

# TOWN OF BETHLEHEM FINAL DRAFT COMPREHENSIVE PLAN

Bethlehem, New York



## Appendices

## **APPENDICES**

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**Note:** The following appendices provide background information and supporting documentation relative to the recommendations found in the Comprehensive Plan. Much of this information is in the form of public input received throughout the process from surveys and public meetings.

## **Appendix A – Additional Tools and Techniques**

The following are tools and techniques briefly discussed as possible actions within the comprehensive plan. These tools are explained in greater detail below.

### **Form Based Code**

“Form Based Code” could be used as an alternative to the creation of design guidelines for the hamlet zones. Form based codes place less emphasis on use regulations than do conventional zoning documents. Instead, form based codes are more flexible about use, perhaps only prohibiting certain uses that are clearly inappropriate, while being very proscriptive about architecture and urban design.

A useful model for this type of code is called the Transect. The Transect is a concept developed by Duany Plater-Zyberk & Company, a Florida based town planning firm. As the figure below illustrates, the Transect represents the continuum of development form from rural to urban. Each point along the continuum has particular design elements that characterize that type of development. For example, the T3 Suburban Transect has different design characteristics than the T6 Urban Core Transect. Streets in suburban areas tend to be more curvilinear in form, buildings are usually detached and set back from the street, etc. In the urban core, streets form regular blocks, buildings tend to be attached and located close to the sidewalk at uniform build-to lines, streetscapes are more formal, etc. These general design elements are described in the transect graphic on the next page.

From this general continuum, Duany Plater-Zyberk & Company’s have developed a set of standard design parameters for each transect. These standards, usually illustrated in simple to read tables, address a host of design elements ranging from the type of streets and public spaces, the building position, building type, and general architectural characteristics that are appropriate for each transect. Of course these elements must be tailored to the specific circumstances of individual communities.

For example, the City of Saratoga Springs applied this approach to its “special development areas.” These six areas, one of which is the downtown, are places where the City’s comprehensive plan calls for the encouragement of high density, mixed-use development. To implement this, the three most urban categories of the Transect were utilized (T4 through T6). The actual dimensions that apply to the different design elements within these transect zones were tailored to meet the characteristics of Saratoga Springs.

In Bethlehem, the Transect concept could be modified to apply to the mixed-use hamlets in a similar fashion. This would create a simple mechanism for differentiating between the appropriate scale of development in different hamlets. For example, the T6 category could be tailored to fit Bethlehem’s most “urban” (in Bethlehem’s terms) hamlet centers – perhaps Delmar, Glenmont, and a new hamlet along New Scotland Road. However, the T6 category might not be appropriate in some existing or new hamlets, such as Meyers Corners or North Bethlehem.



## **Conservation Subdivision Design**

Conservation Subdivision Design is a type of clustering that addresses the form of development. By separating the concept of density from the concept of lot size (as described above), the Town could permit flexible lot-sizes that facilitate creative subdivision design in harmony with the landscape. In addition to the environmental and viewshed benefits of allowing homes to be situated in a creative manner, a network of conserved open lands can be created in the process. These conserved lands, for example, might function as wildlife corridors or create buffers between residential areas and those areas that continue to be actively farmed. A brief description of the Conservation Subdivision Design approach is provided in the box below.

The Conservation Subdivision Design approach begins with the identification of open space resources present on the site to be developed (environmentally constrained land, agricultural land, historic or scenic views, significant woodlots, etcetera). A town-wide map of open space and agricultural resources can be a useful guide for starting this identification process (see *Lands of Conservation Interest Map* recommendation in Section 4.9). This resource identification will form the basis for designating conservation lands in the new subdivision. Once conservation lands are identified and designated, areas where development would be most appropriate are identified. Homes (the number based on allowable density for the zoning district) are then designed into the development areas of the site in a creative fashion. Flexible lot sizes and area and bulk standards facilitate this creativity. Identifying road alignments and lot lines are the final steps in the Conservation Subdivision Design process.

### **Conservation Subdivision Design** (term coined by Randall Arendt)

Uses open space resources present on a site to be developed as the starting point for design (In the same way that a golf-course community is designed).

The **four-step conservation subdivision design process** is quite simple:

1. Identify conservation areas – potential development areas follow once the conservation areas have been “greenlined”.
2. Locate house sites
3. Align streets and trails
4. Draw in the lot lines

**Conservation easement** – a legal tool that ensures that conservation lands set aside as a result of this process remain undeveloped.

**Ownership options for conservation lands** - an individual landowner or several landowners in the new conservation subdivision, a homeowner’s association, the Town of Bethlehem, or a land conservancy such as the Albany County Land Conservancy.

The advantages of this approach are:

1. Farmland and open space conservation, recreational development and natural resource protection guide the subdivision design process. Because the area and bulk regulations used for conventional subdivisions are not applicable, the design process is creative and not driven strictly by arbitrary minimum lot size requirements.
2. Significant networks of open land are created through the development process – the value of homes within these subdivisions are enhanced as are the value of surrounding neighborhoods, and the quality of life of all town residents is improved.
3. Developers can provide different types of housing on a variety of lot sizes in response to market demand. This allows for a more diversified housing stock to meet the needs of our changing society. Developers can also save money on infrastructure costs by clustering homes, a savings that can be passed on to homebuyers.



A comparison of a conventional subdivision (left) with a conservation subdivision (right). In both cases, a total of 16 residential lots were created. A conservation easement ensures that the open land preserved as part of the conservation subdivision (right) cannot be further subdivided or developed in the future.

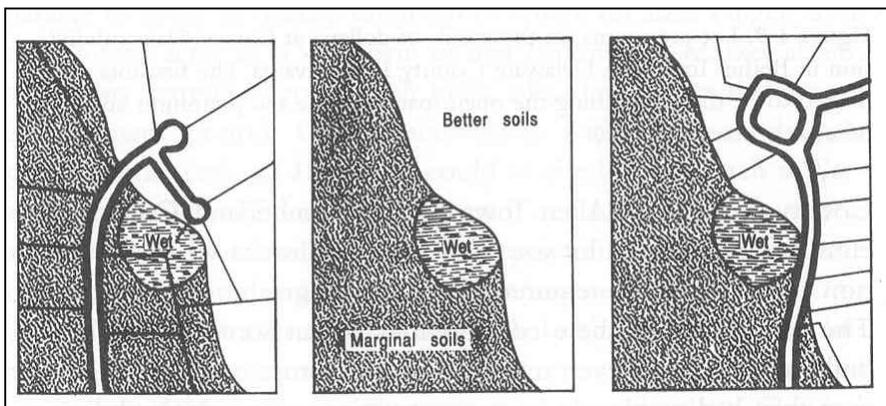
It is recommended that Conservation Subdivision Design be required in the Residential Area. An exemption or variance process could be established to allow conventional subdivision in the rare situation when a conservation subdivision is not possible or would be of no value. However the burden of proof for such an exemption should be high, and the preference for conservation subdivision should be clear in the town's zoning and subdivision regulations.

