

**PLANNING BOARD
TOWN OF BETHLEHEM
May 6, 2003**

A **regular meeting** of the Planning Board, Town of Bethlehem, Albany County, New York, was held on Tuesday, May 6, 2003, at the Bethlehem Town Hall, 445 Delaware Avenue, Delmar, NY. Chairman Douglas C. Hasbrouck presided and called the meeting to order at 7:30 p.m.

Agenda Items: The Meadows Subdivision - Section 2C
Willow Estates Subdivision
Minutes of April 1, 2003 meeting
Minutes of April 15, 2003 meeting

Present: Douglas C. Hasbrouck, Planning Board Chairman
Howard Engel, Planning Board Member
Parker Mathusa, Planning Board Member
Dan Odell, Planning Board Member
Katherine McCarthy, Planning Board Member

Janine Saatman, Deputy Town Planner
Randall Passmann, PE, Department of Public Works
Deborah M. Kitchen, Acting Secretary to the Board

David Blaustein, 526 Huron Road, Delmar
Marie Capone, 440 Delaware Avenue, Delmar
Bridget M. Cooke, Fairlawn Drive, Selkirk
Bernie Dwyer,
Gunner Hall, Nathaniel Boulevard, Delmar
Paul E. Hite, LLS, Delmar
Michael Lipnick, 522 Huron Road, Delmar
Thomas Rizzo, Office of, Paul E. Hite, LLS, Delmar
Gregg Swift, Foxfire Townhomes, LLS, Glenmont

THE MEADOWS - SUBDIVISION - SECTION 2C - 4 lot subdivision/2 revised/on Bender Lane & Foxfire Lane, was the first item on the agenda.

Chairman Hasbrouck asked if anyone had questions about what the Board intends to do or if anyone had any reason why the Board should not proceed.

The Board briefly reviewed a draft Environmental Assessment Form Part II. The chairman asked if there were any questions. There were no comments from staff or the Board.

For an official copy of the minutes, please visit the Town Hall, 445 Delaware Avenue, Delmar, NY or call 439-4955, extension 158.

Attention was directed to a Negative SEQR Resolution/Classification of Action and Negative Declaration. Chairman Hasbrouck referred to Item 4 of the document and asked Ms. Saatman whether or not the document should read long form. Ms. Saatman explained that the short form is the standard one used for a four lot subdivision. Mr. Hasbrouck thought Part II applied to a "long form". Ms Saatman stated that both the "long form" and the "short form" have a section called Part II. The Chairman also mentioned the fact that it was decided that the project was going to be referred to as a four lot subdivision rather than a two lot subdivision. There were no further comments from staff or the Board. The Negative Declaration was adopted on a motion by Mr. Mathusa, seconded by Mr. Odell and passed by all present.

Attention was directed to the draft Parkland resolution. There were no comments from staff or the Board. A motion was made by Mr. Mathusa, seconded by Mr. Odell and passed by all present to adopt the Parkland Resolution requiring a fee in lieu of parkland reservation in accordance with Local Law No. 7 of the year 2001.

Attention was directed to the draft Conditional Approval of Final Plat. Following minor editing to Item 4A - The words "lots 149 & 159 Bender Lane and lots 8 & 12 Foxfire Lane" were included. Item 4E and Item 8 were also edited to include the words "the total of four lots, two of which contain existing duplexes". A minor correction was made to Item 9A - the word memo was replaced with the word letter. Item 9D the words "see item 10A below" were added. Ms. Saatman then asked if the Board or the applicant had a preference as to which wording is used in Item 10A "prior to issuance of a building permit" or "prior to the issuance of a certificate of occupancy" with regard to planting of trees. Ms. Saatman felt that based on previous statements made by Mr. Swift the words "prior to issuance of a building permit" would be acceptable. Mr. Swift stated that he was planning to plant the trees within the next week or so. It was decided that the document would read: "prior to issuance of a building permit". Mr. Swift asked if the trees were planted before the maps were submitted would the note have to appear on the map. After a brief discussion it was decided that the note should be added to the map. Additional editing of Item 10A would include the words "minimum height of six feet" in reference to the size of the evergreens.

