75	
		4	300	300	75	50	50	100	
		5	200	200	75	50	25	75	RES
		5	300	300	75	75	50	100	AG/COMM
		6	400	400	100	100	50	100	
		10	400	400	100	100	75	150	
		25	600	600	100	100	100	200	COMM REC
		25	600	600	200	200	200	400	Mining
		25	600	600	200	200	150	300	Campgrounds
		50	900	1,200	400	400	200	400	

* Subject to Site Plan Approval



*Town of Lumberland
Office of the Supervisor
1054 Proctor Road
Glen Spey, NY 12737*

Jenny R. Mellan, Supervisor
P-845-856-8600 x1227
F-845-856-7118
supervisor@
townoflumberland.org

March 3, 2017

Richard Benjamin, Jr., Highway Superintendent
Town of Thompson
Highway Department
33 Jefferson Street
Monticello, New York 12701

Dear Rich,

I would like to extend our deepest appreciation to you and your outstanding Highway Department for the assistance after Saturday's storm. As you saw, we had extensive tree damage, and your help to Bosco and our Highway Department, made the cleanup go as fast as possible.

I truly love where we live and how, in a time of need, people are willing to help. On behalf of the Town of Lumberland, please accept our sincere thanks for all the assistance that you and your department provided.

With gratitude,

Jenny R. Mellan
Supervisor



AI

William J. Rieber, Jr.
Supervisor

4052 State Route 42 • Monticello, New York 12701-3221
(845) 794-2500 Ext. 306 • Fax: (845) 794-8600
Email: supervisor@townofthompson.com

March 15, 2017

John Filippelli
United States Environmental Protection Agency
Region 2
290 Broadway
New York, NY 10007-1866

Re: Environmentally Sensitive Areas – Waterpark and Resort Hotel at Adelaar, Town of Thompson, Sullivan County, NY

Dear Mr. Filippelli:

The Town of Thompson has completed SEQRA and issued a Negative Declaration on the proposed Waterpark and Resort Hotel at Adelaar (“Waterpark”) project. This project is the next phase of the 1,700 acre Adelaar project being developed in the Town. The Town is currently reviewing the final site plan for the Waterpark. The Waterpark will be connected to the Town’s Sewage Conveyance and Treatment Facility (the “Treatment Facility”) which received a Sewage Conveyance and Treatment Facility EPA Construction Grant (the “Grant”). The EPA applied a special condition to the Grant protecting "Environmentally Sensitive Areas" (ESAs) from induced development. Summary information related to this project and the Grant is included in the Table that follows.

Summary Information

Sewerage Authority	Kiamesha Lake Sewer District
Construction Grant #	Project Numbers C-36-506, C-36-905
Project Name	Waterpark and Resort Hotel at Adelaar
County	Sullivan
Town	Thompson
Address	Chalet Road, Monticello, NY 12701
Block Lot # (Tax ID)	15-1-14

The Waterpark site development program has been carefully designed to avoid any and all impacts to ESAs. The attached Rendered Site Plan depicts the proposed project layout along with the federally regulated wetland and floodplain boundaries supporting the conclusion that no ESAs will be disturbed by the development of the Waterpark.

In support of the Waterpark project, infrastructure improvements, including the realignment of Chalet Road, the construction of a multi-use path, and water, sewer and electrical conveyance/transmission systems are proposed. It is our understanding that no ESA Waiver is required for impacts resulting from infrastructure improvements, which do not result in a direct connection to the Treatment Facility for which the EPA Construction Grant was initially issued. This understanding is based upon the Agency's consideration of the Town's application for an ESA Waiver in connection with the casino phase of the Adelaar project. As you may recall, the Agency issued a Waiver for the Montreign Resort Casino on June 2, 2016, but did not concern itself with impacts to environmentally sensitive areas resulting from infrastructure.

Kindly confirm that, based on the above, an ESA Waiver is not required for the Waterpark project.

Sincerely,

William J. Rieber, Jr.

cc:

Town of Thompson Town Board
Nicole Emmons (Hart Howerton)
Helen Mauch (Zarin & Steinmetz)
Chris Robbins (AKRF, Inc.)
Nikolaus Wirth (EPA)

RELIANT
Water Technologies

Quotation

141 Robert E. Lee Blvd - #284
New Orleans, LA 70124
Tel 504-400-1239
FAX 504-242-8887
Email: sales@reliantwater.us.com

Number
12716

Date
12/13/16

TO: Mr. Keith Rieber
Town of Thompson W&S Dept.
Thompson, NY

Item No.	Description	Quantity	Each	Extended
1	One Reliant Water Wet Well Wizard Lift Station Aeration System, complete with 35' of reinforced polyurethane double-walled hose, stainless steel or brass hose fittings, one 1.5 HP 120V, 1 phase, 60Hz regenerative blower with air filtration system, with single outlet for 1 Wizard, pressure relief valve and inches of water gauge, with installation manual	1 system	\$6,020/sys	\$6,020.00
2	Reliant Water Weather cover	1 each	470ea	470.00
3	Reliant Water Sound Suppressing Cover	1 each	895ea	895.00

Freight from New Orleans, LA to be added

Please note the following:

1. This quotation is limited to supplying the equipment described above. It does not include any materials except that which are specifically listed above.
2. This quotation includes one set of instruction manuals per system ONLY.
3. Terms: Net 30 days
FOB: Point of manufacture
Quote valid: 60 days
Delivery: Within 20 days from receipt of order

Thank you for your interest in Reliant Water Technologies.
Best regards,



Jim Dartez

WET WELL WIZARD™

The Remedy for Collection System Problems



- **Dissolves FOG within hours**
- **Eliminates odor completely**
- **Eliminates the septicity of H₂S in the wet well and downstream**
- **Transforms the microbial population in the wet well to a completely aerobic population**
- **Improves the water quality of the collection system to the point of pre-processing the water, which will improve wastewater plant operations**

The **WET WELL WIZARD™** is the only 'one-size-fits-all' wet well aeration system that has no moving parts, is completely non-corrosive, is simple to install, and utilizes no electricity underwater. It can be installed in 30 minutes and requires almost no maintenance. This patent pending technology consists of a unique set of antipodal bubble cleaving disks inside a confined tube that cuts and shapes large air bubbles into high speed, spinning "FOG cutters." For large wet wells (over 8' in diameter) multiple Wizards operate with the use of a single air generation source. The only maintenance is cleaning an air filter monthly.

The **WET WELL WIZARD™** is designed in such a manner that it will not cause the cavitation of pumps and it will not become clogged with floating well debris. The air source is an industrial grade regenerative blower that can be supplied with stainless steel components if desired, as well as a weather cover or silencing enclosure, although total blower noise level is rated at 68 dB.

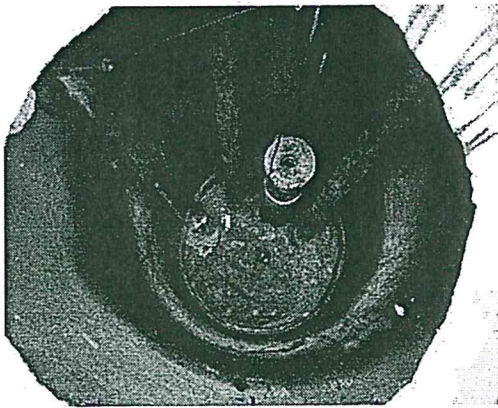
Why the **WET WELL WIZARD**?