A required open space set aside should also be established. Because sewer and water infrastructure is already available, or could be made available, in most of this area, a required minimum open space set aside of perhaps 50% could be established for conservation subdivisions. Where wells and septic systems will be utilized, the minimum open space set aside could be reduced to perhaps 40%. These minimum open space set asides would ensure meaningful open space conservation, and still allow

creative subdivision design. In all cases, a conservation easement will be the legally binding mechanism for ensuring that the open space set aside as part of the subdivision cannot be further developed or subdivided in the future. The town will be a party to the easement, and in some cases a third-party enforcer such as a local land trust may also be party to the easement. Ownership options for open land set aside as part of these subdivisions are described above, but in most cases it is recommended that a private landowner, or several landowners in the new subdivision should retain ownership of the land under easement. Private landowners are generally the best stewards of the land. For larger subdivisions, a homeowner's association may sometimes retain ownership of the open lands. In rare cases, the town or a land trust may become the owner of the open lands.

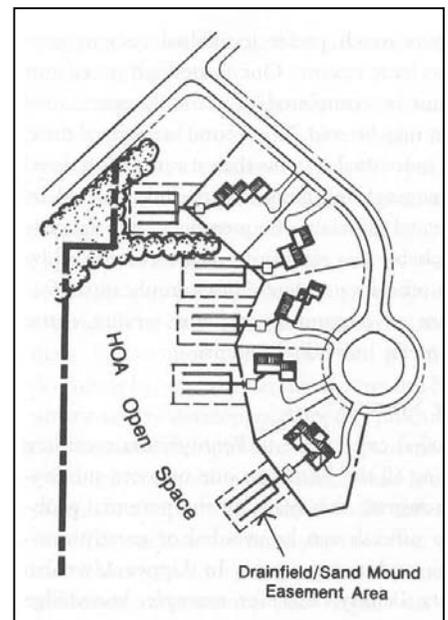
Cumulatively, open lands set aside as part of conservation subdivisions can create networks of open space or greenways through the community. These green networks provide valuable wildlife habitat and can become the basis for a network of pedestrian or recreational pathways.

Can you use conservation subdivision design (clustering) on smaller lots without water and sewer infrastructure?



**Yes.** Flexible subdivision design can ensure better septic performance, but it can sometimes be a little more complicated.

Images from Randall Arendt's, [Growing Greener: Putting Conservation into Local Plans and Ordinances](#) (1999).



## **Appendix B – Community Survey Results**

**Town of Bethlehem, New York  
Comprehensive Plan**

**Community Survey Results  
November 18, 2004**

In October 2004, survey questionnaires were mailed to a random sample of 1,600 property owners and registered voters in the town as part of the comprehensive planning process. Over 700 completed survey questionnaires were returned to Town Hall and tabulated. The response rate – over 44% - was exceptional.

The survey has a sampling error of not more than +/- 5% at the 95 percent confidence level. In other words, the chances are 19 out of 20 (95%) that the actual population value is within 5% of our estimate, in either direction.

A safe community, quality schools, and housing selection and quality are the top three important factors impacting a respondent's decision to live in Bethlehem. Overall, Bethlehem's neighborhood qualities and community performance in terms of road maintenance, public services and parks rated as excellent among respondents.

Taking all things into consideration, approximately 70% of respondents feel the quality of life in Bethlehem is better than in other places. However, nearly 44% feel that the quality of life is getting worse. Issues such as traffic and congestion, the rate of residential growth and the loss of open land and undeveloped land were cited as important problems facing the town.

In addition to various interesting details, several strong themes emerged from the survey, which reinforce what has been expressed during the many public workshops that have occurred in past months. Those themes are described below.

**A Sense of Place:** Respondents clearly relate to various neighborhoods within the town due to a strong sense of place. Many viewed activities that support and enhance this sense of place as positive. In fact, nearly 87% of respondents feel the town needs to regulate development so that it results in a distinctive sense of place. Approximately 84% agree or strongly agree that design standards should be developed to improve the function and appearance of commercial areas. Some activities that support a sense of place and that were

Community Survey Results  
November 18, 2004  
Page 2 of 2

supported by survey respondents may include providing sidewalks and promoting walkable, mixed use neighborhoods.

**Fix What We Have:** Survey results indicated that the town should first look to improving existing systems before engaging in building new infrastructure. Over 82% agreed or strongly agreed that the town should improve existing roads to ease the movement of automobiles.

**Look for Opportunities Within the Developed Areas:** Survey respondents supported redevelopment activities, the protection of open lands, and the creation of trails and neighborhood connections. Many opportunities for these activities exist in the more developed areas of town. Over 90% agreed or strongly agreed that the town should encourage the reuse of vacant buildings and redevelopment of underutilized sites.

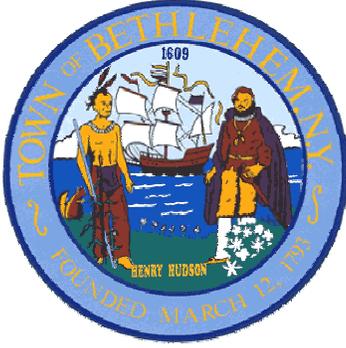
**Address Fiscal Aspects of Future Activity:** According to the survey, over 90% felt the town should work to lower overall property taxes. While many improvements throughout the town are supported, respondents felt it is important to fully understand the fiscal aspects of such improvements. (It should be noted that this survey question did not distinguish between town and non-town taxes, including school taxes.)

**Housing Diversity:** The survey respondents have identified a need for a variety of housing types to accommodate a wide range of age groups and income levels. Over 78% of respondents agreed or strongly agreed that the town should encourage a diversity of housing types for singles, families, 'empty-nesters,' and seniors.

**Protect Natural Areas and Open Lands:** Respondents recognized the importance of natural areas, such as streams, wetlands, mature forests, steep slopes. Approximately 82% felt zoning regulations should be changed to protect these areas within new developments. The conservation subdivision or clustering technique was viewed favorably. Respondents also supported the acquisition and protection of open lands. Seventy-three percent agreed or strongly agreed that the town should buy land or purchase conservation easements to preserve open land. Approximately 51% of respondents would be willing to pay for the conservation of open land. However, 68% would like the town to pursue outside funding sources as well.

TOWN OF BETHLEHEM - COMMUNITY SURVEY 2004

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Please take a few minutes to complete this survey. After completion, please return the survey in the envelope provided. Thank you for your participation.

**INSTRUCTIONS:**

Please read each question carefully. Some questions require you to choose only one answer but others allow for two or more answers. **IMPORTANT!** If you mark more answers than allowed, none of your answers to that question will be counted.

