

**PLANNING BOARD  
TOWN OF BETHLEHEM**

**August 15, 2006**

The Planning Board, Town of Bethlehem, Albany County, New York held a **Regular Meeting**, on August 15, 2006, at the Bethlehem Town Hall, 445 Delaware Avenue, Delmar, NY. Chairman Mathusa presided and called the meeting to order at 7:00 pm.

Present: Parker Mathusa, Planning Board Chairman  
Keith Silliman, Planning Board Counsel  
Daniel Odell, Planning Board Member  
Katherine McCarthy, Planning Board Member  
Christine Motta, Planning Board Member  
Tom Cotrofeld, Planning Board Member  
Howard Engel, Planning Board Member

Michael Morelli, Deputy Director of Economic Development & Planning  
Terry Ritz, Assistant Engineer  
Jeffrey Lipnicky, Town Planner  
Janine Saatman, Deputy Town Planner

Edward Kleinke, Jay's Mobil  
Davie Caesar, Beverwyck Phase V  
David Wendth, Beverwyck Phase V  
John Schafer, Meadowbrook III  
Sam Messina  
Al Penk  
Carol Penk

Agenda: Jay's Mobil Delaware Avenue  
Beverwyck Phase V  
Meadowbrook III

Jay's Mobil

Chairman Mathusa called the meeting to order and noted the presence of a quorum. The first item on the agenda was a site plan for Jay's Mobil. It had been last before the Board on August 1, 2006. They have revised the plans after meetings with staff.

Mr. Kleinke presented for the applicant. He stated that issues raised by the Board at the last meeting, had been addressed. They eliminated the freestanding sign on Delaware Avenue to allow better passage for cars. At a future date, a monument sign would be located at the northwest corner of the site in a curbed, landscaped area. The sign would be designed at that time. They currently were looking into possible wall signage. Another concern of the Board was the safe passage of pedestrians in and out of the store. The applicant revised the plans to include a four (4) foot concrete sidewalk across the front of the structure, in addition to the landscaped planter.

Ms. Motta requested that the concrete pad, currently holding the freestanding sign, be softened so cars would not be damaged if they went over it.

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For an official copy of the minutes, please visit the Town Hall, 445 Delaware Avenue, Delmar, NY or call 439-4955.

The Board reviewed the SEQR Resolution prepared by staff.

A motion to approved the SEQR Resolution, Negative Declaration as drafted was offered by Ms. McCarthy, seconded by Mr. Engel and approved by all Board members present.

### Beverwyck Phase V

Chairman Mathusa turned the Board's attention to the next item on the agenda, Beverwyck Phase V. The project was last before the Board on August 1, 2006.

Mr. Wendth stated they had met with staff on August 3<sup>rd</sup> to speak about the ownership of utilities. They are close to their final agreement. Final plans had been submitted with the modifications requested. Once they have the recommendation from the Planning Board and the approval from the Town Board, they will be able to initiate the Department of Health review and proceed with the beginning of construction.

The Board reviewed the draft Building Project Approval Recommendation Amendment No. 5 to Building Project Approval No. 26 that staff had prepared. A few minor amendments to the document were suggested by Ms. Saatman.

A motion to approve the draft Building Project Approval Recommendation Amendment No.5 to Building Project Approval No. 26 as amended was offered by Ms. McCarthy, seconded by Mr. Cotrofeld and approved by all members present.

### Meadowbrook III

Chairman Mathusa turned the Board's attention to the next item on the agenda, Meadowbrook III, last on the agenda July 11, 2006. He asked the applicant to discuss any outstanding issues.

Mr. Shaffer, SPECTRA Engineering, stated a significant amount of work had been done since the last time they had given the Board a status report. On a request from Engineering, they had combined the survey data with the basic design of the project. Easements and conveyances of property were revised and shown on the plans, the drainage basin being one of the conveyances to the Town. Another major change was to the Stormwater Plan. They had decided to phase the project during the construction. Phase I would include seventeen (17) lots and Phase II would contain thirty-one (31) lots. They would sequence the five (5) acre disturbance with the construction of the houses themselves. The Town required all the utilities and the roads be done for each particular phase. The pattern of the five (5) acre disturbances was included on the plans. The last clearances would occur along the Normanskill. The remainder of the comments from staff and the TDE were being addressed.

Mr. Shaffer said staff had asked them to look at the underground pipes and whether they could avoid clearing in the area where the installation would take place. He said that because of information within the geo tech report, they did not feel comfortable terminating the pipes at a higher level. To address Mr. Lipnicky's concern, they had placed several notes on the plans stating that clearing be minimized during the installation of the pipes. Mr. Shaffer said the intersection design was submitted to staff for review as requested.

Mr. Ritz said additionally, the Engineering division wanted the cul-de-sac detail to be submitted for review. Chairman Mathusa mentioned that a number of comment letters the Board had received and he

wanted to know if there were any issues that needed to be discussed. Mr. Ritz said that during the meetings with the applicant and staff, all the issues were discussed. The main items were the intersection detail and the lot grading.

Chairman Mathusa wanted the applicant to be aware of the steps pertaining to the easements. Mr. Ritz said that the Engineering Division will check the easements for closure but the Town does not accept them until the improvements within them have been constructed. Any unfinished work would be covered by a performance bond. Mr. Lipnicky stated that draft language of those easements need to be submitted for review by staff and the Town attorney. He stated that with Home Owners Associations, staff wanted the draft offering plan prior to approval for review. Mr. Carpenter, attorney for the applicant, said the offering plan still needed to be written and then they needed to be submitted to the State. Mr. Lipnicky said they weren't looking for an approved document. Mr. Shaffer wanted to know if that could be a condition of approval. They were hoping that the project could be on the September 5, 2006 meeting for Conditional Final Approval. Staff was reluctant to commit to that date, absent a set of revised plans.

Mr. Engel said in the past the Board had seen approval documents with a long list of conditions, he did not feel that it was reasonable. He wanted to see the majority of the conditions satisfied and addressed prior to the approval.

A motion to table was offered by Mr. Cotrofeld, seconded by Mr. Odell and approved by all Board members present.

#### Recommendation to the Town Board

Chairman Mathusa turned the Board's attention to the next item on the agenda, a Resolution Recommendation to the Town Board for the Adoption of the 2006 Revised Subdivision Regulations and Amended Application Forms. The Board had been sent a packet of information including all the new application forms and a memo outlining the changes made to the Subdivision Regulations since the last time they had been reviewed.

On a motion by Mr. Odell, seconded by Ms. Motta, and a vote of 6 for, 0 against, 1 absent, the Resolution was adopted on August 15, 2006.

A motion to approve the minutes of August 1, 2006 as amended was offered by Ms. McCarthy, seconded by Mr. Engel and approved by all Board members present.

A motion to adjourn was offered by Mr. Odell, seconded by Ms. McCarthy and approved by all Board members present.

Mr. and Mrs. Penk of Clapper Road expressed their concern with the proposed development of Clapper Meadows.

The meeting adjourned at 7:55.