Mr. Hite stated that he had spoken to Mr. Swift and Mr. Rizzo earlier in the day and had a discussion about Ms. Saatman's comments about the federal wetlands. He felt that the possible wetlands mentioned in Bagden's letter should be noted on the map. Ms. Saatman said that the letter seemed to leave some question as to whether it really was wetlands so she did not see how Mr. Hite could show the area if no specific delineation was made. Mr. Rizzo said there is already a note on the drawings, which states that the area might be wetlands. Mr. Hasbrouck stated that although the letter is not clear he did not believe the Town would consider it an issue because the area affected is less than 1/10 of an acre. Mr. Swift said that Mr. Hite is having reservations about not showing the area on the map. Mr. Hite said he just wanted to comply with the Town's wishes so he did not have to prepare the maps again.

Mr. Hite also addressed Chairman Hasbrouck about the Parkland Fee. He wanted assurance that the fee would only apply to the two new lots. The Chairman stated that he believes the Parkland Fees are not applied to existing structures. Ms. Saatman stated that she did not go back and read the language but she believes the Parkland Fee would only apply to the lots for which a building permit application is submitted.

There were no further comments from staff or the Board. A motion was made by Mr. Odell, seconded by Mr. Mathusa and passed by all present to approve a Final Plat entitled, "PROPOSED DUPLEX LOTS, BENDER LANE, 'THE MEADOWS' SUBDIVISION, SECTION 2C, Town of Bethlehem, County: Albany, State: New York", dated February 11, 1997, revised to February 13, 2003, prepared by Paul E. Hite, LLS, Delmar, NY, subject to conditions outlined in Conditional approval of Final Plat, Certificate No. 80-S2C-CF, dated May 6, 2003.

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WILLOW ESTATES - SUBDIVISION - 4 lot subdivision on Willow Drive, was the second item on the agenda.

Chairman Hasbrouck asked if anyone had any comments or questions about the draft Environmental Assessment Form Part II. There were no comments from staff or the Board.

Attention was directed to a Negative SEQR Resolution/Classification of Action and Negative Declaration. Mr. Hasbrouck asked Ms. Saatman about Item 4. Ms. Saatman stated that the paragraph continues on the next page and states that "a short EAF is adequate for determining the significance of the proposed action, however, the applicant has provided a full EAF Part 1, which provides additional project-related information...". There were no other comments from staff or the Board. The Negative Declaration was adopted on a motion by Mrs. McCarthy, seconded by Mr. Mathusa and passed by all present.

Attention was directed to the draft Parkland resolution. There were no comments from staff or the Board. A motion was made by Mr. Engel, seconded by Mrs. McCarthy and passed by all present to adopt the Parkland Resolution requiring a fee in lieu of parkland reservation in accordance with Local Law No. 7 of the year 2001.

Attention was directed to the draft Conditional Approval of Final Plat. There were no other comments from staff or the Board. A motion was made by Mr. Odell, seconded by Mr. Engel and passed by all present to approve a Final Plat entitled, "PROPOSED SUBDIVISION, 'WILLOW ESTATES', PROPERTY OF, A.T. ZAUTNER & SON, INC., Town of Bethlehem, County: Albany, State: New York", dated January 16, 2003, revised to February 12, 2003, prepared by Paul E. Hite, LLS, Delmar, NY, subject to conditions outlined in Conditional approval of Final Plat, Certificate No. 220-CF, dated May 6, 2003.

Chairman Hasbrouck mentioned that there is a condition in the document, which requires the planting of 12 trees at locations to be determined in the field. This would be done to screen headlights from pre-existing homes.

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Minutes of the regular meeting held on April 1, 2003 (transcribed by Alice A. Cirillo) were edited and approved on a motion by Mr. Mathusa, seconded by Mr. Odell and passed by all present.

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Minutes of the regular meeting held on April 15, 2003 (transcribed by Alice A. Cirillo) were edited and approved on a motion by Mr. Mathusa, seconded by Mrs. McCarthy and passed by all present.

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All business concluded and a motion for adjournment was offered by Mr. Odell, seconded by Mr. Engel and passed by all present. Chairman Hasbrouck declared the meeting closed at approximately 8:10 p.m.

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Deborah M. Kitchen, Acting Secretary to the Board, transcribed minutes of the May 6, 2003 meeting. The minutes were edited on May 20, 2003 and approved by the Board on July 15, 2003.

Respectfully submitted,

Deborah M. Kitchen
Acting Secretary to the Board