Please use a #2 pencil or a BLUE or BLACK pen. We are having answers tallied using computer software.

Please completely fill in marks like this: ● NOT like this: ∅ or ⊗

**A. OVERALL IMPRESSIONS**

1. How important are the following factors in your decision to live in the Town of Bethlehem?

	Very Important	Somewhat Important	Not Too Important	Not At All Important
a. Born or raised in Bethlehem	11.2%	8.8%	11.8%	68.3%
b. Quality Schools	71.4%	19.1%	4.2%	5.3%
c. Housing selection / quality	61.2%	32.8%	4.3%	1.6%
d. Affordable housing	46.1%	35.5%	13.3%	5.1%
e. Feeling of community / know neighbors	42.4%	40.5%	14.4%	2.7%
f. Desire to live near region's cities (Albany, Schenectady, Troy)	41.7%	37.9%	14.0%	6.3%
g. Good job opportunities in Town	10.5%	19.5%	30.3%	39.7%
h. Access to parks and recreation opportunities	32.2%	47.4%	15.7%	4.7%
i. Hudson River / Catskills/ Adirondacks / other natural features in the area	27.9%	45.7%	19.8%	6.6%
j. Local shops and services	27.8%	50.2%	17.0%	5.0%
k. Reasonable taxes	59.3%	28.3%	8.4%	4.0%
l. Family / Friends	39.6%	30.3%	17.0%	13.0%
m. Safe community (in terms of crime)	79.9%	16.9%	1.7%	1.8%
n. Proximity to job	42.3%	38.1%	10.4%	9.2%
o. Unable to move or relocate	7.7%	12.8%	19.5%	59.9%
p. Other important factor: _____				

2. Taking all things into consideration, how do you rate the overall quality of life in the Town of Bethlehem?

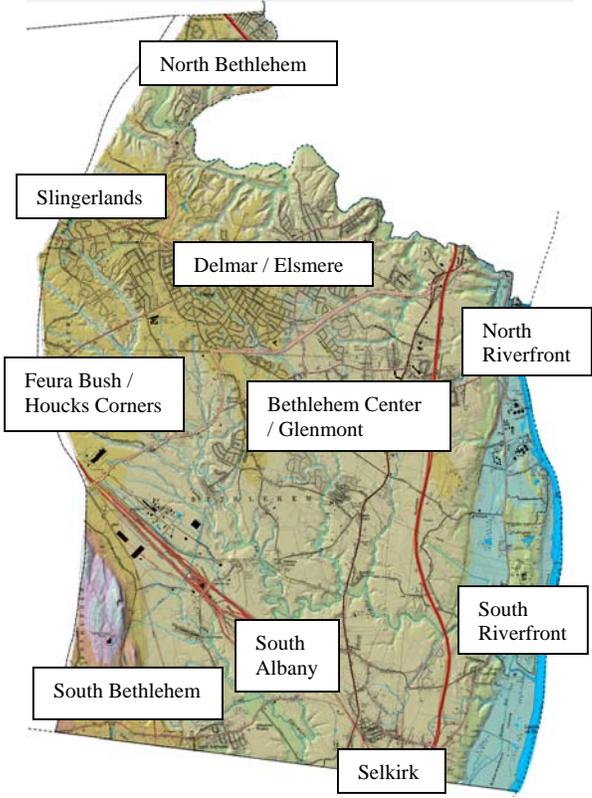
- a. **70.0%** Better in Bethlehem than in other places
- b. **27.1%** About the same in Bethlehem as in other places
- c. **1.1%** Worse in Bethlehem than in other places
- d. **1.9%** no opinion

3. In your opinion, how is the overall quality of life in the Town of Bethlehem changing?

- a. **22.0%** it is improving
- b. **30.3%** it is staying about the same
- c. **43.3%** it is getting worse
- d. **4.4%** no opinion

3a. **Why?** \_\_\_\_\_

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4. For the purposes of this survey, in which “neighborhood” within the Town of Bethlehem do you live? (see map at left)
  - a. 3.5% North Bethlehem
  - b. 16.7% Slingerlands
  - c. 37.8% Delmar / Elsmere
  - d. 28.3% Bethlehem Center / Glenmont
  - e. 1.8% Feura Bush / Houcks Corners
  - f. 0.7% North Riverfront
  - g. 1.8% South Riverfront
  - h. 0.5% South Albany
  - i. 8.1% Selkirk
  - j. 0.8% South Bethlehem
  
5. Which of the following best describes the type of environment where you live?
  - a. 39.6% Traditional / older neighborhood
  - b. 45.7% Residential subdivision
  - c. 8.2% Small / rural hamlet
  - d. 6.5% Rural area
  
6. Overall, how would you rate your neighborhood as a place to live?
 

A. 60.6% Excellent B. 35.3% Good C. 3.7% Fair D. 0.4% Poor

7. Neighborhoods can have many qualities that make them attractive and enjoyable places to live. The following is a list of common neighborhood qualities. Please rate your neighborhood on each of the following categories. **Please mark (●) one response for each statement.**

	Excellent	Satisfactory	Unsatisfactory	Not Important
Where I live feels like a neighborhood	49.2%	42.0%	5.2%	3.6%
Housing costs are reasonable	12.5%	68.8%	17.0%	1.8%
Convenience of neighborhood businesses	30.2%	53.7%	10.2%	5.9%
Roads are clean and in good condition	55.2%	42.2%	2.7%	0.0%
Roads are safe and used appropriately	32.6%	50.0%	17.4%	0.0%
Conveniently located to schools	43.3%	41.3%	3.4%	12.0%
Sidewalk system is safe and useful	12.3%	27.4%	44.1%	16.2%
Trails are safe and useful	10.9%	38.3%	18.0%	32.8%
Parks are easily accessible	32.9%	53.9%	5.3%	7.9%
Key intersection lighting is good	20.0%	57.2%	20.3%	2.4%
Protected from adjoining commercial area	26.3%	56.3%	12.6%	4.8%
Other: _____				

8. Where applicable, how would you rate the community’s performance in providing the following facilities and services?

Facility/Service	Excellent	Satisfactory	Unsatisfactory	Do Not Know	N/A
a. Road Maintenance	57.2%	38.6%	3.6%	0.4%	0.1%
b. Parks and Recreation	56.4%	36.5%	1.5%	4.4%	1.2%
c. Police Services	50.3%	40.4%	4.2%	5.0%	0.1%
d. Fire Services	56.7%	31.5%	1.1%	10.5%	0.3%