- Collection systems containing lift stations all have the same problems –
- The buildup of FOG (fats, oils and grease)
- Odor – both in the lift stations and down-line
- Increased pump maintenance due to short cycling and clogging
- Septicity in the collection system causing H₂S gas corrosion
- Costly cleaning and maintenance – often reoccurring vacuum disposal and/or chemical use

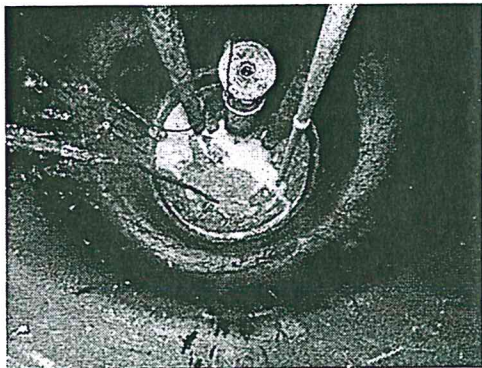
The Reliant Water **WET WELL WIZARD** is the answer to all of these problems. So, why is it so effective –

1. The injection of a continuous flow of cleaved bubbles into the wet well water, breaks up and liquefies FOG and other viscous semi-solids. Solid non-dissolvable waste items will be freed of their FOG coatings for easy screen collection and disposal.
2. All microbial activity in the wet well becomes aerobic, so bio-degradation of organic matter, and odors, is continuous. Odor masking chemicals are no longer required.
3. When FOG and trash buildup becomes thick in the wet well, float switches have a tendency to lie on top of, or get trapped below, the FOG and debris. This allows the waste to collect closer to pump intakes and cause premature damage to the pumps. Short cycling and premature pump failure is also common under these conditions.
4. Without oxygen in wet wells the formation and buildup of H₂S is constant and the corrosive gas is pumped downstream to cause odors and corrosion to cement and steel components of the entire collection system.
5. Collection system crews no longer have to spend hours in lift stations cleaning FOG and debris. A simple screen scoop for small floating debris is all that is necessary.

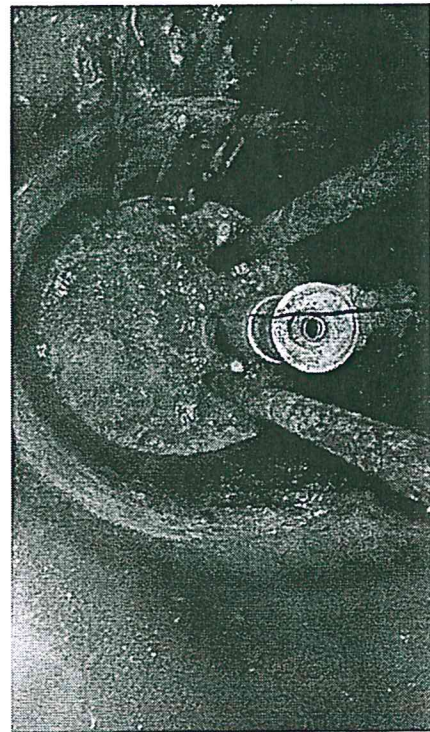
Visual Proof of the **WET WELL WIZARD**'S Capability



A 5' diameter wet well with a 2.5 foot thick FOG cap. Note the float switch lying on top – causing pump short-cycling



Same wet well just 10 minutes following the start-up of the **WET WELL WIZARD**. Note that the float switch has already repositioned itself.



The same wet well 24 hours later.

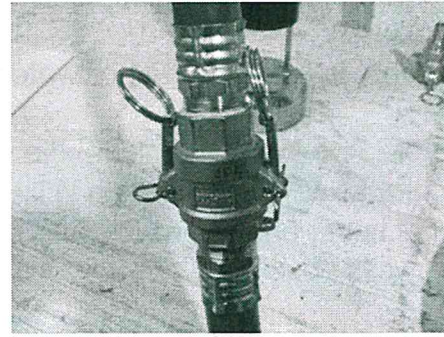
**The *WET WELL WIZARD* is Customer Installable
Standard Components are -**



The Wiz with HDPE body and internal bubble cleavers



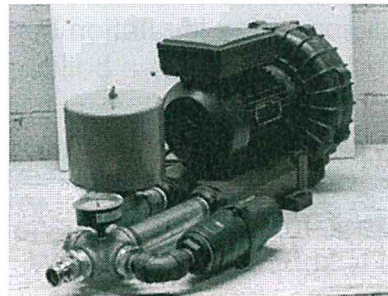
10 pound stainless steel base and support



Brass and stainless steel Cam Lock hose connections



Nylon reinforced PVC/polyurethane air hose



Blower with overpressure protection

Options Available

- HDPE non-corrosive blower hood
- IP65 blower motor protection
- Dirty filter indicator
- Stainless steel intake filter hood and filter element with stainless steel painted filter platform
- Fiberglass full cover for noise reduction and/or long term freezing applications
- For wet wells larger than 8' dia use multiple Wizards with a multiple hose manifold on the blower

Specifications

- Wiz body** – 3" (76mm) dia HDPE tube
- Cleavers** – ¼" (6.35mm) HDPE
- Hardware & base** – 316L stainless steel & brass
- Hose** - 35' (10.7m) reinforced polyurethane and PVC high pressure hose
- Blower** – 1.5 HP (1.1 kW); two stage, low volume, high pressure regenerative blower; any desired voltage, phase, and Hz; includes pressure release valve, inches of water gauge and complete intake filter system. Sound level at 68db total

Supplied Standard for a Single Wiz Installation (for <70sqft wet wells)

- 1 Wizard complete with stainless steel stand and base and hardware.
- 35 feet of reinforced PVC/polyurethane air hose with connection hardware.
- 1 1.5HP regenerative blower to meet your required source power, including pressure relief valve, inches of water gauge and complete intake filter system. Includes all necessary hardware for operation.
- 1 Installation manual.

Necessary Information to Accompany Your Order, or for a Firm Quote

1. How deep is your lift station? _____
2. What is the diameter, or water surface dimensions, of the wet well for that lift station? _____ A single Wizard will handle wet wells up to 8 feet in diameter. Two Wizards will handle wet wells up to 15 feet in diameter. In this case the same blower will work for both Wizards. All that we supply extra is the extra Wizard, another length of hose, and the necessary blower fittings to connect both Wizards to the same blower. Larger wells possible.
3. What is the minimum water level in the wet well (pump shutoff depth)? _____
4. What is the maximum water level in the wet well (pump-on depth)? _____
5. Is there a building at the lift station that houses the power panel? _____ Is it possible to locate the blower inside a building? If not, it is suggested that the HDPE blower weather hood be considered. If the area is susceptible to H₂S fumes, the stainless steel filter hood, filter element and painted filter base should be considered.
6. Distance, in feet, from the power panel to the bottom of the wet well? _____ Thirty five feet of air hose is supplied with each Wizard. This hose must reach from the bottom of the wet well to the location where the blower will be located. There should be at least one to two feet of slack in the air hose.
7. Voltage and phase, and Hz of the power for your lift station? _____ Single and three phase blowers, any Hz are standard.
8. Does the lift station outside pad have a flood potential? _____ If there is a chance for flooding of the lift station surface pad, the blower should be placed on cinder blocks or other means of lifting it above high water level.
9. Primary problem – H₂S odor _____ FOG Cap _____ Wall scum _____ Other _____

WELCOME TO THE WORLD OF MINIMAL MAINTENANCE WET WELLS

RELIANT

Water Technologies

141 Robert E. Lee Blvd. - #284
New Orleans, LA 70124
Tel 504-400-1239
FAX 504-242-8887

sales@reliantwater.us.com
www.reliantwater.us.com

Represented by -



Collection System Aeration and the Microbial Benefits

By
Jim Dartez

In late 2015 Reliant Water Technologies introduced the Wet Well Wizard, an aeration tool for the wet wells in collection systems. During 14 months of field testing the patent pending Wizard System, the primary objectives were to eliminate FOG (fat, oil and grease) caps and to reduce H₂S, eliminating it if possible. All trials were proven excellent with very few changes to the product that eventually was introduced to the collection system market.

