

**PLANNING BOARD
TOWN OF BETHLEHEM**

October 19, 2004

The Planning Board, Town of Bethlehem, Albany County, New York held a **Regular Meeting** on Tuesday October 19, 2004, at the Bethlehem Town Hall, 445 Delaware Avenue, Delmar, NY. Chairman Parker D. Mathusa presided and called the meeting to order at 7:30 pm.

Agenda: First Columbia, LLC – set a public hearing date
William Van Valkenburg – Barber Subdivision Amendment Resolution
Dunkin Donuts – Initial presentation to the Board
CVS Pharmacy – Updated proposal for new CVS in Elsmere

Present: Parker Mathusa, Planning Board Chairman
Brian Collier, Planning Board Member
Katherine McCarthy, Planning Board Member
Howard Engel, Planning Board Member
Thomas Cotrofeld, Planning Board Member
Christine Motta, Planning Board Member
Daniel Odell, Planning Board Member

Jeffrey Lipnicky, Town Planner
Janine Saatman, Deputy Town Planner
Randall Passmann, Senior Town Engineer

Chris Bette, First Columbia
Rob Spiak, Bohler Engineering, Dunkin Donuts
Bruce Ginsberg, Schuyler Company, Dunkin Donuts
Eugene Sneeringer, Esq., Dunkin Donuts
Lennie Micelli, 19 Chapel Lane, Dunkin Donuts
Devin Dal Pos, Laker Development, CVS
Robert Lacross, VHB Engineering, CVS
David Carroll, Esq., Ianniello, Anderson & Reilly, PC, CVS
Mr. Weber, CVS
Gwen Willoughby, 21 Barlett Ln., CVS
Gary Hallak, 22 Alden Ct., CVS
Katherine Daniels, CVS
Simone Sebastian, Times Union

First Columbia

Chairman Mathusa called the meeting to order at 7:30 PM and noted a quorum present. The first item on the agenda was First Columbia. They had first appeared before the Board a number of years prior for the purpose of constructing a medical building on New Scotland Avenue. That covered Phase I for the New Scotland Road Commercial Building Park in Planned Commercial District No. 6 which had been completed about four (4) years ago. They had since been approved for Phase II on that site that included two (2) more buildings. Recently that applicant had requested an amendment to that approval to permit the construction of one (1) building that would better serve their perspective tenants. Chairman Mathusa stated that after an update from the applicant, input from staff and questions from the Board, the Board would determine if the project had reached a point in which a public hearing could be scheduled. Chairman Mathusa asked Mr. Bette to give the Board an update.

Mr. Bette stated that the First Columbia parcel on New Scotland Avenue was about 16 acres located at the northern end of Bethlehem along the Normans Kill. They had completed the medical building at 1240 New Scotland in 2000 and it was fully occupied. A few years ago they went through the process of amending the Planned Commercial District to allow the construction of two (2) additional buildings totaling about forty-five (45) thousand square feet. They had obtained final approval from the Town Board and the Planning Board on that request. They had been delayed because of tenant related issues. They obtained a perspective tenant looking for a larger footprint so they combined to the two (2) buildings into one (1) with the same square footage. The tenants would like to move in by next summer.

Mr. Better stated that after discussions with CDTA and they had agreed to put in a sidewalk along their driveway, an internal sidewalk next to the new structure and a crosswalk in the existing parking lot that would enable pedestrians to safely circulate on the site. The bus entered onto the site during some of their runs. There had also been a discussion of continuing the sidewalks from the Albany side of the bridge to the Price Chopper Plaza. The obstacle was that NYS DOT had not incorporated a sidewalk into the design of the planned new bridge that was due to be replaced next year.

Ms. Saatman stated that the Planning Department felt the revised plans that had been submitted were sufficient to set a public hearing. After Mr. Bette explained the bus route on site the Board felt that the proposed internal sidewalks were sufficient to satisfy the Board's concern for safe internal circulation.

Mr. Collier mentioned a letter from CDTA that stated that they prefer not to go onto sites. He wondered why they had decided to accommodate the clients on this site. Mr. Bette said they had reached that conclusion because the grade in front of the site was so steep, CDTA decided that it would be very difficult to put a bus stop structure on New Scotland Avenue.

Mr. Passmann stated that a revised SWPPP had been received on October 13, 2004 and the Engineering Division had issued comments concerning some changes that needed to be made. They had requested that those changes be submitted by October 25, 2004 to allow sufficient review time prior to the Public Hearing. The SWPPP should include the complete design of the Storm Water Management System in order for the applicant to answer any questions that might arise at the Public Hearing. The Engineering Division had also asked for an updated Engineering Report for the water system.