Facility/Service	Excellent	Satisfactory	Unsatisfactory	Do Not Know	N/A
e. Emergency Services	52.0%	29.5%	0.4%	17.4%	0.8%
f. Water Service	38.9%	49.5%	6.2%	1.3%	4.0%
g. Sewer Service	39.3%	45.9%	3.5%	3.7%	7.6%
h. Code Enforcement	17.1%	43.3%	8.0%	28.3%	3.3%
i. Development Approval Process	6.6%	26.7%	29.7%	33.6%	3.4%
j. Controlling spending and taxes	4.2%	50.0%	33.7%	11.4%	0.7%
k. Community relations/ public information	15.2%	67.2%	10.5%	5.9%	1.2%
l. Transfer station / recycling	21.3%	54.4%	6.1%	15.9%	2.3%
m. Senior Services	22.7%	25.4%	1.2%	39.5%	11.2%
n. Youth Services	14.3%	32.2%	8.6%	35.9%	9.1%
o. Other: _____					

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**B. ISSUES, PRIORITIES, AND OPTIONS FOR THE FUTURE**

9. Based on current trends (without making changes), what will be the most important problems facing the Town of Bethlehem over the next 10 years? **Mark (●) only five**

- a. 33.1% Availability of affordable housing options
- b. 15.5% Availability of a variety of housing options
- c. 29.6% Loss of farmland and agriculture
- d. 51.7% Loss of open land / undeveloped land (not farmland)
- e. 7.9% Adequacy of parks and recreation facilities
- f. 39.0% Adequacy of infrastructure (water and sewer)
- g. 38.2% Maintaining highest quality schools
- h. 11.5% Loss of freedoms and property rights
- i. 28.9% Crime and public safety
- j. 15.4% Damage to natural resources
- k. 80.6% Level of traffic and congestion
- l. 64.9% Rate of residential growth
- m. 28.4% Rate of commercial growth
- n. 18.6% Appearance of commercial development
- o. 21.0% Availability of places to walk and bike safely
- p. 6.4% Other

10. Parks: What is the one thing that would make the biggest improvement in Bethlehem's Town Parks (Elm Avenue Park, Henry Hudson Park, North Bethlehem Park, South Bethlehem Park, Selkirk Park, and Bethlehem Memorial Firefighters Park)? **Mark (●) the one response that best describes your opinion**

- a. 9.6% The Town's parks need to be closer to neighborhoods or easier to get to from neighborhoods
- b. 10.3% The equipment and design of parks needs to be changed to meet changing recreational needs
- c. 5.8% The Town has too few parks
- d. 3.4% The existing parks need to be better maintained
- e. 1.2% The Town has too many parks
- f. 62.6% Parks are fine
- g. Other: \_\_\_\_\_

11. Which of the following improvements or attractions are needed in any of the Town's parks? **Mark (●) your top five**

- a. 13.2% new playground equipment
- b. 7.1% fields for soccer, football, or lacrosse
- c. 6.2% baseball/softball fields
- d. 40.6% restrooms
- e. 20.3% benches
- f. 23.5% lights
- g. 34.5% bike trails
- h. 42.5% walking trails
- i. 36.9% equestrian trails
- j. 15.7% skateboard park
- k. 0% indoor facilities
- l. 0% volleyball courts
- m. 17.1% basketball court
- n. 16.5% tennis courts
- o. 20.5% fishing platform
- p. 13.8% picnicking
- q. 0% cross country skiing
- r. 0% skating
- s. 21.0% no improvements are needed
- t. 19% other

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12. Your Neighborhood: The **one** thing that would make the biggest improvement in the area where I reside is:
- a. **4.3%** Get property owners to take better care of their houses/property
  - b. **17.5%** Develop sidewalks
  - c. **23.1%** Prevent loss of open land / undeveloped land and rural character
  - d. **5.2%** Buffer residential areas from commercial/industrial development
  - e. **2.9%** Allow small, neighborhood retail and service establishments
  - f. **1.7%** Provide public sewer
  - g. **1.5%** Provide public water
  - h. **17.1%** Limit traffic and/or slow traffic
  - i. **21.1%** My neighborhood is fine
  - j. **5.5%** Other: \_\_\_\_\_

13. Bethlehem's Overall Image: The **one** best way to improve the Town of Bethlehem's image would be to:
- a. **6.0%** Relax development standards so that each property owner can express his/her individual preferences
  - b. **28.1%** Set design standards to encourage a more consistent, inviting look for new development (including signs)
  - c. **21.4%** Beautify public spaces
  - d. **32.6%** The overall image of the Town of Bethlehem is fine
  - e. **11.8%** Other: \_\_\_\_\_

14. Indicate your level of agreement or disagreement with each of the following statements. **Please mark (●) one response for each statement.**

	Strongly Agree	Agree	Disagree	Strongly Disagree	No Opinion
a. Better landscaping in commercial areas is needed to improve the appearance of the Town.	21.3%	46.5%	17.7%	1.4%	13.2%
b. Standards for commercial signs are needed to improve the appearance of the Town's commercial areas.	21.3%	47.8%	16.3%	1.6%	12.9%
c. There is a good mix of commercial, institutional, government and office development in the Town.	4.0%	53.7%	25.1%	6.3%	10.9%
d. Sidewalks and/or trails for bicycle and pedestrian travel are needed to connect the area where I live to commercial areas.	28.6%	30.8%	22.2%	6.5%	11.9%
e. Buffers between residential areas and Commercial Zones are needed.	22.8%	45.2%	14.9%	1.5%	15.5%
f. The Town needs to regulate development so that it results in a Town with a distinctive sense of place / identity.	52.2%	34.6%	5.9%	1.9%	5.4%
g. Reduction in noise from areas adjacent to residential areas is needed.	21.3%	36.3%	14.6%	1.2%	26.6%
h. Reduction in light from areas adjacent to residential areas is needed.	14.6%	29.2%	21.6%	2.7%	31.8%