Now, after a number of months with customer owned Wizards in collection systems around the US and several countries, more is being learned about the opportunities of the Wet Well Wizard system. We are receiving increasing reports about –

1. Common FOG caps up to 5' thick being emulsified in under 3 days (most thinner caps within 24 hours) – never to return again.
 - o Complete return on investment in this application, if vacuum trucks had been previously rented, in under 8 weeks.
2. H₂S being completely eliminated, as long as the well using the Wizard system was the primary source of the H₂S generation. For wells that had carryover H₂S from upstream wells, once a Wizard system was installed in the upstream well, H₂S was totally eliminated.
3. A number of small towns, with small collection systems where several Wizard systems are being used just prior to the wastewater plant, customers quickly noticed that the head-works, or bar screen areas of their wastewater plants were suddenly experiencing reduced odor.

The first two bullets above were expected results, as these were our goals during the months of field testing that began in 2014. But now, with the reports of bar screen odor reduction/elimination, we are beginning to understand the true value of turning the microbial population in a collection system to a totally aerobic population.

During the trials, it was determined that the elimination of FOG caps required a very aggressive aeration technology, thus the development of the unique, patent pending, Wizard. At the same time, we knew that we would increase the dissolved oxygen (DO) in the well and the water leaving that well. We expected this increased DO to have the effect of transitioning the anaerobic microbial population into an aerobic population – eventually making the well a place that H₂S could not survive. Again, this was achieved and we continually experienced lift stations and sewer lines losing their odor downstream – never to return, as long as the Wizard were continually operational.

Part of our testing, besides photos of the FOG cap destruction and metered testing of H₂S reduction, was the measurement of the ORP of the wet wells throughout the trials. The ORP measurements provided a view of the various time lines required for the microbial populations to transition from anaerobic to aerobic populations. ORP and H₂S work hand-in-hand in providing information on whether the wet well microbes are providing the necessary BOD removal. Differences varied with wet well sizes, lift station locations within a community, and various pumping intervals used in each lift station. But, as long as the Wizard was kept operational – the population always made the transition to a stable aerobic population. And, an interesting side note was that the water in each lift station became more “clear” over time. Certainly, floating non-dissolvable debris would stay on top of the water, but the water clarity itself was quite noticeable. See **Figures 1 & 2.**

Town 7 (2700 Population) Wiz Trials - DO

NOTES

- (1) 1.4 Mi between LS 4 to LS 3; .9 Mi between LS 3 to LS 2
- (2) LS 4 had a 9" grease cap on 5/12 - No grease cap on 5/13
- (3) LS 3 had a 15" grease cap on 5/12 - No grease cap on 5/13

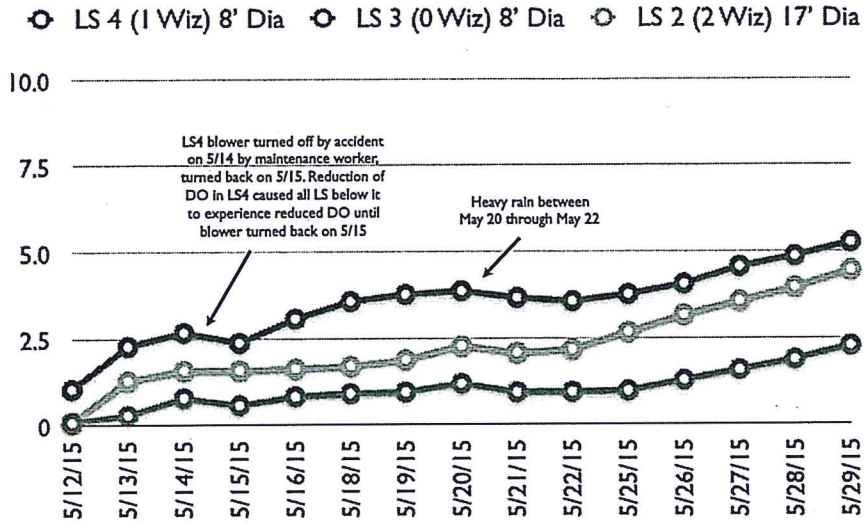


Figure 1

Town 7 (2700 Population) Wizard Trials - ORP

NOTES

- (1) 1.4 Mi between LS 4 to LS 3; .9 Mi between LS 3 to LS 2
- (2) LS 4 had a 9" grease cap on 5/12 - No grease cap on 5/13
- (3) LS 3 had a 15" grease cap on 5/12 - No grease cap on 5/13

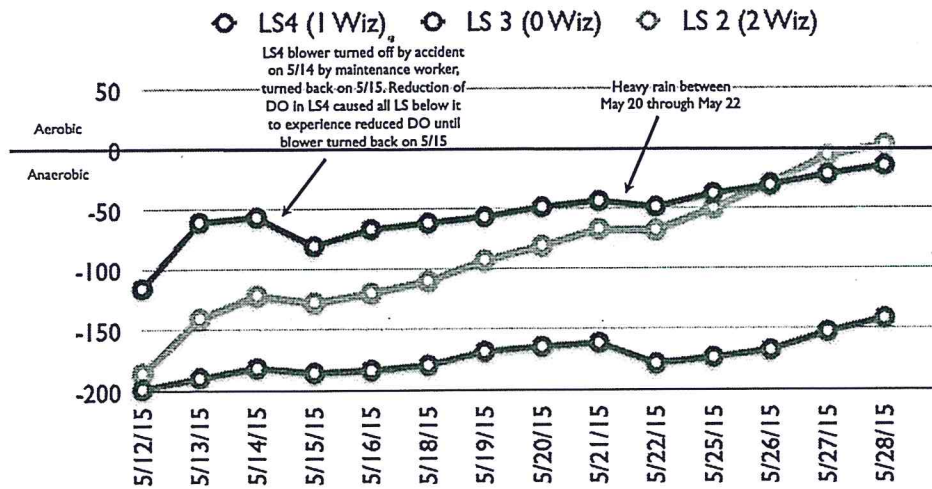


Figure 2

Now, in hindsight, and with customers returning for more Wizard systems for other lift stations and sewer wells, we are hearing stories like the ones noted above – bar screen and headwork facilities not only losing odor characteristics, but when tested, a relatively high dissolved oxygen in the water moving through the head-works.

While it is still too early to determine, the indications are that using the Reliant Wet Well Wizard in various troubled lift station and sewer wet wells through out a towns collection system, could reliably – and inexpensively – provide pre-treated wastewater to the wastewater plant. A very quick Return on Investment has already been demonstrated in many installation, but if it can be proven that the water leaving the collection system can be, even partially, pre-treated, with a responsible level of dissolved oxygen, the savings to the operation of wastewater plants could be quite respectable.

