

**PLANNING BOARD
TOWN OF BETHLEHEM**

December 6, 2005

The Planning Board, Town of Bethlehem, Albany County, New York held a **Regular Meeting**, on December 6, 2005, 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
Howard Engel, Planning Board Member
Christine Motta, Planning Board Member
Thomas Cotrofeld, Planning Board Member
Katherine McCarthy, Planning Board Member
Daniel Odell, Planning Board Member
Brian Collier, Planning Board Member

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

Richard Hoffman, Hoffman and Riley Architects
Kyle Kotary

Agenda: Presentation to the Board; Comprehensive Plan & Site Plan
Glenmont Plaza

Presentation to the Board by Mr. George Leveille and Mr. Jeffrey Lipnicky

Chairman Mathusa called the meeting to order at 7:00pm and noted the presence of a quorum. He introduced Mr. Leveille and turned the floor over to him. Mr. Leveille said that throughout the following months different staff members would be presenting various aspects of the Zoning Law and Subdivision Regulations that would be new to the Planning Board. Mr. Leveille gave a brief overview of the Comprehensive Plan, an official document of the Town that could be used as a legal tool. He stated that over the next six (6) months a series of public meetings would be developed to talk about what further amendments needed to be made to the Zoning law and Subdivision Regulations.

Mr. Leveille stated additional studies would be commencing in the Town. The Local Waterfront Revitalization Plan is a NYS DOS Division of Coastal Resources Program that helps communities better define the future of their waterfront districts. The Town had received a grant to engage in the study. He stated that the effort would be started sometime in the second quarter

of 2006. The next item that should be started in January would be the Rt. 9W corridor study. The Town was partnering with the Capital District Transportation Committee and they would co-lead the study. The entire Rt. 9W corridor would be looked at as well as a resolution of the Selkirk by-pass issue. Citizen advisory committees would be formed to assist the Town in the riverfront study as well as the Rt. 9W study with some overlapping individuals for continuity.

Mr. Lipnicky turned the Board's attention to the Site Plan process within the new Zoning Law. He reviewed some of the highlights of the new regulations and how they relate to site plan review. Conceptual plan review was now done through the Town Development Planning Committee. This committee is made up of individuals from various departments that meet and do preliminary review of proposed projects. The committee gives the applicant feedback on the basic plan concepts. The results of the meetings will be reported to the Planning Board.

The new Site Plan application has a detailed process called out in the Zoning Law that lists the items the applicant is required to show on the initial drawings that would accompany the application. The Planning Board has the authority to grant information waivers if it is determined that certain items are not applicable to a specific application. The applicant needs to request an information waiver. An application is considered complete when the Board either issues a Neg Dec or a DEIS has been accepted. This is when the time frames listed in the Code start. The Board has the ability to hold a public hearing if they deem it necessary. If the Board does not act within sixty-two (62) on a complete site plan application, the application is automatically approved.

He stated that there are design criteria within the code that should be considered by the Board in their review of applications. They are not mandatory. Some of those criteria include buffering between commercial and residential zones, landscaping, lighting, and the building design to name a few. The Board has been given the authority to do architectural review and they also have the ability to hire a consultant to assist with the review. Another set of design guidelines pertain to the districts. These guidelines are present to encourage sidewalks, park areas, retaining cultural and natural features and architectural compatibility with the neighborhood and adjacent buildings.

Chairman Mathusa thanked Mr. Lipnicky and Mr. Leveille for their presentation.

Glenmont Plaza

The next item on the agenda was a request from Benderson Development for an amendment to the approved site plan for a façade renovation within the Glenmont Plaza located on Rt. 9W.

Mr. Hoffman, the applicant's architect, presented. He stated that after the last meeting with the Board, they had taken the Board's comments into consideration and made some modifications. They had changed the main pilasters along Marshalls to brick and they had added more brick pilasters to other areas of the façade. The base of the pilasters would be split faced block. A three-colored EIFS system would cover the remainder of the façade. The elevation along Rt.9W

would have the same treatment as the front. He stated that the entrances from the stores would extend four (4) feet onto the sidewalk. The applicant had considered but decided not to add a covered walkway across the façade. He stated that the tenants wanted more individual entrances and a covered walkway would not help the applicant lease the property.

