

**PLANNING BOARD
TOWN OF BETHLEHEM**

February 7, 2006

The Planning Board, Town of Bethlehem, Albany County, New York held a **Public Hearing** and a **Regular Meeting**, on February 7, 2006, at the Bethlehem Town Hall, 445 Delaware Avenue, Delmar, NY. Chairman Mathusa presided and called the meeting to order at 7:30 pm.

Present: Parker Mathusa, Planning Board Chairman
Michael Moore, Acting Planning Board Counsel
Howard Engel, Planning Board Member
Christine Motta, Planning Board Member
Thomas Cotrofeld, Planning Board Member
Brian Collier, Planning Board Member
Kathy McCarthy, Planning Board Member

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

Joseph Lanaro, Elm Avenue East
Scott Lewis, YMCA
Barry Reylea, YMCA
Tom Andress, ABD Engineers, YMCA
Sam Messina, Town Board Member
Steve Picarrazi, Capital Cities Import Cars
Scott Wallant, Wallant Architects, Capital Cities Import Cars
Chris Dempf, YMCA
George Amedore, Jr., Elm Avenue East
Ed Kleinke

Agenda: Capital Cities Import Cars – Site Plan/ Special Use Permit – Public Hearing
YMCA – Site Plan
Elm Avenue East Subdivision

Chairman Mathusa called the meeting to order at 7:00pm and noted the presence of a quorum.

Presentation of the Sign Regulations within the Zoning Code

Ms. Saatman gave the Planning Board an overview of the sign regulations within the new Zoning

Code. She informed the Board of areas that were currently under review for possible amendments during the year. Mr. Leveille stated that as the sign regulations were applied to projects, it was apparent that certain areas needed to be revised and/or modified. For example, the real estate industry standard sign, used for sales, did not fit within the allowable square footage.

Chairman Mathusa decided to discuss the minutes prior to the public hearing.

A motion to approve the minutes as amended was offered by Mr. Engel, seconded by Ms. Motta and approved by all present.

Capital Cities Import Cars

Chairman Mathusa: I would like to convene the public hearing for a special use permit that is being requested by Capital Cities Imported Car that is located on Route 9W in Glenmont. Capital Cities is located in a Rural Hamlet zoning district and motor vehicle sales and service are permitted in these zones with a special use permit. The consideration of a special use permit by the Planning Board requires a Public Hearing be held to learn and consider all public comments within their deliberations. Capital Cities is seeking an amendment to a currently approved site plan and the granting of a special use permit. Capital Cities last appeared before the Planning Board on January 17, 2006 at which time the Board made a finding of a Negative Declaration pursuant to Article 8 of the Environmental Conservation Law and issued a SEQR Resolution that found that the proposed action will not have a significant impact on the environment. I would like a motion to indent the record of the public notice of this meeting. Can I have a motion for that?

Ms. McCarthy: So moved

Mr. Collier: Second

Chairman Mathusa: All in favor

All Members Present: Aye.

Notice is hereby given that the Planning Board of the Town of Bethlehem, Albany County, New York, will hold a public hearing on Tuesday, February 7, 2006 at 7:30 p.m., at the Town Offices, 445 Delaware Ave., Delmar, New York, on the application for a Special Use Permit for Capital Cities Import Cars, Inc. located at 617 US Rt. 9W, Glenmont, NY 12077, Albany County, N.Y., as shown on map entitled: SITE PLAN FOR LANDS OF COURTNEY PROPERTIES, INC. (CAPITAL CITIES IMPORTED CARS INC.) Town of Bethlehem, Albany County, State of New York, dated November 15, 2005, last revised January 12, 2006, map prepared by S. Y. Kim Land Surveyors, P.C., 592 New Loudon Rd., Latham, N.Y. 12110.

Chairman Mathusa: We'll make that a part of the record. I'll now call on the applicant to make a

very short presentation on the proposed project for the Board and all interested parties.

Mr. Wallant: Thank you. Here are some elevations in living color for the Board. This is the same project you have seen before. It's approximately 3,100 sq ft. service bay addition, ten (10) bays on the side of Capital Cities. 1,300 square foot canopy...

Chairman Mathusa: Just point that out.

Mr. Wallant: This much is the service bay and this much is the canopy. Our very green site, it is and will remain 76% green. At least in the summer, it may be green. The impermeable area is unchanged. The additions are within the existing parking lot. We feel that the project is low impact from an environmental point of view. It shouldn't significantly add to the traffic on Rt. 9W, noise or any other way. The overall look of the building, we feel, will be improved because the existing metal pre-engineered building that's the service wing back here is going to be completely covered and between that and the canopy we're going to bring the finish materials of the existing building which is stucco and anodized aluminum around the entire building. The only additional lighting are five (5) building mounted non-glare fixtures applied over each bay. I think I've given you the cut on that before, I can give you another copy if you need it. That pretty much sums it up.

Chairman Mathusa: Do the Board members have any questions?

Mr. Collier: I was interested to know if the ten (10) new service bays are designed to rehab or modify the existing footprint or is it designed to accommodate additional business.

Mr. Wallant: They are in addition to the existing bays.

Mr. Collier: So with that said, how much new business; coming around to your comment regarding the fact that this addition isn't anticipated to impact parking significantly or traffic significantly. The question is how much new business can the new bays generate?