A Handy Tool For Wet Well Maintenance: Cutting Through The FOG

Blame our fast food diets or restaurants' negligence for what's going down the drain. Whatever the cause, fats, oil, and grease (FOG) accumulation has become a pervasive problem for wastewater treatment plant collection systems. They congeal in lift stations, clogging wet wells with a foul, organic, mass that gums the works and requires extensive, expensive, and sometimes perilous, cleaning efforts.

Reliant Water Technologies understands the toll that FOG can take on a treatment plant. Jim Dartez, the company president, participated in a Q&A with Water Online to discuss the problem and a device they've introduced to resolve these problems in lift stations — the Wet Well Wizard.

How pervasive is the presence of FOG in our wastewater systems?

FOG collects in the wet wells of lift stations in all wastewater collection systems in every town or city. It is visually recognizable as a mass of floating grease often called a "FOG cap." It is found especially in lift stations near apartment buildings and restaurants where people have a tendency to cook with grease. This floating "cap" can be many feet thick and cause numerous problems in the lift station. It usually has to be cut out by arduous labor and/or vacuumed out with vacuum trucks — often several times per week at some lift stations.

What are the typical problems associated with a FOG congested lift station?

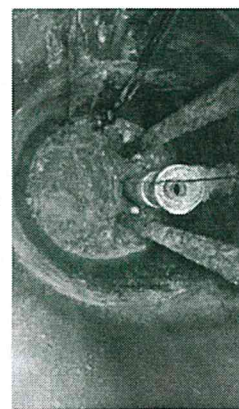
The primary problem we associate with a lift station is odor due to the collection of wastes, both sanitary and chemi-



The *Wiz*



2 ½ feet of FOG in a wet well



24 hours later

cal, that accumulate in the wet wells. The odor comes from a buildup of hydrogen sulfide caused by the anaerobic microbial buildup and chemical makeup of the water in the wet well.

The second significant problem is physical debris, such as condoms, tampons, tampon sleeves, plastic bags, and rags. These require manual or vacuum cleaning and can cause damage to the wet well pumps in submersible pump installations, or the vacuum intake capability of self-priming above-ground pumps.

Finally, there is the grease cap problem as noted above, which adds to odor problems.

Why do these problems continue to prevail?

Because there is no way to "strain" the above mentioned contaminants from their sources of the collection system.

While grease traps are required at restaurants, they are commonly not maintained correctly and the FOG released always exacerbate the collection system problems.

What about a lack of oxygen causes hydrogen sulfide to accumulate in the wet well?

Hydrogen sulfide in sewers builds up due to the anaerobic digestion of organic matter in wet wells and water trapped in low spots in the collection system pipes. The Wet Well Wizard injects so much dissolved oxygen into the confines of the wet well water that two things happen: First, the anaerobes in the water become aggressive aerobes, which break down the organic matter in the water more quickly, releasing non-corrosive gases; and second, the oxygen added to the water by the Wizard causes a reaction between oxygen and hydrogen sulfide to produce odorless sulfate, which is also not corrosive.

How bad can odor really get from FOG buildup? Is it possible for a treatment system to violate any regulations or laws strictly from generating foul smells?

Lift station hydrogen sulfide gases can be harmful and actually kill operators that do not take precautions during maintenance work. The problem is hydrogen sulfide asphyxiation. There are U.S. Department of Health & Human Services regulations that protect workers against this problem. There is also a large number of customer complaints associated with "street drain" hydrogen sulfide odors.

Can you provide some detail into the interaction between the cleaved bubbles produced by a Wet Well Wizard and semi-solids?

There is a distinct visual and effect comparison between slow moving, fine bubble aeration methodologies that are common in other wet well aeration technologies compared to the very aggressive, tumbling, cleaved bubbles that are aggressively ejected from the dorsal end of the Reliant Wet Well Wizard.

These very aggressive spinning bubbles emitted from the Wiz rise with such a vicious velocity that they quickly cut through and homogenize grease caps of any thickness. See the pictures that Water Online has on our [Wet Well Wizard brochure](#).

What advantages provided by the Wet Well Wizard add up to a ROI?

The wastewater collection system is actu-

ally the beginning of the wastewater treatment process, but due to the problems (chemical and bacterial) in the lift station wet wells, one potential advantage has never been utilized. We have proven that we can raise the dissolved oxygen in collection system water to over 3 ppm. At present it is a theory, but we have an engineering firm running tests to prove the theory. If Wizards are used on all lift station wet wells throughout a given system, the following will be experienced by the collection system and wastewater plant operations, most of which will provide a return on investment:

1. Odor masking chemicals will not have to be used in lift stations.
2. Other very expensive air scrubbing technologies at lift stations will not have to be utilized.
3. Labor for cleaning grease caps, with or without vacuum trucks, will be eliminated and maintenance labor will be reduced.
4. Operator safety will be enhanced.
5. Continual complaint calls from citizens concerning odors at lift stations and sewer drains will end.
6. The water entering the wastewater plant will be clear, odor-free, and highly oxygenated, with an abundance of pre-digestion — all of which will improve the operations of the plant itself by providing odor-free

water into the headworks (often the source of the worst odor found in the entire plant), thus reducing the odor in clarifiers and open tanks, increasing the dissolved oxygen of the water entering the aeration basin, and decreasing the amount of costly dissolved oxygen generation required in this bio-process.

Many customers actually go to the wastewater treatment plant's operations superintendents to help them pay for Wet Well Wizards because they know that the product will assist the plant processes. To date, categorizing the collection system as a collaborative wastewater process to the plant has not been highly regarded. This is mainly due to the other solutions for lift station problems, which are known for not working or being too expensive to incorporate.

What's the realistic maximum lifespan of a lift station pump if the Wet Well Wizard is installed?

The Wizard technology is too new to know this number, but everyone expects it to increase pump life and decrease pump maintenance.

How difficult is Wet Well Wizard installation and how does that compare to implementing other potential solutions?

Installation will take about 30 to 45 minutes per Wizard installed, depending upon the design of the lift station and the preparedness of the installation staff, including the electricians. ■

March 14, 2017

Town of Thompson Water & Sewer Department
Rock Ridge Road
Monticello, NY 12701

Re: CCTV System

Dear Keith,

Thank you for calling upon P.N. Fire & Burglar Alarm Company, Inc. to design a CCTV system for the Water & Sewer Department. We have been a leader in the security industry throughout the Hudson Valley for over 57 years. Over the years, we have successfully installed thousands of CCTV systems covering both residential and commercial applications. We are fully licensed to install CCTV systems in New York State as required by law.

The High Definition color camera system that I have designed for the Water & Sewer Department will allow you to view the Property from the Internet. The cameras will be recorded on a High Definition Mega Pixel Network video recorder. The following is a list of equipment that is needed.

1 – Hikvision 16 Channel 2TB hard drive\$667.00
5 – Hikvision 1.3 Mega Pixel Dome.....\$690.00*
*Each camera is \$138.00

Total Labor to install the above cameras.....\$550.00**

**This system would utilize the existing wiring that's already in place

Upgrade to a 4TB hard drive from 2TB.....\$125.00

Warranty

We will guarantee all Parts and Labor on the above equipment installed for 3 Years.

Option: This is the equipment that we will be installing in the Town Hall.

1 – EverFocus 16 Channel 2TB DVR.....\$555.00
5 – EverFocus 1080P cameras.....\$409.00*
*Each Camera is \$82.00

Total Labor to install the above cameras.....\$720.00**

**This would be high definition over coax

Upgrade to a 4TB hard drive from 2TB.....\$150.00

Warranty

We will guarantee all Parts and Labor on the above equipment installed for 3 Years.