A motion to set a public hearing for the First Columbia, LLC proposed Amendment #4 to BPA #34 on Thursday, November 4, 2004 was offered by Mr. Cotrofeld, seconded by Ms. Motta and approved by all present.

William VanValkenburg – Amend Barber Subdivision

Chairman Mathusa turned the Board's attention to the request by Mr. VanValkenburg to amend the Barber Subdivision to allow him to build closer to the Albany Water line than had been established in the approval documents for the Barber Subdivision. This item had been on the agenda on October 5, 2004. At that time there had been a lengthy discussion and the Board had decided to refuse Mr. VanValkenburg's request and directed staff to prepare a Resolution to reflect that decision. There was no further comment by the Board.

A motion to accept the draft Resolution as written was offered by Mr. Collier, seconded by Mr. Engel and approved by all present.

Dunkin Donuts – Amendment to Site Plan #113

Chairman Mathusa turned the Board's attention to the next item on the agenda a proposal from Cafua Management to amend SP 113 to allow a Dunkin Donuts to be built on the site previously approved for a bank/office building within Town Squire Phase II. It would be located to the rear of the Hollywood Video and Chili's Restaurant that were currently under construction.

Mr. Spiak from Bohler Engineering presented for the applicant. There had been a four (4) thousand square foot bank with three (3) drive thru lanes previously proposed for this location. They were currently proposing a twenty-five hundred (2,500) square foot Dunkin Donuts with a single drive-thru lane. He stated that this structure was compliant with the parking and zoning requirements of the Town. The proposed building and blacktop area was further from the rear property line than the previous proposal. The impervious area had also been decreased and green space had been increased. Mr. Spiak stated that this would be a non-baking facility with the donuts being delivered to the site. He stated that there could possibly be a Baskin & Robbins onsite during the summer months, the building being used as a dual location. There would be a grease trap to handle kitchen waste associated with the running of a Dunkin Donuts. The proposed landscaping was of the same type and number that had been approved with the location of the plants being spread out over the perimeter of the site. The Storm Water System

would not be reduced from the approved Site Plan even though the impervious service would be less. The building elevation was consistent with newer Dunkin Donuts that were being built.

Mr. Odell asked if there were any changes to the Storm Water Management System. Mr. Spiak stated that one of the catch basins had been relocated; the filters would remain in the same place.

Mr. Collier wanted to know why the use of the location had changed from the approved bank to a Dunkin Donuts. Mr. Ginsburg stated that they had gotten the bank approved to have approval of drive-thru windows because in the absence of a bank, Dunkin Donuts had wanted the space. Pioneer Bank had the right of first refusal and had elected not to move out of the plaza.

Mr. Cotrofeld asked the hours of operation and Mr. Spiak stated that it would be open seven (7) days a week, twenty-four (24) hours a day with the morning being the peak hours. If the customer base did not support those hours, they would be closed at night. The site lighting would be consistent with the previously approved lighting. There would be accent lighting on the outside walls with sconces and the awning would be under lit. The bank would have had more lighting to comply with the regulations pertaining to ATM's. Mr. Cotrofeld was concerned with noise levels if the operating hours were 24/7. He also thought that there would be considerable late night traffic that wouldn't have occurred if it had remained a bank. Mr. Spiak stated that there would be supplemental plantings in the rear to add to the buffer area. There would also be a fence in the rear.

Ms. McCarthy wanted to know how often the deliveries would arrive. Mr. Spiak stated that the first delivery would be at five (5) in the morning, one at about 11am and if the business warranted it there would be a mid-afternoon delivery.

Mr. Spiak stated that the proposal at this time was for no baking to take place on the premises. There would be reheating. Mr. Lipnicky asked why a grease trap would be needed. Mr. Spiak stated that it would be used for kitchen waste. There would be ovens for reheating but no scratch bakery products. All the baking would be done offsite. He stated that Dunkin Donuts wanted to have the grease trap to protect the municipal sanitary sewer.

Mr. Collier stated that the on site baking was not what disturbed him about this project. The fact was that this proposal, a 24/7 Dunkin Donuts, was completely different from the type of business that had been approved for that back parcel. He thought that the impact of this business on the surrounding neighborhood would be completely different than a bank. The public had voiced their opinion on the traffic and noise that the existing plaza created. This would add to that noise and traffic. He stated that he had serious concerns with this type of business and how it would impact the neighbors.

