

**TOWN OF BETHANY**

**TOWN BOARD PUBLIC HEARING**

**FRANK & JAMIE STANTON SUP1401**

**24 June 2019**

Town Officials in Attendance were:

- |                            |                               |
|----------------------------|-------------------------------|
| Carl Hyde, Jr., Supervisor | Jeffrey Fluker, Councilman    |
| Timothy Embt, Councilman   | Daniel Street, Councilman     |
| Diane Fowler, Councilwoman | David DiMatteo, Town Attorney |
| Debbie Douglas, Town Clerk | Thomas Douglas, CEO/ZEO       |

Attendees to the Meeting were:

- |                   |                    |
|-------------------|--------------------|
| Jeremy Kramer     | Phillip Kramer     |
| Pat Pietrzykowski | Barb Pietrzykowski |
| Sharon Boyle      | Mary Miller        |
| Louis Miller      | Frank Stanton      |
| Jamie Stanton     | Dean Bangs         |
| Glenda Bangs      | Barb Czworka       |

On **MOTION** of Councilwoman Fowler, duly second by Councilman Fluker, the Public Hearing was opened at 6:34 p.m.

Motion **PASSED** with the following Roll Call Vote:

- |                           |                         |
|---------------------------|-------------------------|
| Supervisor Hyde – Yes     | Councilman Fluker – Yes |
| Councilman Embt – Yes     | Councilman Street – Yes |
| Councilwoman Fowler – Yes |                         |

Town Clerk read the hearing notice which was published in the Batavia Daily News on June 19, 2019.

**TOWN OF BETHANY  
NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that a public hearing will take place by that the Town of Bethany Town Board on the 24<sup>th</sup> day of June, 2019 commencing at 6:30 p.m. at the Bethany Community Center, located at 10510 Bethany Center Road, in the Town of Bethany, New York.

Town Board will review the Special Use Permit granted to Frank and Jamie Stanton on December 8, 2014, for the property located at 9832 Bethany Center Road, tax map parcel #2.-1-82.112 for the operation of outdoor mud bogging events and consider whether the Special Use Conditions, Requirements and Modifications are being met.

**THIS PUBLIC HEARING IS BEING HELD  
TO HEAR ALL INTERESTED PARTIES AND CITIZENS**

By order of the Town Board,

DEBBIE DOUGLAS, CLERK  
TOWN OF BETHANY



**Town of Bethany**  
10510 Bethany Center Rd.  
E. Bethany NY 14054  
Telephone: 585-343-1399  
Fax: 585-343-3605

## SPECIAL USE PERMIT

Permit Number: SUP-14-01

**Applicant Information:**

Frank L. and Jamie L. Stanton  
8832 Bethany Ctr. Rd.  
East Bethany NY 14054

**Land Owner Information:**

Frank L. and Jamie L. Stanton  
8832 Bethany Center Rd.  
East Bethany NY 14054

**Location Information:**

Parcel ID: S.B.L. # 2-1-82.112  
8832 Bethany Center Rd.  
East Bethany NY 14054

Zoning District: Agricultural-Residential (A-R)

Zoning Law: III, 306, B, 3. Outdoor recreation facility

Nature of Special Use Permit: Operate "outdoor mudding events"

Application Date: 8/15/2014

Issue Date: 12/8/2014

Valid Date: Upon site inspection and approval by ZEO/CEO Douglas. Thirty (30) days prior to initial scheduled event, notice shall be given to ZEO/CEO to facilitate said inspection.

Expiration: Valid until abandonment or revocation as per Town of Bethany Zoning Law

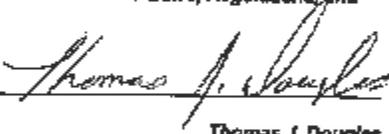
### Conditions, Requirements and Modifications

- Maximum of five (5) events to be scheduled
- Events shall be scheduled between April and September
- ZEO shall be notified fifteen (15) days prior to each event to allow compliance inspection
- Actual mudding in the bogs and/or pulling shall be held between 12:00 p.m. and 6:30 p.m. (not include loading and unloading of vehicles)
- One (1) two (2)-day camping event may be held per year.
- A New York State operating Permit for Outdoor Events shall be maintained (copy to be filed with Bethany Town Clerk)

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- Special Use Permit shall be reviewed annually. Any further modification may be considered at that time
- An Insurance umbrella of a minimum of one million dollars (\$1,000,000) shall be maintained (Proof of Insurance to be filed with Bethany Town Clerk)
- Children's activities shall be planned
- A designated safety person shall be on duty for each event
- A noise barrier shall be actively pursued (i.e. berm, planting of trees, etc.)
- A barrier shall be established between the spectator area and the mud bogs. Existing ditch maybe modified to provide such barrier
- On event days signs shall be placed roadside warning of the possibility of vehicles entering the highway. Signs shall be placed several hundred feet from location of the event on each side of said property.
- Entrances shall be as per final site plan
- Emergency access roads shall be created and maintained as per final site plan. Said emergency access roads shall be kept free of all obstructions during any event.
- There shall be no amplified or broadcast music.
- Parking shall be on-site in areas as shown in final site plan. There shall be no roadside parking.
- Two (2) Porta-johns shall be provided for any event.