Thank you for your support,

Jared Kaufman
845 794 6133 ext 123
jaredkaufman@pnalarm.com



P.O. Box 271
Mountaindale, New York 12763
276 East Broadway
Monticello, New York 12701
Tel/Fax (845) 794-8084

Commercial & Residential Phone Systems
Sales • Service • Installation

E-mail: scot@bedik.com

PROPOSAL

Wednesday, March 08, 2017

Keith Rieber
Town of Thompson Water & Sewer Dept.
4052 Route 42
Monticello, NY 12701

Tel: 794-5280
Fax: 794-2777
Email: kriebert@townofthompson.com

Scope of Work:

Furnish and install 1 - Elux 16-channel HD DVR, 1 - High output 12VDC power supply and 5 - HD IR ball cameras.

Complete installation including setting the system up on the network for both local and remote access.

Subtotal	\$2,065.00
Tax	Exempt
Total	\$2,065.00

Please note: Bedik Communications, Inc. will pay a prevailing wage rate as mandatory by New York State Department of Labor.

The undersigned acknowledges and agrees to the following terms:
Terms: 50% due upon signing proposal, balance due upon installation.

Town of Thompson Water & Sewer Dept.

Date

Note: Please understand that on all commercial jobs, we require an IT person or IT type person be present if remote access is requested. Bedik Communications, Inc. will make every attempt to get your system online but sometimes this cannot be guaranteed without assistance from an in-house person. Whether you employ an IT person or have someone within your business who handles it, in-house assistance will be needed. If that person is not available on the day of install, we will be glad to return.



Quote

Account # A-109765
 Date March 13, 2017
 Quote Expiration
 HWE Job # 0040479

Quote # 00011620
 PO #
 Pick Up Frequency

Billing Address

Town of Thompson Water & Sewer Dept
 128 Rock Ridge Dr
 Kiamesha Lake, New York 12751

Pick-Up Address

128 Rock Ridge Dr
 Kiamesha Lake, New York 12751

Accounts Payable Contact

Name: _____
 Email: _____
 Phone: _____

Prepared By:

Collin Perry
 collin.perry@pegex.com

Quote Detail

Waste Type	Description	Volume	Units	Unit Price	Extended Disposal Price
Other Waste Type Disposal	5 GAL - Corrosive Liquid Basic	1.00	Drums	\$160.00	\$160.00
Other Waste Type Disposal	15 GAL - Flammable Liquid	1.00	Drums	\$230.00	\$230.00
Other Waste Type Disposal	15 GAL - Oxidizer Solids	1.00	Drums	\$230.00	\$230.00
Other Waste Type Disposal	15 GAL - Toxic Liquid Inorganic (TLI)	1.00	Drums	\$230.00	\$230.00
Other Waste Type Disposal	Mercury Metallic / Elemental	1.00	Container	\$175.00	\$175.00
Other Waste Type Disposal	30 GAL - Non Regulated Solids	1.00	Drums	\$350.00	\$350.00
Other Waste Type Disposal	5 GAL - Non Regulated Liquids	1.00	Drums	\$160.00	\$160.00
Other Waste Type Disposal	5 GAL - Corrosive Liquid Acid	1.00	Drums	\$160.00	\$160.00
Other Waste Type Disposal	15 GAL - Toxic Liquid Organic (TLO)	1.00	Drums	\$230.00	\$230.00
Other Waste Type Disposal	5 GAL - Asbestos	1.00	Drums	\$175.00	\$175.00
Other Waste Type Disposal	Mercury Compounds (Solids)	1.00	Container	\$230.00	\$230.00
Other	Field Test - Unknowns	1.00	Each	\$65.00	\$65.00
Packaging Materials	Supplies	1.00	Each	\$390.00	\$390.00
Field Chemist Labor	Field Chemist & Technician (Est. 3.5 Hours On Site)	3.50	Hours	\$165.00	\$577.50
Transportation	Transportation to Disposal Facility	1.00	Each	\$490.00	\$490.00
Energy and Insurance Fee	Energy, Insurance & Security Recovery Fee - Currently 10% of Total Invoice	1.00	Each	\$385.25	\$385.25
Total in USD					\$4,237.75

By signing this document, I am granting permission to Pegasus Sustainability Solutions, Inc. and its affiliates and subcontractors to sign any and all waste characterization, waste profile, waste manifest and other waste paperwork on my behalf.

Quote Assumptions: 8% NY TAX RATE NOT INCLUDED.	Quote Comments: THE ENERGY, INSURANCE & SECURITY RECOVERY FEE IS MADE-UP
---	--





	OF TWO COMPONENTS. THE FIRST PART OF THE FEE ASSISTS IN RECOVERY FOR INSURANCE, ENVIRONMENTAL REGULATORY COMPLIANCE AND COSTS RELATED TO INCREASING SECURITY REQUIREMENTS. THE SECOND IS A VARIABLE CHARGE FOR ENERGY-RELATED COSTS THAT WILL TRACK THE NATIONAL AVERAGE PRICE FOR DIESEL FUEL AS REPORTED BY THE U.S. DEPARTMENT OF ENERGY EACH MONTH. THIS E.I.S. CHARGE IS APPLIED TO THE ENTIRE INVOICE.
--	--

Quote and Pricing Conditions

This quote is made pursuant to and incorporates by reference the services agreement that is attached to this quote or IF NONE, the one that was previously signed by the parties. capitalized terms not defined in this quote have the meanings attributed to them in the services agreement.

Signature: _____

Name: Mark Pavlak

Company: Town of Thompson Water & Sewer Dept

Title: Operations

Date: _____



Service Agreement

This Services Agreement (this "**Agreement**") is between Pegasus Sustainability Solutions, Inc., a Delaware corporation ("**Pegex**"), and the company listed in the billing address on the attached quote form ("**Customer**"), and is made and entered into as of the date listed in the attached quote (the "**Effective Date**").

Services.

1.1 **Scope of the Services.** Pegex shall perform the services described in the attached Quote and each subsequent Quote entered into between the parties (the "**Services**"). "**Quote**" means the document issued by Pegex pursuant to this Agreement that references this Agreement and specifies the services to be performed by or on behalf of Pegex and the corresponding fees to be paid by Customer. A Quote is deemed accepted by Customer if the Quote is signed by Customer or otherwise approved by Customer in writing or through an electronic or other communication.

1.2 **Performance of the Services.** Pegex shall perform the Services in a professional manner and in conformity with applicable laws. Pegex shall also maintain insurance of the type with the applicable policy limits that meet or exceed those required by applicable law for the Services. Upon Customer's request, Pegex shall provide Customer with copies of such records and certificates of insurance.

2. Compensation and Other Payments.

2.1 **Compensation, Payment Terms, and Taxes.** As consideration for the Services and other obligations under this Agreement, Customer shall pay to Pegex the amounts listed on the applicable Pegex invoice within 30 days of receipt of an invoice for the Services and fees described in such invoice, unless otherwise specified in the applicable Quote. Payments not made within such time period are subject to late charges equal to the lesser of (a) one and one-half percent (1.5%) per month of the overdue amount, or (b) the maximum amount permitted under law, plus in either case, costs of collection and if applicable reasonable attorneys' fees. Customer shall pay all sales and transfer taxes, if any, in connection with the Services, unless otherwise specified in the applicable Quote.

2.2 **Expenses.** Customer shall reimburse Pegex for all reasonable, ordinary and necessary out-of-pocket expenses incurred in the course of the performance of Pegex's duties and responsibilities under this Agreement.