Mr. Hoffman stated that the landscaping along the Rt. 9W side and within the shopping center would be redone. Mr. Collier wanted to know if the architectural design criteria within the Zoning Law should be considered with this plaza. Mr. Mathusa stated that the sign request was larger than the allowable square footage in the Zoning Law. The applicant would need to go to the Zoning Board of Appeals. He said the design of the sign for Marshals would then come back to the Planning Board for architectural review as well as the other two (2) stores that were proposed for the plaza. This would insure consistency in the style of the signs.

The Board reviewed the SEQR Resolution and offered no changes.

A motion to approve the SEQR Resolution as written was offered by Mr. Cotrofeld, seconded by Mr. Collier and approved by all board members present.

The Board reviewed the Resolution, Information Waiver and offered no changes.

A motion to approve the Information Waiver was offered by Mr. Odell, seconded by Ms. McCarthy and approved by all members present.

Mr. Collier stated that the Board had sixty-two (62) days from this point to finalize their review and suggested that the Board take that time to look at the architectural standards that were available to them and the impacts of the redevelopment. Mr. Mathusa stated the Board had discussed the façade at the last meeting. The applicant had reflected the comments from that meeting in the resubmission. Mr. Silliman stated that the changes being proposed were to a part of an existing plaza so there was less opportunity to make drastic changes. Also one of the significant changes to this proposal versus what was presented previously to the Board was the extension of the façade change onto the side that faced Rt. 9W. Mr. Odell said that the existing part of the plaza had to be taken into consideration and he did not have any unresolved issues. Mr. Morelli said that the applicant had addressed the issues the Board had raised and the project site was a Tier I priority in the Comprehensive Plan, to refill existing vacant buildings. He said from the staff's perspective the project was ready to move forward. Mr. Hoffman said that the applicant was under certain time constraints and they were anxious to get started.

Mr. Odell wanted to know if it had been established whether the McDonalds' Restaurant was a part of the plaza. Mr. Lipnicky said the restaurant was an amendment to the original site plan approval. It was still a part of the tax parcel for the overall plaza. The reason for the applicant applying to the Zoning Board was to have other free standing signs for the remainder of the plaza.

Mr. Engel stated that he understood that the larger store wanted an isolated entrance without a

covered walkway but in the climate of this area he considered the walkway important. He thought it would be more convenient for the residents. Mr. Cotrofeld agreed with Mr. Engel that a covered walkway would be a good addition. He did appreciate that the applicant had listened to the requests of the Board and made some changes to the proposed façade but also wanted to see covered walkways. Mr. Odell said he would support covered sidewalks on a new project but would not push the issue on a reuse. He said that in the future, applicants that appear before the Town Development Committee meeting should have the types of design criteria the Board would be looking to have included. It would save them time and money instead of designing one way and the Board then telling the applicant to change.

Mr. Collier thought the Board had the opportunity now to tell the applicant to do a more major renovation. He wanted the Board to postpone making a decision and he thought the applicant should present alternatives to the Board. He wanted to know why the renovation didn't include the other side of the plaza. Mr. Hoffman said they were working on the area that was vacant.

Ms. Motta thought the changes blended nicely with the rest of the plaza and she was pleased with the proposed changes to the Rt. 9W side. If this had been a new development she would also press for a covered sidewalk but not in this instance.

Mr. Engel said though he thought that a covered walkway was a common sense issue in our climate, it was more important to get the parcel back on the tax rolls. It is an issue that he wants kept to the forefront as new projects develop in Town.

A motion to approve the 2nd Draft of the Amendment of Site Plan Approval, S.P.A. 60-A8 as written was offered by Ms. Motta, seconded by Mr. Odell, the motion passed with a vote of 5 for 2 against with all members present.

Chairman Mathusa decided to defer the minutes of November 15, 2005 until the meeting of December 20, 2005.

A motion to change the meeting time to 7:00 pm on December 20, 2005 was offered by Mr. Odell, seconded by Mr. Engel and approved by all members present.

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

The meeting adjourned at 8:35 PM.