Mr. Lipnicky stated that as part of the original plan, the bank had been proposed for the front of the site and for a number of reasons it was moved to the rear. The Board had

been careful to approve a type of business that would be appropriate for that section of the site considering its close proximity to a residential area. There had been a discussion of a bank versus a retail operation. The matters that were taken into consideration included deliveries, hours and days of operation and the amount of traffic. The current proposal is completely different from the approved use, including the type of architecture. He stated that noise was an issue, especially considering when the noise would occur which could be early in the morning. The cooking odors might or might not be an issue depending on what they would be preparing. He stated that the proposed use would probably generate more traffic than a bank, especially in the morning peak hours. The ITE Manual doesn't have any information for this proposed type of use. The trip generation in the ITE manual for a bank proved to be higher than what was experienced in the Capital Region. Comparisons at this time were difficult.

Mr. Lipnicky stated that there was a zoning issue with the parking on the site. The amount of parking needed for the combined uses on the site was one hundred eighty-five (185) parking spaces; there were currently one hundred sixty-seven (167). The Dunkin Donuts required fifty-one (51) spaces versus the ten (10) that would have been required by a bank. The Code does allow for joint use of parking spaces if the applicants can show that there are excess spaces on the adjoining property that they could utilize to meet the parking requirement. The stipulation being that those spaces had to be within six hundred (600) feet of the property line. Deed or other legal restrictions would need to be placed on the parking spaces that tie the spaces to the Dunkin Donuts or other uses on the site that would require the additional spaces.

Mr. Lipnicky stated that this was an unlisted action under SEQ. The applicant had submitted a short form and the Board would have to determine whether a coordinated review would be done. The initial project on this site was a coordinated review and since that time there had been three (3) amendments to the approval document, none of which had a coordinated review. The extent of the analysis that the Board wished to see pertaining to traffic, visual impact and noise impact was yet to be determined.

Mr. Lipnicky stated that to improve the layout, staff would suggest moving the dumpster to a northeast corner of the site. Also the queuing space for the drive-thru did not appear to be sufficient.

Mr. Micelli, a neighbor, stated that he headed a neighborhood group that was against the proposal for a Dunkin Donuts, especially one that operated 24/7. They were prepared to come to a public hearing and let their opinions be known. They currently had a problem with the noise generated from the Price Chopper. They were tired of being woken up at 5:30 every morning and that's without an additional business being in the rear. He stated that he wanted their opposition noted for the record and said that they would attend subsequent meetings.

Chairman Mathusa stated that it was clear that there were a number of issues that needed to be addressed. He asked staff to prepare comments for the applicant and the Board to review and discuss. He stated because of the interest shown he would ask the local

community to attend the meeting when this was next on the agenda. He wanted to give the neighbors an opportunity to see the presentation and to give the applicant some feedback on their thoughts. This would help the Board determine how to proceed. He stated that there were a number of issues that the Board must look at in their review of this project. They were aware of the sensitive nature of the project. There was a great deal of work being done in the Town under the Land Use Management Plan and the character of neighborhoods. This proposed project was significantly different from the project that was approved and he wanted the community to be fully aware of those changes.

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

CVS

Chairman Mathusa turned the Board's attention to the next item on the agenda, the CVS Pharmacy proposal.

Mr. Dal Pos presented to the Board. He stated that this was a redevelopment project of the southwest corner of the intersection at Elsmere Avenue and Delaware Avenue consisting of the existing Boston Market building, some adjoining office buildings and the Elsmere Arms apartments to the rear. They had made some adjustments from the original proposal in response to comments from the Board, that included moving the building closer to the street, eliminating some parking in the front of building, enhancing the green space at the corner to increase pedestrian safety and soften visual impact of the development. Mr. Dal Pos stated that he had not produced the photo simulation of a view from across the street that he had mentioned at the last meeting but would do so if they received preliminary approval. He said it was very expensive to do. Mr. Dal Pos stated that at the prior meeting they had produced ariel photos to show the distances of the surrounding businesses from Delaware Avenue. He felt the proposed project fit in with those various distances.

Mr. Lacross from VHB Engineering said that the plans had been revised to reflect comments that were made about the loading dock area. The site was designed to accept truck traffic all around the site. Because they were CVS trucks, the deliveries could be limited to certain times of the day. In order to address the concerns of the Board, the loading dock area had been flipped so that the trucks could enter from the Delaware Avenue side, back into the loading area and then exit onto Elsmere.