2.3 **Invoices.** Pegex shall submit to Customer invoices setting forth (a) a description of the applicable Services rendered in reasonable detail and (b) if any, a listing and description of other fees and reimbursable expenses. Pegex shall submit all invoices to the Customer email address specified on the Quote and, if none, then the contact who authorized service.

3. **Term and Termination.** The term of this Agreement commences as of the Effective Date and continues until terminated. Either party may terminate this Agreement if the other party (a) commits a curable material breach or default of an obligation under this Agreement that is not remedied within fifteen days after the nonbreaching party provides written notice thereof, (b) commits a noncurable material breach or default of an obligation under this Agreement, or (c) files for bankruptcy, becomes insolvent, or becomes an involuntary participant in a bankruptcy proceeding, if such involuntary proceedings are not dismissed within 60 days after commencement. In addition, (x) either party may terminate this Agreement with 45 days prior notice to the other party, and (y) Pegex may terminate this Agreement upon notice to Customer in the event a subsequent Quote is not entered into within one year upon the completion of the Services from the previous Quote.

4. Pegex Representations, Warranties and Covenants.

4.1 **Representations and Warranties.** Pegex represents and warrants to Customer that Pegex is not under any pre-existing obligation, legal or otherwise, in conflict or in any way inconsistent with the provisions of this Agreement or with Pegex's undertaking of a relationship with Customer.

4.2 **Nonsolicitation of Pegex Employees.** During the Term and for twelve months thereafter, Customer shall not directly or indirectly through or with one or more other persons recruit or solicit for employment or other services any person who is an employee or independent contractor, or who was an employee or independent contractor at any time during the six months prior thereto, of Pegex for whom Customer had contact in connection with the Services. Nothing in this Agreement restricts Customer from using general means to solicit the general public not specifically targeting such employees and independent contractors.

4.3 **Indemnification of Customer.** Except as otherwise provided in this Agreement, Pegex shall defend Customer against any third party filed claim arising from Pegex's performance of the Services in violation of applicable law, excluding any claim arising from the negligence, willful misconduct or violation of applicable law by Customer, its directors, officers, employees or agents ("**Claim Against Customer**"), and shall indemnify Customer for the resulting costs and damages finally awarded against Customer to such third party by a court of competent jurisdiction or agreed to by Pegex in settlement. As a condition of receiving indemnification under this section, Customer must provide Pegex with (a) prompt written notice of the details related to the Claim Against Customer; (b) complete control over the defense and settlement of the Claim Against Customer (provided, that Pegex will not settle any Claim Against Customer without Customer's prior written permission, which will not be unreasonably withheld, delayed or conditioned, in the event the settlement does not release Customer from all liability pertaining to the Claim Against Customer); and (c) such assistance in connection with the defense and settlement of the Claim Against Customer as Pegex may reasonably request. The indemnification and related obligations contained in this section are limited to the extent provided in Section 8 (Limitation of Liability and Damages).

5. **Confidentiality.** In the course of this Agreement, Pegex and Customer may disclose to one another Confidential Information. Except as otherwise provided in this Agreement, the parties shall not disclose or permit access to the other party's Confidential Information, without the disclosing party's prior written permission. "**Confidential Information**" means all nonpublic information and material that from all the relevant circumstances should reasonably be assumed to be proprietary or otherwise confidential. Confidential Information of Pegex includes, but is not limited to, nonpublic information related to the details and components of the Services and the terms of this Agreement, including those related to pricing. Confidential Information does not include information that (a) is or becomes generally known to the public at any time by any means other than a breach of the obligations under this Agreement of a receiving party; (b) was previously received or known by the receiving party without restriction or received by the receiving party from a third party who had a lawful right without restriction to disclose such information; or (c) is independently developed by the receiving party. Each party's Confidential Information will remain the sole and exclusive property of that party. Each party shall treat as confidential and use measures that are reasonable, and at least as protective as those it uses to safeguard the confidentiality of its own Confidential Information (but in no event less than reasonable care), to preserve the confidentiality of any and all Confidential Information that it obtains from the other party. If a party is requested to disclose the Confidential Information of the other party in connection with a legal proceeding, subpoena, investigative demand, or other similar process, then such party shall promptly notify the other party and may disclose the Confidential Information in connection with such

Service Agreement

legal proceeding, subpoena, investigative demand, or other similar process. Each party acknowledges that due to the unique nature of the other party's Confidential Information, the disclosing party will not have an adequate remedy in money or damages in the event of any unauthorized use or disclosure of its Confidential Information. In addition to any other remedies that are available in law, in equity or otherwise, the disclosing party is entitled to seek injunctive relief to prevent unauthorized use or disclosure.

6. Customer Compliance.

6.1 Customer Status. Customer understands that performance of the Services significantly depends on, among other things, Customer's compliance with applicable law, the condition of Customer's waste material containers, and the conformity of the waste material with the specifications listed or referenced on the applicable Quote. Customer represents and warrants to Pegex that: (a) Customer holds clear title to all waste material, waste material containers, and any other materials that Pegex or its subcontractors handle, store, treat, process, or dispose of in connection with this Agreement; and (b) Customer is a "Generator" pursuant to the Resource Conservation and Recovery Act, the Comprehensive Environmental Response, Compensation and Liability Act, and all other applicable laws. Customer acknowledges that neither Pegex nor its subcontractors assume the status of "Generator" pursuant to any applicable law. Title, risk of loss and all other incidents of ownership with respect to the waste material, waste material containers and any other materials transfers from Customer to the applicable Pegex subcontractor at the time such subcontractor begins loading the waste material onto its transportation vehicles or otherwise begins to take possession or control of the same. By entering into this Agreement, exercising its rights, or performing its obligations, Pegex does not and will not take title, risk of loss, or any other incident of ownership with respect to any waste material, waste material containers, or any other materials.

6.2 Suspension; Indemnification. Pegex may suspend, at its sole discretion, its performance of the Services (in whole or in part): (a) if the waste material does not conform to the specifications listed or referenced on the applicable Quote; (b) if the waste material containers are damaged or defective; (c) to prevent injury or damages to, or degradation of, Pegex or its subcontractors' property, people, or the environment; (d) to comply with any law, court order, or governmental request; or (e) if Customer violates the terms of this Agreement or applicable law. Pegex shall use reasonable efforts to provide Customer with notice before or promptly following any suspension of the Services. Pegex shall resume the Services as soon as the event giving rise to suspension has been resolved. Pegex may charge and Customer shall pay any fees relating to non-conforming waste, even if Pegex or its subcontractors provide no prior notice and even if such fees are not listed on a Quote. Pegex may also charge and Customer shall pay a cancellation fee equal to the lesser of \$500 or the amount applicable to scheduled Services, if Customer requests the cancellation or rescheduling of such Services with notice to Pegex less than ten (10) calendar days prior to the originally scheduled date of such Services. Customer shall comply with applicable law and shall indemnify Pegex and its affiliates and their respective directors, officers, employees, agents, successors, and assigns from and against all claims, liabilities, losses, penalties, fines, damages and expenses (including, but not limited to, reasonable attorneys' fees) arising out of or relating to (i) Customer's negligence, willful misconduct or violation of applicable law; (ii) any nonconforming waste material provided by Customer; (iii) any defective or damaged waste containers of Customer; or (iv) the Services, to the extent that Pegex has complied with in all material respects its obligations under law and this Agreement.