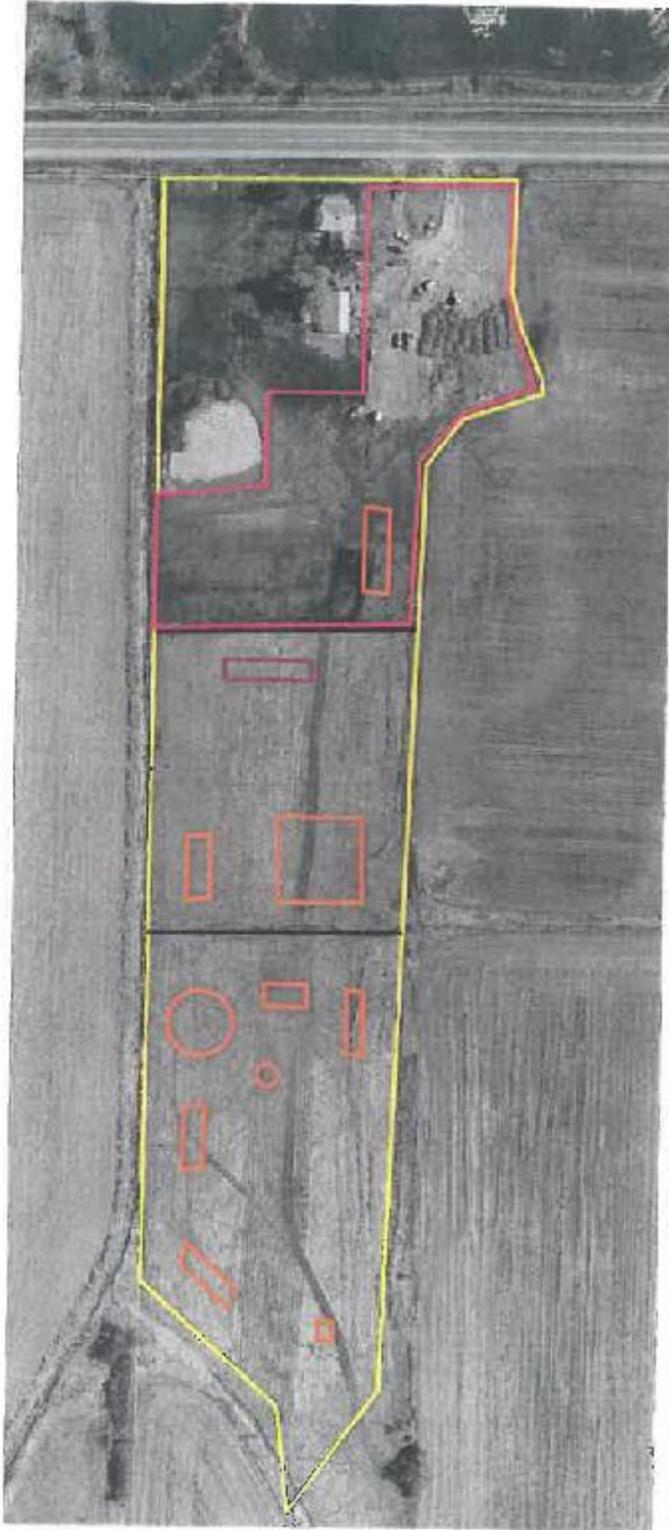
*This permit is issued in accordance with the Town of Bethany Zoning Law as adopted June 18<sup>th</sup>, 1985 and amended thereafter. Applicant agrees to conform to all applicable Federal, State and Municipal Laws, Regulations and Ordinances. Applicant further agrees to permit access at any reasonable hour to the Zoning and/or Code Enforcement Officer or his designee for the purpose of determining that the actions undertaken conform to said Laws, Regulations, and Ordinances.*

BY:   
 Thomas J. Douglas  
 Zoning and Code Enforcement Officer  
 Town of Bethany

