

**PLANNING BOARD  
TOWN OF BETHLEHEM**

**June 6, 2006**

The Planning Board, Town of Bethlehem, Albany County, New York held a **Public Hearing and Regular Meeting**, on June 6, 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  
Brian Collier, Planning Board Member

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

Mr. & Mrs. Guy Ricci  
Ken Johnson, Delaware Engineering, Whiting Insurance  
Bruce Whiting, Whiting Insurance  
Rob Spiak, Bohler Engineering, Cumberland Farms  
Davie Caesar, Northeast Health, Beverwyck Phase V  
Brett Steenburgh, PE, Beverwyck Phase V  
Robert Jasinski – Bender Lane  
Marie Capone

Agenda Ricci, Guy – 63 Carson Rd. – PUBLIC HEARING  
Ricci, Guy  
Whiting Insurance  
Cumberland Farms  
Beverwyck Phase V

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

**Public Hearing – Ricci – 63 Carson Road**

The first item on the agenda was a public hearing to construct a 674 Sq. Ft. one bedroom accessory apartment to the rear of a single family residence at 63 Carson Rd. The last time they were before the Board was on May 16, 2006, when the public hearing was scheduled.

Chairman Mathusa opened the Public Hearing at 7:00PM.

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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.

A motion to indent the Public Hearing notice was offered by Mr. Engel, seconded by Ms. McCarthy and approved by all 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, June 6, 2006 at 7:00 p.m., at the Town Offices, 445 Delaware Ave., Delmar, New York, on the application for a Special Use Permit for Guy and Stephanie Ricci, located at 63 Carson Road, Delmar, Albany County, N.Y., as shown on map of survey entitled: MAP OF SURVEY, STREET NO. 63, CARSON ROAD, TOWN OF BETHELEHM, prepared by Paul E. Hite, L.L.S., Delmar, NY, dated November 22, 2005.

Chairman Mathusa stated that under the new Town Code an accessory apartment requires a site plan and a special use permit. The accessory apartments are allowed within the Core Residential Zone. He stated that the project had been reviewed by the Albany County Planning Board because of its close proximity to Cherry Ave. (Rt. 52). They have finished their review and deferred to local considerations. Chairman Mathusa asked the applicant, Mr. Ricci, to briefly describe the project to the Board.

Mr. Ricci stated the accessory apartment, a one story building, was to allow his parents to come and live with them. It would have its own entrance.

Chairman Mathusa opened the floor for comments from the Board or the public. There were no comments.

A motion to close the Public Hearing was offered by Mr. Cotrofeld, seconded by Mr. Collier and approved by all Board members present.

### **Ricci – 62 Carson Rd.**

The Board reviewed the draft Special Use Permit.

A motion to approve the Special Use Permit as drafted was offered by Mr. Collier, seconded by Mr. Engel and approved by all members present.

The Board reviewed the draft Site Plan Approval.

A motion to approve the Site Plan Approval as drafted was offered by Mr. Odell, seconded by Ms. Motta and approved by all members present.

### **Whiting Insurance**

Chairman Mathusa stated that this site plan was a proposal to renovate a single family dwelling into an office space. He asked the applicant to give a short presentation.

Mr. Johnson, Delaware Engineering, presented for the applicant. He stated that the existing single-family residence located next to Monroe Muffler would be converted into Whiting Insurance Company. Utilities are already onsite; the garage would be removed to make room for six (6) parking

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spaces. The outside of the structure would be updated with new siding, green trim, and a new back porch. The handicap access would be placed in the rear.

Mr. Collier wanted to know about the turning radius of the driveway. Mr. Johnson stated that the driveway would be eighteen (18) feet wide with a twenty-five (25) foot radius going up to the DOT road. Two cars could pass each other.

Mr. Ritz stated the Engineering division had generated comments and forwarded them to the applicant. One of the comments was a request to increase the driveway width to twenty (20) feet. Mr. Johnson agreed.

Mr. Morelli said the project would be referred to the Albany County Planning Board. The SEQR Resolution had been prepared for the Boards review.

The Board reviewed the draft SEQR Resolution, Negative Declaration.

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

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

### **Cumberland Farms**

Chairman Mathusa turned the Board's attention to the next item on the agenda, Cumberland Farms. The project had a public hearing on May 2, 2006, received a number of comments from the public and the Board approved a SEQR Negative Declaration.

Mr. Spiak, Bohler Engineering, said they had responded to the public comments by meeting with one neighbor who had concerns. A fence and additional evergreen trees would be added to the front of their property that was directly across from the site. They had responded to staff comments and submitted revisions to Mr. Morelli. They were waiting for approval from NYSDOT for the planting of street trees. Additional landscaping had also been added to the front of the site.

Chairman Mathusa reviewed the comments from Albany County Planning Board with staff and the Board. Mr. Morelli said the Albany County Planning Board Recommendations were incorporated into the conditions of the approval document.

The Board reviewed the draft Special Use Permit prepared by staff.

Mr. Engel asked and Mr. Morelli confirmed that NYSDOT was still looking at the possibility of changing the yield sign on ramp to Corning Hill Road to a stop sign.

Mr. Collier wanted to speak to the public comment that an additional egress be placed directly onto Rt. 9W. Mr. Spiak said there was a NYSDOT deed restriction prohibiting an egress within their right-of-way.

A motion to approve the Special Use Permit as drafted was offered by Mr. Collier, seconded by Mr. Engel and approved by all Board members present.

The Board reviewed Draft 2 Site Plan Approval document.

A motion to approve Site Plan Approval as drafted was offered by Mr. Engel, seconded by Ms. McCarthy 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. They were before the Board to update them on progress of this Phase. Mr. Caesar presented for the applicant. He said that the parking today added twenty-seven (27) new parking spaces for a total of eighty-six (86) spaces which meets the zoning requirements.

Ms. Saatman said that the parking for a nursing home was defined in the Code, but the Assisted Living was not. They were before the board to determine if the proposed parking was sufficient. Staff feels that the proposed number is adequate. The Board did not object.

Mr. Caesar stated that the new landscaping would mimic the existing landscaping on the Beverwyck campus. Ms. Saatman said there was an existing tree line that separated Beverwyck and the residences next to the site. If they graded too close to those trees they could be compromised. Mr. Steenburgh said they were looking at elongating the storm water pond to pull it off of the property line. This would help protect the trees.

Mr. Ritz said that there was a sanitary sewer stub on site that they would tie into the existing facilities. The ownership of the pipes, whether it would be the applicant or the Town, was still being determined.

The sign would be a monument sign, solid to the ground and slightly larger than the existing. Additional lighting would be consistent with existing.

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

The Board reviewed the minutes of May 16, 2006.

A motion to approve the minutes of May 16, 2006 as drafted was offered by Ms. McCarthy, seconded by Ms. Motta and approved by all Board members present.

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

The meeting adjourned at 7:55.