

**PLANNING BOARD
TOWN OF BETHLEHEM**

July 11, 2006

The Planning Board, Town of Bethlehem, Albany County, New York held a **Public Hearing and a Regular Meeting**, on July 11, 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
Brian Collier, Planning Board Member
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
Donald Fletcher, Barton & Loguidice, TDE

Agenda: Lands of Klein Subdivision – PUBLIC HEARING
Whiting Insurance Site Plan
Carriage Hill Subdivision
Meadowbrook III

Lands of Klein Subdivision – PUBLIC HEARING

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

Chairman Mathusa stated that the first item on the agenda was the public hearing for the Klein Subdivision. The last time they were before the Board was for the SEQR determination on June 20, 2006.

A motion to indent the public hearing notice was offered by Ms. McCarthy, seconded by Mr. Engel and approved by all Board members present.

Notice is hereby given that the Planning Board of the Town of Bethlehem, Albany County, New York, will hold a public hearing on Tuesday, July 11, 2006 at 7:00 p.m., at the Town Offices, 445 Delaware Ave., Delmar, New York, on the application for a Subdivision for Land of Klein Subdivision, located off Murray Avenue, Delmar, NY , Albany County, N.Y., as shown on map entitled: HAAWK COURT, PRELIMINARY PLAT, SUBDIVISION PLAN, LANDS N/F KEVIN D. KLEIN, Town of Bethlehem, Albany County, State of New York, dated August 26, 2004, last revised June 20, 2006, map prepared by ABD Engineers & Surveyors, 411 Union Street, Schenectady, NY

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

12305.

Joseph Bianchine, ABD Engineers, presented for the applicant Kevin Klein. The project, a four (4) lot subdivision, would be located off Murray Avenue on a new cul-de-sac named Haawk Ct. The acreage to be developed was the old Klein farm and the farm stead house would be removed. They would construct the infrastructure to Town standards and run sewer and water lines for the homes. A small detention pond would be constructed to retain storm water runoff which would be maintained by the Town within a drainage district for the new homes. The proposed lots would be three (3) to four (4) times larger than the Residential A zoning designation required. The homes would be high-end custom built homes. The land backs up to two (2) homes on Murray Avenue and six (6) homes on Fieldstone and other vacant land.

Chairman Mathusa opened the floor to comments from the audience.

Eric Eisenstein from Fieldstone Dr. asked what impact the development would have on the wetlands? Mr. Bianchine stated that the disturbance would be less than 1/10th of an acre. Jonathan Sturger, 214 Murray Ave., wanted to know the build out time frame of the project. Mr. Bianchine stated that construction of the roads could start in a few months and the houses could start this fall with the expectation that all the houses would be built a little over a year from the onset. Mr. Klein stated that there would not be construction on Sundays with regular working hours the remainder of the week. Liz Garren, 9 Fieldstone Drive, which backs up to the project, wanted to know how many feet of wooded area would be between her home and the proposed homes. Mr. Bianchine stated that the narrowest point of the woods was twenty-five (25) feet. The proposed owners would own the wooded area and have the option to clear if they wished. She asked if one builder would do all four (4) houses. Mr. Bianchine stated that the final decision had not been made but the assumption was that one (1) builder would purchase the four (4) lots. There were no further comments from the audience or the Board members.

A motion to close the public hearing was offered by Mr. Odell, seconded by Mr. Cotrofeld and approved by all Board members present.

The public hearing closed at 7:14PM.

Whiting Insurance

Chairman Mathusa turned the Board's attention to the next item on the agenda. The Whiting Insurance proposal to turn a single family residence into an office for the Insurance agency. He asked the applicant to update the Board.

Ken Johnson, Delaware Avenue Engineering, presented for the applicant. He stated that they proposed to put in a commercial facility, using the existing water and sewer. They had provided six (6) parking spaces, they have approval from NYSDOT and the drainage was designed to flow away from Rt. 9W. The signage, lighting and landscaping were shown on the plans.

The Board reviewed Draft 2 of the site plan approval document.