FRANK + JAMIE STANTON SUP - 1401  
9832 B.C. RD. SBC # 2 - 1 - 82.112

*[Handwritten signature]*  
7/23/2019

REFERENCE ONLY



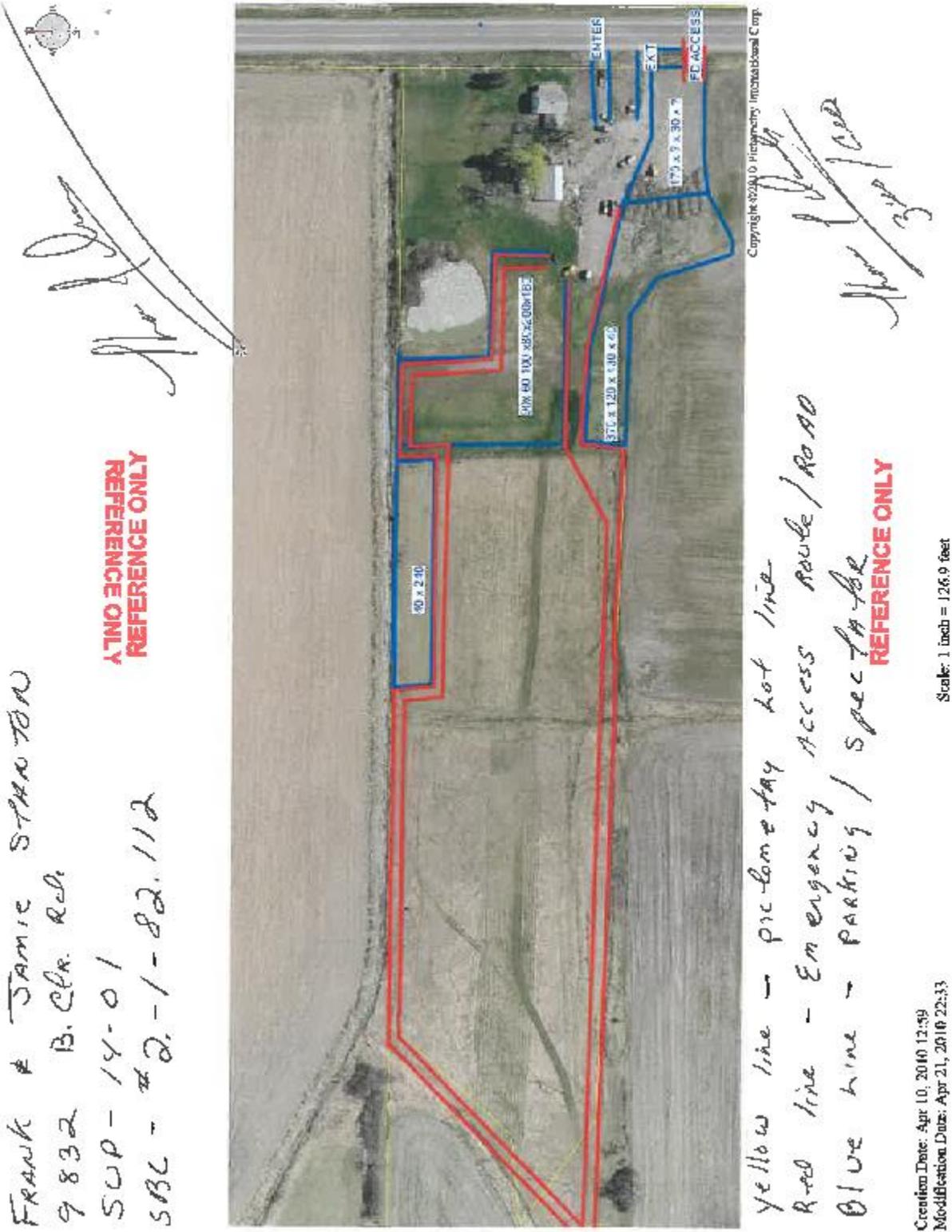
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Black line - Reference line  
Yellow line - Property line  
Pink line - Parking Area Perimeter

Orange line - Boys/girls  
Purple line - cement  
pulling pad.

Creation Date: Apr 10, 2010 12:59  
Modification Date: Apr 21, 2010 22:03

Scale: 1 inch = 137.3 feet



Minutes to be supplied by the Court Reporter.

On motion of Councilman Fluker, duly seconded by Councilwoman Fowler, the public hearing was closed at 7:20 p.m.

BY ORDER OF THE  
BETHANY TOWN BOARD  
DATED: June 27, 2019

Respectfully Submitted,  
  
Debbie L. Douglas, RMC  
Bethany Town Clerk