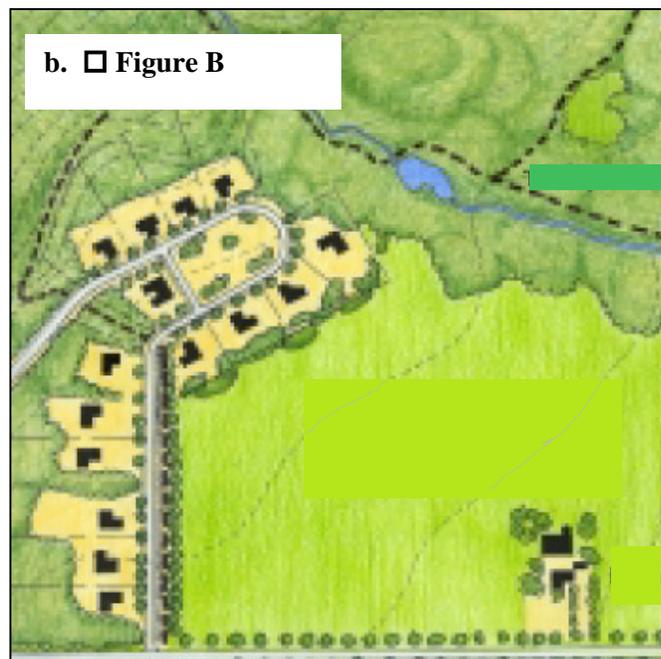
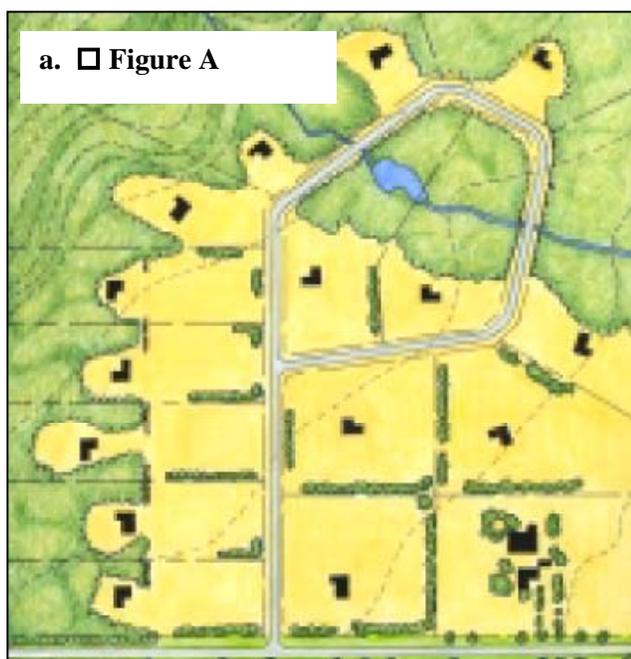
15. Please indicate your level of agreement or disagreement with each of the following policy options. **Please mark (●) one response for each statement.**

	Strongly Agree	Agree	Disagree	Strongly Disagree	No Opinion
The Town of Bethlehem needs to change zoning regulations to protect open land within new developments	46.4%	35.9%	9.3%	1.2%	7.2%
The Town should buy land or purchase conservation easements to preserve open land / undeveloped land	40.5%	32.4%	16.3%	3.8%	6.9%
The Town should do nothing; the market and/or property owners will determine the best use of land.	4.1%	10.7%	37.3%	42.1%	5.6%

16. What means should the Town of Bethlehem pursue when considering financing the conservation of open land / undeveloped land? **Mark (●) all that apply**
- 17.0%** Public funds should not be expended for this purpose
  - 35.2%** Utilize general Town budget (with Town Board approval) or borrow money (with Voter approval) to fund the purchase of land or easements
  - 67.5%** Apply for state and federal grants which are competitively awarded
  - 49.7%** Lower tax assessments on open land so property owners can afford to keep private undeveloped property
17. Implementing some aspects of the comprehensive plan will likely cost the Town additional money. For which of the following items might you be willing to pay an increase in town taxes of say \$25 to \$50 per \$100,000 of assessed value? **Mark (●) all that apply**
- 51.2%** Conservation of open land / undeveloped land or environmentally sensitive land
  - 47.4%** Construction of new sidewalks to improve residents' ability to walk comfortably and safely to nearby destinations (i.e., parks, schools, stores)
  - 40.9%** Construction of trails for recreation and to improve residents' ability to walk or bike comfortably and safely to nearby destinations (i.e., parks, schools, stores)
  - 22.6%** Parkland acquisition
  - 22.6%** Park improvements
  - 22.0%** Public funds should not be expended for any of these purposes
18. Indicate whether you agree or disagree with the following statements. **Please mark (●) one response for each statement.**

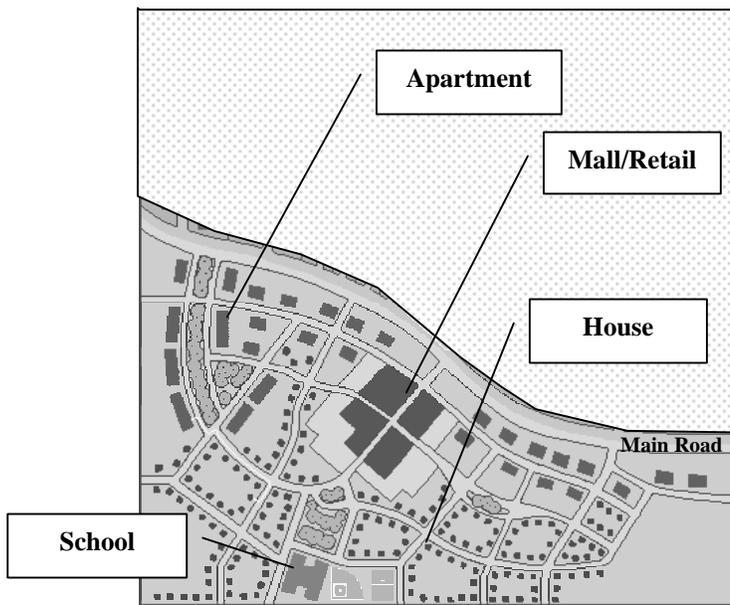
<b><u>THE TOWN OF BETHLEHEM SHOULD:</u></b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>No Opinion</b>
a. Build additional roads to provide quick and easy movement of automobiles through the town	14.6%	20.1%	42.1%	17.1%	6.1%
b. Improve existing roads to ease movement of automobiles throughout the town	24.5%	58.3%	9.6%	3.1%	4.5%
c. Pursue expansion of clean, affordable, and efficient public transportation	18.3%	40.4%	20.4%	6.3%	14.6%
d. Create better public access to the Hudson River	14.8%	34.6%	19.6%	5.0%	26.0%
e. Create programs and incentives for the reuse of old commercial buildings and sites	34.1%	52.4%	5.3%	1.6%	6.5%
f. Pursue strategies for creating quality ("living wage") jobs in the town	18.1%	49.3%	11.0%	4.6%	17.0%
g. Utilize town funds / local incentives to promote economic development	9.1%	40.8%	29.7%	9.4%	11.0%
h. Establish initiatives to assist the development and growth of local businesses	13.8%	55.9%	17.1%	5.6%	7.7%
i. Take a lead in encouraging regional cooperation to manage growth and development	23.9%	57.4%	7.6%	2.3%	8.8%
j. Create programs and incentives for rehabilitating historic homes and buildings	22.3%	47.2%	16.1%	2.7%	11.7%
k. Encourage the reuse of vacant buildings and redevelopment of underutilized sites	32.9%	57.3%	3.4%	1.5%	4.9%
l. Expand programs that promote affordable home-ownership opportunities	14.7%	43.1%	20.7%	7.5%	14.0%
m. Encourage more single family residential development	6.5%	23.2%	34.2%	26.9%	9.2%