A motion to approve Draft 2 Site Plan Approval document S.P.A. 123 was offered by Mr. Collier, seconded by Mr. Engel and approved by all Board members present.

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

Carriage Hill Subdivision

Chairman Mathusa turned the Board's attention to the next item on the agenda. The project was granted a Preliminary Plat approval on May 2, 2006. They were before the Board to consider a Conditional Final Approval. This would be an amendment to the Conditional Final Approval that was granted in 2002.

Mr. Johannessen stated that since the Preliminary approval, NYSDEC had looked at the SWPPP and the plans. This amendment was to satisfy and come into compliance with the MS4 Storm Water Regulations. There had been changes to the sheets of the preliminary plans that held the information for grading and erosion control.

The Commissioner of Public Works had reviewed the proposed final plans and found a condition that was unacceptable. The drawings show a creek crossing that will place an additional twelve (12) feet of fill on the existing trunk sewer pipe.

Ms. Saatman said the applicant had already started to address the issue. Mr. Collier wanted to know what was being done to alleviate the problem. Ms. Saatman said after the inspection of the pipe they would be able to better determine a course of action. Mr. Walsh said they were going to do an internal video inspection of the pipe to determine its condition. The possible fixes were a concrete apron, some other type of structural support for the pipe or replacement of sections of the pipe. They were prepared to make whatever fixes proved to be necessary.

The Board reviewed Draft 2 of Conditional Approval of Final Plat.

A motion to approve Draft 2 Conditional Final Plat Approval 164-CF-M was offered by Mr. Odell, seconded by Mr. Cotrofeld and approved by all Board members present.

Meadowbrook III

Chairman Mathusa turned the Board's attention to the next item on the agenda. They were last before the Board on February 21, 2006. At that time the Board granted the applicant an information waiver. They were before the Board for consideration of a draft SEQR Resolution.

Mr. Schafer, SPECTRA Engineering, presented for the applicant. Since the Board had last seen the project, Barton & Loguidice had commented on the Environmental Assessment Form and plans. Mr. Ritz had also supplied detailed comments. SPECTRA had responded to those comments and had submitted a revised EAF and plan sets for the Town's consideration. Mr. Silliman stated that the SEQR Resolution before the Board for their consideration was a Recommendation to the Town Board, who was the lead agency on this project.

Mr. Engel wanted to know if sufficient fire services existed as indicated in the SEQR document. He has noticed a number of signs asking for volunteers for the fire departments. Mr. Ritz stated that North Bethlehem had an automatic mutual aid with Slingerlands during the day.

Mr. Engel asked the applicant about the issue of slope stability of the homes along the Normanskill. Mr. Schaffer said that the under drains would be placed on the properties along the slopes that were

deemed to need them. The water would be directed down towards the Normanskill. A notation would appear on each of the deeds of these properties that were within the slope setback line referring to the geotechnical report. Mr. Engel pointed to the covenants in the deeds that prevented clearing and placing fill in the backyards of people with lots within the slope stability area. He wondered how those covenants would be enforced. Mr. Ritz stated the building department was charged with enforcement of final plats and zoning regulations. Mr. Odell pointed out that under the building permit application, violations of the restrictions could be caught. Mr. Fletcher stated that under drains was an acceptable engineering practice. Mr. Collier wanted to know if culverts were typical for the protection of the wildlife crossings. Mr. Silliman said they were industry standard.

The Board reviewed the draft SEQR Resolution.

A motion to approve the draft SEQR Resolution was offered by Ms. McCarthy, seconded by Mr. Odell and approved by all Board members present.

A motion to cancel the meeting on July 18, 2006 due to vacations was offered by Mr. Collier, seconded by Mr. Engel and approved by all Board members present.

The motion to approve the minutes of June 20, 2006 as drafted was offered by Mr. Odell, seconded by Ms. McCarthy and approved by all Board members present.

A motion to adjourn was offered by Ms. Motta, seconded by Mr. Collier and approved by Board members present.

The meeting adjourned at 7:50.