Mr. Lipnicky questioned if there were mountable curbs on the site and Mr. Lacross confirmed that there were. He stated that the Delaware Avenue was a full in, right out only access.

Mr. Dal Pos said there was an item that had been left off of the revised plans. There had been a suggestion that they connect the sidewalk to the rear of the building to the sidewalk on Elsmere Avenue. That was an oversight; it will be added to the plans.

Mr. Lipnicky questioned the location of the compactor and loading dock because when deliveries occurred during the day, the truck might block the entrance from Elsmere Avenue. Mr. Lacross stated that most of the trucks that delivered were small and because they were owned by CVS, they could limit when they made their deliveries. Some deliveries did come through the front of the store. Mr. Dal Pos stated that usually one tractor-trailer truck came per week and then the other deliveries were in smaller trucks. The tractor trailers were operated by CVS, so they could tell them the circulation pattern that they wanted them to use.

Chairman Mathusa asked if safety was taken into consideration in the design for the lots, walkways and handicapped parking. Mr. Lacross stated that the particular arrangement of the lot was prototypical and it had proved successful in other locations. Mr. Dal Pos stated that the original plan had more parking spaces that were adjacent to the sidewalk along the front of the building. That was typically done for safety. They had compromised and moved those because of comments from the Board.

Chairman Mathusa stated that at the last meeting the Board had indicated that generally the layout was acceptable though there were issues that still needed to be addressed. Some of the community was still interested in a streetscape, moving the building further to the right and closer to the street. He assumed that the current position of the building had taken into consideration safety issues, the practical running of the business and its security. He was interested in a compromise. He suggested the possibility of adding landscaping and other features to address the comments from the public. The esthetic issue was very important on that corner. It set the tone for future development along the corridor. Chairman Mathusa wanted to know if the senior management of CVS had agreed with the layout and if they felt it was the best compromise they could offer from a business perspective. He offered to contact the Chairman of the Board of CVS and invite him to the site.

Mr. Carroll, Esq. stated that CVS had tried to listen to the feedback from the community, staff and the Board. CVS felt they had compromised based on that feedback. He stated that CVS was firm in their thinking that in order for them to go forward, they would need preliminary approval tonight. They had already made significant compromises and investment in this project. To continue to go forward without preliminary approval would not be economically feasible for CVS. He said they were willing to satisfy conditions that the Board would require of them, that would include detailed landscaping plans and elevations. CVS was looking for the same recognition of the issues facing the business as they had afforded the Town on their issues. They were working within a narrow time frame and he reminded the Town that they had the right of Final Approval.

Mr. Lipnicky asked Mr. Carroll if he was aware that in the Town of Bethlehem there wasn't a formal process for Preliminary Approval only a Final Site Plan Approval Document. Secondly, he wanted him to know that in order for the Board to take action to commit itself to a future course, the Board needed to act on SEQR to make a determination of significance. He did not believe that the Board was in a position at this time to make that determination.

Mr. Carroll stated that he was aware of that but in the past the Town had spelled out what they wanted the end result to be. As far as SEQR, he would argue that there must be some compromise that the applicant, staff and Board should be able to come to.

Chairman Mathusa reiterated to Mr. Carroll that there wasn't a preliminary step in the Site Plan Approval process. To have the Board give an approval to the applicant at this point would be misleading and inefficient. He didn't feel it was productive to ask the applicant to make further changes without the Board having the benefit of seeing photo simulations as to how the site would look with the current proposal. The applicant had indicated that they would be supplying that information at this meeting and Chairman Mathusa felt that the Board needed that information. In order for the Board to be able to stand behind a decision in favor of the proposed design, they would need to see the proposed end result. They had no way of knowing if the design would fit into what the Town was trying to accomplish.

Mr. Dal Pos stated that they could supply the Town with bulleted reasons as to why they had come up with the proposed design but that was as far as they were going to take the plan. It hadn't gone past the next level at CVS and the response was not favorable. He stated that they would not change what they were currently proposing to the Town. He mentioned the changes that they had already made to the original plans. He said it was the best they could do. He was willing to supply the Board with a final view from across the street so the Board can see what the project would look like.

Mr. Dal Pos stated that from the SEQR standpoint, they had submitted forms with the original plans. The changes that had been made had increased the green area and reduced the impervious surfaces. He felt that the Board was in a position to move forward and declare themselves Lead Agency. He stated that then they would finalize the engineering plans, make modifications to the sidewalk and move forward with the elevation perspective the Board wanted.