Mr. Picarrazzi: First of all it's ten (10) but we're losing two (2) and some of the interior bays that I currently have, have become too small to service the size of vehicles that we have. The existing shop, you have to drive down the center and then turn into the bays. Some of the larger cars can't turn into these bays because we have above ground lifts. That's why we're going this angle so that we can pull in and out instead of having a swing lane. Out of those ten (10), eight (8) of them are in addition to what's there. The immediate use for eight (8) more is not there. I'm sure that I'm going to utilize two (2) or three (3) of them immediately. But to come here and get approval to put on two bays and then three (3) years from now coming to get two (2) more doesn't seem to make any sense to me.

Mr. Collier: OK

Mr. Picarrazzi: But on the other hand if you would like to know, each bays will service approximately four (4) vehicles per day.

Chairman Mathusa: Each bay will service four (4) cars.

Mr. Picarrazi: Approximately.

Chairman Mathusa: That would be about twenty-five (25) cars per day. Any other points or thoughts? If not I'll now open the hearing to receive comments from the public in support or opposed to the project. I ask those who wish to speak to note their name and address for our record and to speak clearly into the microphone. Would anybody from the public wish to make a comment at this point? If not, then may I have a motion to close the public hearing.

Ms. McCarthy: So moved.

Mr. Cotrofeld: Second.

All Members Present: Aye

Chairman Mathusa: The public hearing is now closed.

A motion to table the project was offered by Mr. Cotrofeld, seconded by Ms. McCarthy and approved by all Board members present.

YMCA

Chairman Mathusa turned the Board's attention to the next item on the agenda, the YMCA Site Plan Amendment. The project was before the Board to consider the draft Site Plan Amendment as submitted to the Planning Board by staff.

Mr. Address stated that at the last meeting the Board had approved a Negative Declaration for the project. The interior work had begun and the outside work on the thrust blocks that hold the walls of the structure in place was also progressing.

Chairman Mathusa reviewed the draft Site Plan Amendment before the Board. Minor changes were made.

It was agreed that when the applicant was ready, they could demolish the house and garage they now own by going to the building department for a demolition permit. They would not need to come back to the Planning Board for approval of that issue.

Mr. Engel raised the point that though he did not want to hold up the project, he wanted the Board to keep the issue of road safety in the forefront of DOT's mind. He wants the infrastructure of the Town improved prior to any issues, not as a result of accidents. He mentioned the fast paced development that is occurring on Route 9W and the fact that it was a two (2) lane country road. He stated that the

infrastructure should be in place prior to the development, not as a reaction.

Mr. Address stated that the applicant would be looking at the traffic situation at specific future points to see if the warrants were met that would make a left hand turn lane a necessity in front of the YMCA. The current traffic analysis did not support a turn lane at this time.

A motion to approve the Site Plan Amendment SPA 106-A2 as amended was offered by Mr. Collier, seconded by Ms. McCarthy and approved by all Board members present.

Elm Avenue East Subdivision

Chairman Mathusa turned the Board's attention to the next item on the agenda, Elm Avenue East Subdivision. They had not been before the Board since the moratorium. The applicant had changed the project since that time.

Joseph Lanaro, Chazen Companies, presented for the applicant. He stated that they were appearing before the board for an approval of an Information Waiver to move ahead with the application for the project. He said that the project was located on a 128-acre parcel on Elm Avenue East. The project was originally developed as a mixed-use development with single-family homes nearer Elm Avenue East and multi-family units to the rear of the parcel. The application has been modified to not include the multi-family units. The configuration had gone through several reiterations since 2003. The roadways now reflected suggestions from staff. The applicant stated that they would be extending the water lines and the sanitary sewer as part of the sewer district extension.

As part of the project, a number of technical documents were developed to support the project. A geotechnical report had been submitted that included soil borings and slope stability analysis; the wetlands had been delineated; a traffic assessment had been completed by Creighton Manning, traffic consultants; an archeological assessment had been completed. There had recently been some more documentation submitted that showed the proposed density was consistent with the Comprehensive Plan. The applicant had done a buildable yield analysis using the formula plan which yielded 209 units and they were proposing 83 units.

The applicant was seeking an information waiver from a few items. He stated that the information would be provided in the future. Mr. Lanaro saw this as a temporary waiver. Mr. Lipnicky stated that the Board had voiced a desire to have sidewalks incorporated into the design the last time the applicant was before the Board. He asked Mr. Lanaro to point out the location of the sidewalks within the project. Mr. Lanaro said that this project was located across from a park and the Board had expressed a desire for sidewalks that would connect to that park. The proposed sidewalks would connect this development with the park and The Carriage Hill Subdivision that was not yet built.

They were open to conveying land along the Dowerskill to the Town for a trail; either through an easement or fee simple. They would continue working with the Town on this issue throughout the

progression of the project. Mr. Lanaro said there was additional land on the other side of the Niagara Mohawk right of way that the Town might be interested in acquiring.

Mr. Lipnicky said the Town had been acquiring land to try and complete a Dowerskill trail. The piece that Mr. Lanaro was speaking of would be a link between the piece in Dowerskill Village and the piece in Carriage Hill.

Mr. Lanaro showed the Board the models of the homes that would be available within the development. He said that the range of the homes would be from \$270,000 and up.

Mr. Lipnicky said the items within the waiver were temporary and staff agreed that it should be granted. If the waiver was granted, a TDE could then be assigned to the project.

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

Mr. Moore, Counsel for the Zoning Board, reviewed a memo that he had prepared for the Board concerning Special Use Permits and the standards used to approve them.

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

The meeting adjourned at 8:45pm.

Respectfully Submitted,

Nanci Moquin