7. Disclaimer of Warranties. EXCEPT AS PROVIDED IN SECTION 4.1 (REPRESENTATIONS AND WARRANTIES), TO THE EXTENT PERMITTED BY

LAW, THE SERVICES DESCRIBED IN EACH QUOTE AND ANY OTHER SERVICES OR DELIVERABLES ARE PROVIDED "AS IS" AND "AS-AVAILABLE," WITH ALL FAULTS, AND WITHOUT WARRANTIES OF ANY KIND. PEGEX DISCLAIMS ALL OTHER WARRANTIES, EXPRESS AND IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, QUIET ENJOYMENT, QUALITY OF INFORMATION, AND TITLE. NO ORAL OR WRITTEN INFORMATION OR ADVICE GIVEN BY PEGEX, ITS SUBCONTRACTORS, OR ITS AUTHORIZED REPRESENTATIVES CREATES ANY OTHER WARRANTIES OR IN ANY WAY INCREASES THE SCOPE OF PEGEX'S OBLIGATIONS UNDER THIS AGREEMENT.

8. Limitation of Liability and Damages. NEITHER PEGEX NOR ITS SUBCONTRACTORS WILL HAVE ANY LIABILITY TO CUSTOMER OR ANY THIRD PARTY FOR ANY LOST PROFITS, SALES, BUSINESS, OR DATA, OR OTHER INCIDENTAL, CONSEQUENTIAL, OR SPECIAL LOSS OR DAMAGE, INCLUDING EXEMPLARY AND PUNITIVE DAMAGES, OF ANY KIND OR NATURE RESULTING FROM OR ARISING OUT OF THIS AGREEMENT, THE SERVICES, OR ANY OTHER SERVICES RENDERED OR DELIVERABLES PROVIDED UNDER THIS AGREEMENT, REGARDLESS OF WHETHER UNDER A CONTRACT, TORT, OR OTHER THEORY OF LIABILITY. THE TOTAL LIABILITY OF PEGEX AND ITS SUBCONTRACTORS TO CUSTOMER OR ANY THIRD PARTY ARISING OUT OF THIS AGREEMENT, THE SERVICES, AND ANY OTHER SERVICES RENDERED OR DELIVERABLES PROVIDED UNDER THIS AGREEMENT FOR ANY AND ALL CLAIMS OR TYPES OF DAMAGES WILL NOT EXCEED THE LESSER OF (A) THE TOTAL FEES PAID BY CUSTOMER UNDER THE APPLICABLE QUOTE; OR (B) \$10,000; PROVIDED, HOWEVER, THAT THE TOTAL LIABILITY OF PEGEX AND ITS SUBCONTRACTORS TO CUSTOMER OR ANY THIRD PARTY FOR THE REPLACEMENT OF CUSTOMER-OWNED MATERIALS DAMAGED BY PEGEX OR ITS SUBCONTRACTORS WILL NOT EXCEED \$1,000.

9. General Provisions.

9.1 Assignment; Delegation. Without the prior written consent of Pegex, Customer shall neither (a) assign, whether voluntarily or involuntarily, this Agreement or any of Customer's rights under this Agreement, nor (b) delegate any performance under this Agreement. Any purported assignment or delegation in violation of this section will be void. Pegex may assign this Agreement and any or all or any of its rights and delegate any or all of its obligations hereunder by providing notice thereof to Customer. This Agreement binds and benefits the parties and their respective heirs, executors, administrators, legal representatives, and permitted successors and assigns.

9.2 Governing Law. The laws of the State of Wisconsin govern all matters arising out of or relating to this Agreement, including, without limitation, its interpretation, construction, performance, and enforcement, without giving effect to such state's conflicts of law principles or rules of construction concerning the drafter hereof. The parties hereby irrevocably and unconditionally submit to the jurisdiction of the federal and state courts located in Dane County, Wisconsin for the purpose of any suit, action, or other proceeding arising out of or based upon this Agreement, which courts are the exclusive forum for any such suit, action, or other proceeding. The prevailing party in any such dispute may recover its reasonable attorneys' fees related to such dispute.

9.3 Notices. To be effective, any notice, consent, or communication required or permitted to be given in connection with this Agreement must be in writing and personally delivered or sent by messenger, fax, overnight courier, email, or certified mail and addressed to the address specified on the most recent Quote or invoice, to the attention of the persons listed therein. Each party shall promptly notify the other of any change to such party's address or contact information. All notices, consents, and communications are deemed delivered and received by the receiving party (i) if personally delivered or delivered by messenger, on the date of delivery or on the date delivery was refused, (ii) if delivered by fax transmission, upon receipt of fax confirmation of the

Service Agreement

party transmitting such fax, (iii) if delivered by overnight courier or certified mail, on the date of delivery as established by the return receipt, courier service confirmation, or similar documentation (or the date on which the courier or postal service, as applicable, confirms that acceptance of delivery was refused or undeliverable), or (iv) if emailed, the date on which the email is sent.

9.4 Amendments and Waivers. No amendment, rescission, or waiver related to this Agreement is effective unless it is in writing, references this Section 9.4, and is signed by both parties. No failure or delay in exercising any right or remedy or requiring the satisfaction of any condition under this Agreement, and no course of dealing between the parties, operates as a waiver or estoppel by Pegex of any right, remedy, or condition. A waiver made by Pegex in writing on one occasion is effective only in that instance and only for the purpose that it is given and is not to be construed as a waiver on any future occasion or against any other person. To the extent any course of dealing, act, omission, failure, or delay in exercising any right or remedy by Pegex under this Agreement constitutes the election of an inconsistent right or remedy, that election does not either constitute a waiver of any right or remedy or limit or prevent the subsequent enforcement by Pegex of any contract provision.

9.5 Severability. If any provision of this Agreement is held to be invalid, illegal, or unenforceable, the validity, legality and enforceability of the remaining provisions of this Agreement will not be affected or impaired. If any provision of this Agreement is held invalid, illegal, or unenforceable, the parties shall negotiate in good faith so as to replace each such invalid, illegal, or unenforceable provision with a valid, legal, and enforceable provision that will, in effect, most nearly and fairly achieve the effect of the invalid, illegal, or unenforceable provision and the intent of the parties in entering into this Agreement; provided that if the parties are unable to agree on a valid, legal, and enforceable substitute, the parties request that the court interpreting such invalid, illegal, or unenforceable provision, to modify such provision so that as modified the provision is valid, legal, and enforceable and as consistent as possible with the intent of the parties as expressed in this Agreement.

9.6 Entire Agreement. This Agreement, together with the Quotes, constitutes the entire and final agreement between the parties. It is the complete and exclusive expression of the parties' agreement on the matters contained in this Agreement. All prior and contemporaneous

negotiations, term sheets, letters, memoranda, and other discussions and agreements, either oral or in writing, between the parties on the matters contained in this Agreement are expressly merged into and superseded by this Agreement. No provision of this Agreement may be explained, supplemented, or qualified through evidence of trade usage or a prior course of dealings. In entering into this Agreement, neither party has relied on any statement, representation, warranty, or agreement of the other party except for those expressly contained in this Agreement. After the Effective Date, Pegex and Customer may exchange one or more other documents (collectively, "**Other Documents**") relating to the services Pegex may provide and the fees Customer may pay Pegex for such services that are in addition to or the substance of which may overlap with a Quote. Other Documents may or may not be signed by one or both parties. Regardless of whether signed, to the extent such Other Documents relate to matters covered by this Agreement or are otherwise related to the handling, storage, treatment, processing, or disposal of waste material generated by Customer, such Other Documents will not be binding on Pegex except to the extent expressly incorporated by reference in a Quote. In the event of a conflict between any Other Documents and this Agreement, this Agreement controls. In the event of a conflict between any Other Documents and a Quote, or in the event of a conflict between a Quote and this Agreement, the Quote controls.