Mr. Collier liked the new perspective of the plans that overlaid the new plans over the existing conditions. It showed the placement of the proposed building and the size of the pocket park at the corner. He didn't feel it would be a negative change from the present condition but rather an improvement. His understanding was that the applicant was looking for an informal "nod" from the Board concerning the current proposal. Mr. Collier felt that the Board should be able to give the applicant some direction.

Mr. Odell was disappointed with the applicant's approach that this was as far as they would compromise and their unwillingness to explore different alternatives. He stated that he was not ready to give a "thumbs up" to the project.

Mr. Engel said his position remained the same. He did not feel that the building should be to the street. He saw it as a matter of safety to pedestrians and functionality. He was in favor of the drive-thru window and the community members he had spoken to were also in favor of them. He thought the landscaping in the front would soften the view from

the street. Over all he was in favor of the proposed plan. He was against urbanizing a suburban area. He felt that when you put buildings to the street with only sidewalks in the front, you're living in the city. He mentioned that the proposal fits within the Zoning Code and didn't foresee this area being changed with the new Comprehensive Plan.

Mr. Cotrofeld said he was still skeptical. He had not been pleased with the plans and was concerned that the upper level management of CVS had not yet been involved in the process. He thought that with the amount of investment the applicant keeps reminding the Board they have made, informing management of the community's feelings would be wise. He had a concern with the safety issue and the drive-thru. The phone calls he has received were from community members asking for more green space. He stated that the Board took their job very seriously and listened to the community that they were representing. The applicant had been telling the Board that upper level management was not involved yet in the process is concerning. Mr. Cotrofeld was concerned that the applicant was not compromising and negotiating in good faith.

Ms. McCarthy stated that her concerns remain the same. She felt the building should be closer to the street with the parking to the rear. She didn't like the idea of looking at a "sea of asphalt". She corrected Mr. Dal Pos in that the Board preferred elevation number three but they had not completely agreed to that elevation. She wanted the corner to fit into the community.

Ms. Motta didn't feel that the location of the building was out of line with the existing structures along Delaware Avenue. She thought the landscaping would minimize the impact of the parking. She had been looking for photo simulations of the end result of the project to help her make a decision. She had also spoken with a number of people and they were in favor of the project.

Mr. Lipnicky stated that his thoughts remained the same as the previous meeting.

Mr. Passmann stated that the Engineering Division has been urging applicants to look at their storm water management systems at the beginning of their projects. The allocation of sufficient land for those systems could change the layout of proposed sites. In this instance, the applicant was applying redevelopment criteria to their proposed system and some of the criteria did not appear to be met. The Engineering Division recommends that the applicant, once the site layout had passed concept level, provide a letter from the DEC accepting their proposed approach. The Town review process would be more efficient and reduce the need for potential amendments required after DEC's review.

Mr. Lipnicky felt that the Board members did not seem ready to make a decision because they could not be sure what the proposed project would eventually look like. He suggested that the applicant provide the Board with photo simulations of the end result.

Chairman Mathusa did not think the Board was in a position to make any SEQR determination at this point. Mr. Lipnicky stated that typically a Resolution would have been prepared for the Board's review to start that process. He stated that there was some

more detail that would be needed for Storm Water analysis. The initial step of the Board would be to determine if they want to coordinate review. DOT would need to be involved; DEC would also be an involved agency because of the storm water issue. There was a bus stop located on Elsmere Avenue, which would make CDTA an interested agency. Chairman Mathusa agreed that a coordinated review would be in order. He asked Mr. Lipnicky to prepare a Resolution for the next meeting.

Chairman Mathusa stated that recently he had been at a meeting for land use management that included a few counties. The question arose of what was expected of the developer within that context. Chairman Mathusa stated that the one of the goals of the Comprehensive Plan was to let the developers know the direction that the Town wanted to take with their growth and the responsibilities of the corporations to operate within the Town. Some corporations might not want to operate within that framework. He agreed that the applicant had made all the compromises that could be done on his level. Chairman Mathusa stated he didn't have a problem setting up a meeting with the senior management of CVS and other government agencies to speak about this. He stated that the Board was very committed to making this site the best for the Town. He implored the applicant to move this to the corporate level and to give the Board the necessary tools to make an informed decision. Some of the Board felt that the applicant had made sufficient progress while others felt more could be done. He said that the proposed project was important to the Town but he also felt it was important to supply the Board with views of a few possibilities. The Board was trying to do the best they could for their community while at the same time being sensitive to the applicant's business commitments.