<b>THE TOWN OF BETHLEHEM SHOULD:</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>No Opinion</b>
n. Encourage a diversity of housing types (for singles, families, "empty nesters", seniors, etc.)	26.1% <b>O</b>	52.3%	11.7%	4.1%	5.8%
o. Promote development of compact, walkable, mixed-use neighborhoods	15.2%	43.7%	20.8%	6.3%	13.9%
p. Work to lower overall (town, county, and school combined) property taxes	51.8%	38.2%	6.7%	0.0%	3.3%
q. Promote local agriculture and farm viability	22.1%	54.5%	8.9%	1.8%	12.8%
r. Develop design standards or guidelines to improve the appearance and function of commercial areas	28.9%	55.3%	7.5%	1.5%	6.8%
s. Allow individual property owners to have more rights in determining appropriate use of their land (reduce land use restrictions)	9.9%	25.4%	39.9%	14.4%	10.4%
t. Protect environmental resources (steep slopes, wetlands, streams, mature forests, etc....)	41.2%	51.2%	3.4%	0.5%	3.7%
u. Encourage the expansion of activities for youth	24.0%	52.3%	8.9%	1.0%	13.9%
v. Establish a public service council to mobilize the efforts of the many community service organizations	12.7%	44.1%	14.8%	3.3%	25.1%
Other:					

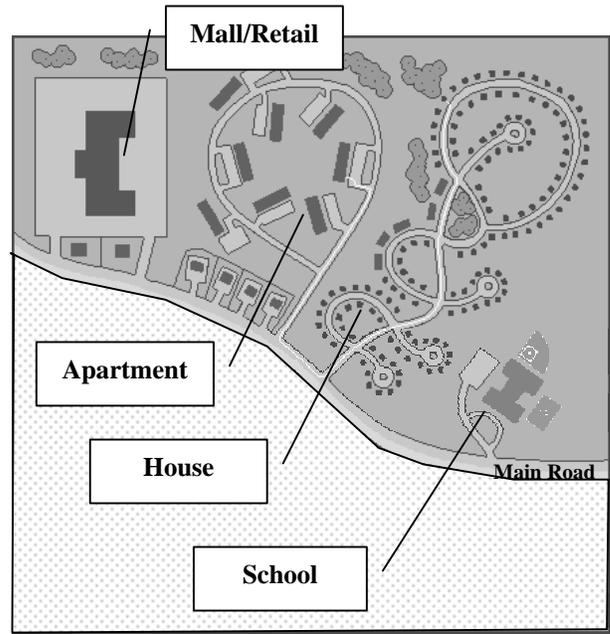


19. **Please review the two images above.** Given that both subdivisions will result in the same number of homes (16), and no further subdivision of these lands will be possible in the future, which subdivision layout seems more appropriate for rural areas of the Town of Bethlehem?

- a. **30.9%** Figure A
- b. **60.1%** Figure B
- c. **9.1%** No opinion



**Neighborhood Layout A**



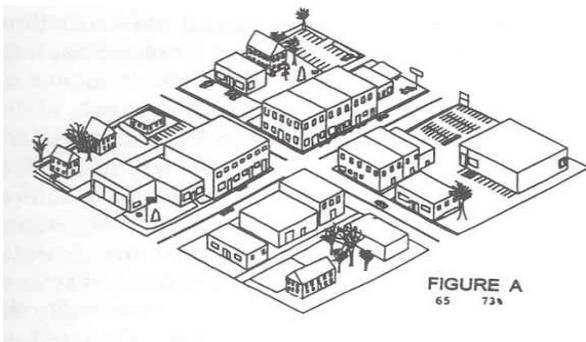
**Neighborhood Layout B**

20. Please review the image above. The image on the left (A) mixes land uses and utilizes an interconnected network of streets. The image on the right (B) separates land uses and features a hierarchical street system with limited connections between different areas. Which neighborhood layout seems more appropriate for developed areas of the Town of Bethlehem?

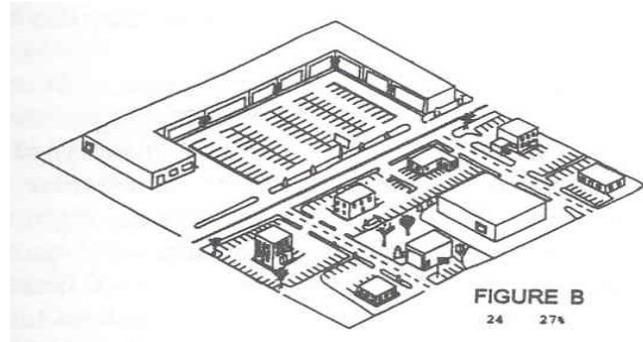
- a. **40.9%** Neighborhood Layout A
- b. **46.1%** Neighborhood Layout B
- c. **13.0%** Not sure

21. In thinking about the future of commercial districts in the Town of Bethlehem, strategies for development or redevelopment could take two general design forms. Which sketch (below) seems more appropriate to you?

a. **59.7%** Figure A



b. **40.3%** Figure B



Illustrations from a visual preference survey conducted by the Livingston County (Michigan) Planning Department. From Randall Arendt's, *Rural by Design: Maintaining Small Town Character*. APA Planners Press. 1994.

**D. RESPONDENT PROFILE**

22. What is your age?

- |                       |                       |
|-----------------------|-----------------------|
| a. <b>1.8%</b> 18-24  | d. <b>19.8%</b> 55-64 |
| b. <b>23.6%</b> 25-44 | e. <b>13.5%</b> 65-74 |
| c. <b>30.1%</b> 45-54 | f. <b>11.2%</b> 75 +  |

23. What is your gender?

- a. **53.6%** Male    b. **46.4%** Female

24. How many people are in your household?

- |                  |                  |                 |
|------------------|------------------|-----------------|
| 0: <b>0.30%</b>  | 3: <b>16.79%</b> | 6: <b>1.95%</b> |
| 1: <b>13.94%</b> | 4: <b>18.89%</b> | 7: <b>0%</b>    |
| 2: <b>38.68%</b> | 5: <b>7.65%</b>  | 8: <b>0.60%</b> |

25. How many of the people in your household are in each of the following age categories?

(Percent of survey respondents who have one or more individuals in their household within this age range)

- |                           |                            |                            |                            |
|---------------------------|----------------------------|----------------------------|----------------------------|
| a. Age 0-5: <b>11.3%</b>  | c. Age 18-24: <b>14.6%</b> | e. Age 45-54: <b>33.6%</b> | g. Age 65-74: <b>13.6%</b> |
| b. Age 6-17: <b>28.2%</b> | d. Age 25-44: <b>27.8%</b> | f. Age 55-64: <b>22.1%</b> | h. Age 75 + : <b>11.1%</b> |

26. How long have you lived in the Town of Bethlehem? (Years)

- |                     |                     |                    |                    |                     |
|---------------------|---------------------|--------------------|--------------------|---------------------|
| 0-10: <b>30.3%</b>  | 20-30: <b>16.5%</b> | 40-50: <b>7.2%</b> | 60-70: <b>2.1%</b> | 80-90: <b>0.5%</b>  |
| 10-20: <b>23.1%</b> | 30-40: <b>12.0%</b> | 50-60: <b>6.4%</b> | 70-80: <b>1.4%</b> | 90-100: <b>0.3%</b> |