9.7 Survival. Article 2 and Articles 6 through 9 survive the termination or expiration of this Agreement.

9.8 Headings. The descriptive headings of the articles, sections, and subsections of this Agreement are for convenience of reference only. They do not constitute a part of this Agreement and do not affect this Agreement's construction or interpretation.

9.9 Counterparts. If the parties sign a Quote in counterparts, each counterpart constitutes an original, and all counterparts, collectively, constitute only one agreement. The signatures of all the parties need not appear on the same counterpart, and delivery of a signed counterpart signature page by fax or other electronic transmission is as effective as signing and delivering an original.

9.10 Website Terms of Use. Customer acknowledges that Pegex may condition Customer's access to and use of Pegex's website and other electronic communications tools on acceptance of and compliance with the terms of use made available on such site or tool, the terms of which may be updated from time to time.

TOWN OF THOMPSON
DEPARTMENT OF PARKS & RECREATION

BILLS OVER \$1250.00

We are requesting permission to purchase 1 - 2017 New Holland Tractor Backhoe with tool carrier under NJPA State Bid – NYS Contract PC67265 from Westchester Tractor, Inc. for the amount of \$98,949.45

Total amount of this purchase: \$98,949.45

WESTCHESTER TRACTOR, INC.

THE BEST DON'T REST

60 INTERNATIONAL BLVD.
 BREWSTER, NY 10509
 Phone (845) 278-7766 Fax (845) 278-4431
 Web: <http://www.wtractor.com>



QUOTE DATE: February 13, 2017
 Quotation valid for (days): 30
 Quotation valid until: March 15, 2017
 Prepared by: Jeff Underhill (VP)
 Salesman's Phone #: (914) 490-6405
 Salesman's Email: jeff@wtractor.com

Customer Information:

Town of Thompson Parks and Recreation	PHONE	EXT	FAX
	CELL	845-798-0571	
	EMAIL		
	gsomers@townofthompson.com		



MACHINE AND OPTIONS	PRICE
New B95C-TC New Holland tractor loader backhoe with tool carrier 4WD 4 X 4 torque convertor transmission with power shuttle 16.9X28 EZ Rider Galaxy rear tires 14-17.5 Galaxy front tires Cab with heat and A/C pilot backhoe controls with pattern changer Extendahoe with mechanical quick coupler tool carrier front loader with hydraulic coupler 4 X 1 front bucket HD front counterweight backhoe lifting eye 24" bucket reversable stabilizer pads stabilizer control with power up deluxe fabric seat with 2" seat belt cold weather start dual batteries rotating beacon tool box 48" pallet forks tilt steering wheel glide ride load stabilization	list price \$147,703.00 35% NJPA discount (\$51,153.55) dealer PDI \$600.00 freight in \$1,200.00 delivery to Thompson, NY \$600.00
TRADE UNITS	

TOTAL	\$	98,949.45
TOTAL TAX	\$	-
TOTAL PRICE	\$	98,949.45

THANK YOU FOR YOUR BUSINESS!

PLUS TAX IF APPLICABLE

Group 40625– Award 22792, Heavy Equipment

CNH Industrial LLC (Construction) Contractor and Pricing Information


January 27, 2017

Contract #	Contractor & Address	Centralized Contract Contact	Federal ID NYS Vendor ID
NYS Contract: PC67265 NJPA Contract: 032515-CNH	CNH Industrial America LLC 700 State Street Racine, WI 53402	Case Construction Name: Tony Simpson Manager Government Sales Toll Free Phone: (262) 636-6576 Email: tony.simpson@casece.com New Holland Construction Name: Amy Swett Manager Government Sales Toll Free Phone: (877) 269-0114 Phone: (717) 355-1686 Fax: (866) 640-1420 Email: amy.swett@newholland.com	Federal ID 76-0433811 NYS Vendor ID 1100123548
Business Hours: M-F 8AM –5PM, Eastern			

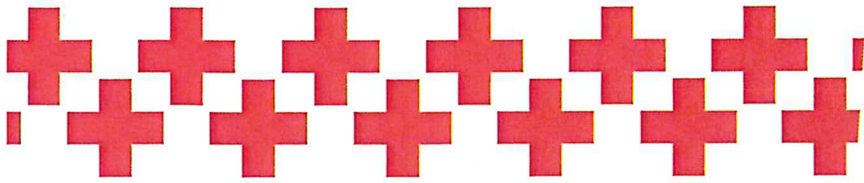
Contract Pricelist and Discounts

NOTE: Price shall include all customs duties and charges. Shipping costs from the shipping point may be added to invoice for the product, with a copy of the freight bill. Shipping costs are to be prepaid by Contractor and such orders are to be shipped on an F.O.B. destination basis. Contractor shall provide the Authorized User with an estimate of shipping charges prior to placement of an order. All such orders shall be shipped by the most economical method for the proper delivery of the product unless special instructions are stated on the Purchase Order by the Authorized User.

Link to Contractor Price List (List Prices): Contact Centralized Contract Contact listed above for price list. Discounts and authorized dealers follow on the ensuing pages.

		National Joint Powers Alliance /NY State Contract #032515-CNH/PC67265 Effective 7-1-15 Expires 6-30-19 New Holland Construction	
Effective 12-12-16			
Model	Tier	List Discount for Members	Price & Data Pages Dated
United States Discounts and Pricing			
Skid Steer Loaders			
L213	4F	24%	10/1/2016
L216	4F	24%	10/1/2016
L218	4F	26%	10/1/2016
L220	4F	25%	10/1/2016
L221	4F	25%	10/1/2016
L228	4F	28%	10/1/2016
L234	4F	32%	10/1/2016
Compact Track Loaders			
C227	4F	26%	10/1/2016
C232	4F	26%	10/1/2016
C238	4F	26%	10/1/2016
Tractor Loader Backhoe			
B95C	4F	35%	10/1/2016
B110C	4F	35%	10/1/2016
Tractor Loader			
U80C	4F	28%	10/1/2016
Compact Wheel Loader			
W50C	4F	26%	10/1/2016
W80C	4F	31%	10/1/2016
Excavators			
E17C	4F	23%	11/17/2016
E26C	4F	23%	11/17/2016
E33C	4F	22%	11/17/2016
E37C	4F	22%	11/17/2016
E57C	4F	25%	11/17/2016
E60C	4F	25%	11/17/2016
Current Inventory Only			
Compact Excavator			
E30B	4F	23%	4/22/2016
E35B	4F	22%	4/22/2016
E55B	4F	25%	4/22/2016
L230	4F	32%	5/1/2016
Dealers can add freight set-up to the purchase orders. These discounts CANNOT be used with any other program including Order Writing.			

FYI



American Red Cross

March is Red Cross Month

Be part of an elite group of volunteers! Give blood.

Community Blood Drive Monticello Firehouse

In the Community Room
23 Richardson Avenue
Monticello, NY

Wednesday, March 29
2:00 PM to 7:00 PM

This is a Competition drive sponsored by:
The Fire Department
Monticello Elks
The Rotary Club
Kiwanis

Come help your group win!

Please call 1-800-RED CROSS (1-800-733-2767) or visit redcrossblood.org to schedule an appointment.



Scan to schedule an appointment.

redcrossblood.org | 1-800-RED CROSS | 1-800-733-2767 | Download the Blood Donor App