Mr. Dal Pos asked the Board what types of enhancements would the Board like to see. He stated that he had heard from upper management and they had told him they didn't like the layout. He had hoped that the response from the Board would be more positive to help him convince his management that this was the best plan for everyone. He understood that the storm water was not finalized but the remainder of the project fit within the Code of the Town. He wanted some concrete points of enhancement that he could produce for the Board such as elevations or landscaping. Further reduction of parking or the moving of the building was not an option.

Chairman Mathusa asked Mr. Dal Pos to supply the Board with elevations and photo simulations with as much landscaping to make the site as attractive as possible. Mr. Dal Pos stated that he could supply those items requested.

Mr. Collier pointed out that the proposed pocket park at the corner would be as large as the Boston Chicken building and the proposed building would be no further back than one of the existing buildings on the site. He stated that on some sites there are five (5) and ten (10) foot landscaping buffers but this project was proposing twenty (20) to forty (40) feet buffers. He thought that by showing the Board photo simulations with those perspectives would show just how extensive the landscaping would be.

Ms. McCarthy had wanted to see a second photo simulation from the Elsmere Avenue side. Mr. Dal Pos stated that they were very expensive to produce. The Board agreed that one photo from a different angle would be sufficient.

Chairman Mathusa stated that they could be placed on the next agenda if they had their photo simulations ready and staff would have a SEQR Resolution prepared.

Mr. Dal Pos wanted to know if the Board felt that it was prudent for them to move the engineering part of the project forward. Mr. Passmann stated that they could go forward with the preliminary appendix E calculations. He also advised them to consult with DEC because of the redevelopment aspect of the project. Mr. Lipnicky told the applicant that one of the projects in Town had lost a year because of assumptions they had made concerning what would be acceptable to DEC in terms of storm water. Chairman Mathusa wanted the applicant to be aware of the close proximity of the railroad tracks to the proposed detention pond and the possibility that youth in the area might be drawn to it. He suggested fencing or some other design.

Mr. Collier wanted to know if the applicant was hoping to begin the project before the winter set in. Mr. Dal Pos stated that they were interested in going forward as soon as possible. They had planned on working through the winter.

Chairman Mathusa stated that he was willing to put the project on the agenda every two (2) weeks but that depended on the applicant supplying the Board and staff with the required items needed to move the project along.

Mr. Lipnicky asked about the signage that would be required by CVS. He wondered if they had wanted to put it in the green space. Mr. Lacross did not have those details but would supply them at a later date.

Mr. Collier wanted to know if the compactor in the rear would be enclosed. The applicant stated that usually they were chain link but the material could be discussed.

Ms. Daniels, a member of the BPAC committee, felt that the applicant should be required to move the building up to the corner to accomplish an urban streetscape at the corner. She stated that there was an interest in Town to change the standards attached to commercial development to include a build-to line. She stated that she liked to park in a centralized parking lot and walk from spot to spot. She didn't think that they should move across the street but explore sharing parking with the medical center. If they had to move, she thought they should flip the building and the parking lot. In her opinion, the proposed design was not in touch with modern planning practices or functional from a walkers point of view.

Chairman Mathusa stated that the CVSs that were closer to the street didn't have a drive thru. This was a feature that was important to the senior citizens of the community. Pedestrian safety was a concern with the parking to the rear along with a loading dock and a drive thru. He stated that his number one agenda was moving people safely in and

out of the store. After that would be esthetics and the walkable community. He stated that the handicapped parking also had to be taken into consideration. Ms. Daniels thought that the walkable community should come first and they shouldn't have a drive thru.

Chairman Mathusa stated that there were many seniors and parents with small, sick children that would frequent a drive thru. He was looking at the larger community and was trying to accommodate all of their needs.

Mr. Dal Pos felt that with their site layout they had tried to accommodate both the walkers and the people who preferred to drive. He stated that the majority of the people who frequented their store did not walk. He didn't think that new urbanism worked in every application.

The Board members all felt that the photo simulations would answer many of the esthetic questions concerning the site. Mr. Engel felt that this design was a good balance between the people who wanted to drive and the people who were concerned with walk ability.

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

A motion to approve the minutes of October 5, 2004 was offered by Mr. Odell, seconded by Mr. Collier and approved by all present.

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

The meeting concluded at 9:50 PM.