27. Your current work status is:

- |   |                                     |
|---|-------------------------------------|
| a. <b>12.0%</b> Work in the Town of Bethlehem (not at home) | g. <b>4.5%</b> Work at home         |
| b. <b>29.5%</b> Work in the City of Albany                  | h. <b>0.8%</b> Currently unemployed |
| c. <b>12.4%</b> Work elsewhere in Albany County             | i. <b>1.1%</b> Student              |
| d. <b>4.3%</b> Work in Rensselaer County                    | j. <b>26.5%</b> Retired             |
| e. <b>2.7%</b> Work in Schenectady County                   | k. <b>1.1%</b> Disabled             |
| f. <b>0.3%</b> Work in Saratoga County                      | l. <b>4.7%</b> Other                |

28. Do you...

- a. **96.5%** Own your residence?    b. **1.4%** Rent your residence?    c. **2.2%** Live with parents or relatives?

29. How many vehicles are associated with your household?

- |                  |                  |                 |                 |
|------------------|------------------|-----------------|-----------------|
| 0: <b>0.30%</b>  | 2: <b>56.89%</b> | 4: <b>4.00%</b> | 6: <b>0.44%</b> |
| 1: <b>17.63%</b> | 3: <b>18.07%</b> | 5: <b>1.93%</b> |                 |

30. What is your approximate Household Income?

- |                                    |                                |
|------------------------------------|--------------------------------|
| a. <b>1.73%</b> less than \$19,999 | e. <b>18.27%</b> 50,000-59,000 |
| b. <b>3.45%</b> 20,000-29,999      | f. <b>15.83%</b> 60,000-79,999 |
| c. <b>5.04%</b> 30,000-39,999      | g. <b>40.29%</b> 80,000-99,999 |
| d. <b>15.40%</b> 40,000-49,999     | h. <b>0%</b> 100,000 or more   |

Do you have any additional thoughts, comments or suggestions to share with the Bethlehem Planning Advisory Committee (BPAC)?

**THANK YOU.**

**PLEASE RETURN THIS FORM IN THE ATTACHED POSTAGE PAID ENVELOPE.**



## **Appendix C – Farm and Rural Properties Survey Results**

## **Town of Bethlehem, New York Comprehensive Plan**

# **Farm and Rural Lands Survey Analysis November 30, 2004**

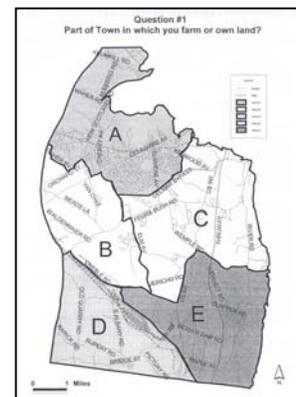
In early November 2004, survey questionnaires were mailed to approximately 330 farmers and large property owners in the Town as part of the comprehensive planning process. Farms with seven or more acres and property owners with twenty or more acres received questionnaires. Approximately 1% of the Town's population received this survey. Despite representing a small portion of the Town's population, farms and large rural properties contribute a great deal to the community in terms of character, land management, tax base and more. Therefore, the Comprehensive Plan Committee felt it was very important to hear from this segment of the community.

The purpose of this survey was to more clearly understand the future of the rural areas in Bethlehem. Approximately 151 completed survey questionnaires were returned to Town Hall and tabulated by Town staff. The response rate was excellent with over 45% of surveys returned.

### **Question #1: Identify the part of Town in which you farm or own land.**

Nearly 29% of respondents indicated they farm or own land in the Selkirk/Cedar Hill area or Area E (as shown on the map). The next largest group, approximately 24.7%, of respondents own or farm land in the Greater Glenmont area or Area C. The South Albany/South Bethlehem area or Area D was the identified by 14.3% as the area in which they farm or own land.

Based on these figures, the majority of farmers and large landowners that responded to the survey are focused in the eastern and southern portion of the Town.



**Question #2: How many acres do you own?**

Nearly 37% of respondents indicated that they own less than 20 acres. Over 26% stated they own 60 acres or more, while 23% own 20 –39.9 acres. The remaining respondents own 40 – 59.9 acres. As expected, those respondents with property in the Delmar, Slingerlands and North Bethlehem area typically had less than 20 acres, while those with property in the South Albany and South Bethlehem area had more than 60 acres. This is consistent with general population patterns in the Town. The Delmar and Slingerlands area is much more populated than the South Albany and South Bethlehem area, indicating fewer large tracks of open and undeveloped land.

**Question #3: How do you use your land?**

In answering this question, 23% of respondents stated that their land is kept open and undeveloped, but is not managed to produce income. Eighteen percent indicated that their land was formerly farmed, but is no longer farmed. Together, over 41% of respondents stated that their land is open, undeveloped and not currently in production. These trends are consistent with farming and rural lands trends in Albany County and New York State. Land in farms, average size of farms and the number of farms in Albany County has been decreasing in recent decades.

Thirty-five percent of respondents also indicated that their property is farmed; managed for timber, mining, fish or wildlife habitat; or is rented for farming purposes. Another 5% of respondents rent additional land to farm. This working landscape is a significant factor contributing to the long-term management of such resources and to the rural character of the Town.

**Question #4: If you are engaged in an agricultural business, what types of agriculture do you practice?**

Over 40% of respondents engaged in the production of hay and other crops. Nearly 18% use their land for pasture, while 14% have livestock. Nearly 10% managed their property for timber. The remaining respondents are engaged in the following agricultural practices: horse boarding/stables, horticulture/nursery, dairy, poultry, and Christmas tree farms.

The Town of Bethlehem trend toward the production of hay and other crops is similar to that of Albany County farms. According to the 2002 Census of Agriculture, the top crop commodity in the County was hay.

**Question #5: Is farming the primary source of your household's income?**

Over 97% stated that farming is not their household's primary source of income. This is a familiar trend in farming today, especially for family farms. Economic pressures, development pressures, and rising health care costs make it increasingly difficult for farms to stay profitable. Often, one or more members of the farm household must seek employment outside of the farm.

**Question #6: Which of the following do you believe are, or would be, beneficial to the agricultural and rural properties of the Town?**

Of those responding, 30% believed that farm stands and farm markets would be beneficial to agricultural and rural properties of Bethlehem. This supports a desire for increased opportunities to purchase locally grown produce and reinforces what has been vocalized throughout the public participation process.

Nearly 12% felt that horse stables and riding would be beneficial, 10 % believed that a bed and breakfast would be beneficial, and 9% agreed that privately owned/operated recreational facilities would be beneficial. Woodworking shops, timber harvesting, sawmills, welding and machine shops, independent truckers, a slaughterhouse, and mining were also mentioned. Overall, allowing for and maintaining a diversity of uses is favorable.

**Question #7: Do you believe there is potential in Town for agriculture that could supply local restaurants, grocers, schools and institutions?**

An overwhelming 83% agreed that there is potential in Bethlehem to supply local restaurants, grocers, schools, and institutions with locally grown produce. This is yet another manner in which to support local businesses. The remaining 17% did not believe there is potential for these types of partnerships in the community.

**Question #8: Would you consider an arrangement to sell the development rights to your property?**

While 44% of respondents indicated they would not considering selling development rights to their property, 31% stated they would consider it. In addition, a quarter of all respondents suggested they would like more information regarding the sale of development rights. All together, 56% of respondents expressed an interest in either selling their development rights or learning more about the possibility. The response to this question suggests a need for increased education about the options available to property owners.

**Question #9: Would you consider an arrangement in which you would place your land under a temporary conservation easement in exchange for a reduction in local property taxes?**

Showing close similarities to Question #8, 40% of respondents to this particular question stated they would not consider a temporary conservation easement in exchange for a reduction in local property taxes. However, 31% indicated they would consider such an arrangement and 29% expressed an interest in finding out more information about temporary easements. In total, 60% would like additional information about or would consider a temporary conservation easement. Again, additional information and education about the opportunities available to property owners would be beneficial in the Town.

**Question #10: Would favor the Town investing in programs such as the ones described in #8 and #9 above?**

Fifty-one percent of respondents stated they would favor the Town investing in such programs, whether or not they as landowners would participate. Approximately 37% indicated a need for more information, while a quarter of respondents said they would not participate. General responses by those that would not consider such investment by the Town included concerns over higher taxes, Town ownership of land, and restrictions placed on the use of the land.

**Question #11: Over the next 10 years, I expect that I will?**

Several options were listed for this question. It seems that over 21% hope to keep their land open/undeveloped, but not manage to produce income over the next 10 years. Thirteen percent will still be managing their land as woodlands, for mining, or as fish/wildlife habitat. Managing the land for its natural resources is another way to keep the land open and undeveloped.

Thirteen percent plan to sell all of their land for development and nearly 12% plan to subdivide their property and sell several building lots. This equates into approximately 25% looking to develop their land over the next 10 years.

The next 12% selected the “other” category. Written comments in the other category included those that hoped to preserve their land, give building lots to family members, and those that were unsure of the future of their land.

The remaining responses are related to a continuation of active agricultural practices. Nearly 29% percent anticipate that they will still be farming, sell or rent land for someone else to farm, have a member of the family continue farming, or sell development rights and continue farming.

**Question #12: What else should the Town of Bethlehem local government do to promote local agriculture?**

Many respondents wrote comments in answer to this question. The comments were reviewed and consolidated into major themes that include lower taxes for farms and tax incentives to keep land open and in production; encourage alternative farming and locally grown produce; raise awareness of agriculture and increase educational opportunities; limit or slow growth, development and sprawl; permit flexibility in zoning; protect agricultural land, open space and natural resources; and the government should not be involved. These comments indicated that there are many ways in which the Town can help in promoting agriculture that range from relatively quick inexpensive items such as encouraging farm stands and raising awareness to programs that would require more substantial investments of time and financial resources.

**Appendix D – Focus Group Meeting and  
Public Workshop Notes**



## **Town of Bethlehem Issues Identification *Public Workshop Results***

**April 22, 2004  
Town Hall Auditorium**

The first public workshop for the Town of Bethlehem Comprehensive Plan was held on Thursday, April 22, 2004. Approximately seventy community members and Town officials attended the workshop. The purpose of this initial workshop was to introduce the community to the comprehensive planning process. In addition, participants were asked to work together to define the Town's strengths and identify issues that should be addressed in the plan.

Following a presentation by The Saratoga Associates, workshop participants were divided into breakout groups for a more in-depth discussion. Participants were asked the following set of questions: 1 – What do you like about living/working in Bethlehem? What is working, and should be protected and enhanced? 2 – What problems/concerns should be addressed through the plan? What can be done to improve life in the Town? Participants were also asked to prioritize concerns, describe what should be accomplished regarding the priority concerns and identify potential obstacles. The participants' responses for each are listed below.

### ***1 - What do you like about living/working in Bethlehem? What is working, and should be protected and enhanced?***

- Parks and recreational opportunities
- Natural setting
- Sense of community/center
- Low crime; good police; safe
- Good schools
- Clean streets year-round
- Town Hall – accessible elected officials
- Waterfront/river
- Walking scale; sidewalks
- Diversity – people, ways-of-life
- Local business – service, good neighbors
- Good access to capital district services (rail – Rensselaer, interstate, freight, airfield)
- Delmar place
- Small town/village feeling
- Youth program
- Library
- Easy access within town

- Respect for private property; property rights
- Open space; greenspace, including areas around residential areas as well.
- Individual hamlets are unique/diverse
- Mix of residential and rural areas
- Town services: library, seniors, highway department, sidewalks, flowers, recycling center
- Unique local stores
- Natural resources (sand, gravel)
- Hudson River – great waterfront potential; boats, restaurants, etc.
- People care – organizations, strong community identity
- Willingness to change and grow
- Fiscal condition is sound
- Good access to region – good for local businesses
- Viable agriculture (business)
- Trees (and leaf pickup)
- Privacy
- Rural character/atmosphere
- Water line trail system
- Railroad line potential trail
- Shopping (Walmart and Lowes)
- Still relatively low traffic volumes
- Diversity of housing (rural, suburban, urban)
- Farmer’s markets and availability of fresh produce
- Small business with good service
- Sense of family, multiple generations
- Lots of town sponsored activities
- Proximity to large city and cultural opportunities
- Easy/quick commute to Albany, even on bicycle
- Golf course
- Centrally located middle and high school

***2 - What problems/concerns should be addressed through the plan? What can be done to improve life in the Town?***

- Respect private property (4-wheelers, hunters, snow sleds)
- Improve access to Hudson River – park improvements (shoreline)
- Improve access to Normanskill
- Concerns about taxes/how to pay for
- Control traffic – speed and volume
  - 9W – consider widening (new shop center)
  - W. Scotland and Cherry
  - Delaware Ave.
  - Route 396

- Plan expansion while possible – NYSTA access Rt. 144 & 9W)
- Pedestrian safety (children)
- Character of roads/boulevards
- Fire Hall expansion – Del Ave. (former bike shop)
- Large landowner rights (zoning/land use wisely)
  - Southern part of town
  - Preserve/realize value
  - Fair share of decision process
  - Affordable if desired
- Transient town/change
  - Accommodate new and traditional values
- Walkability/need pedestrian and bike access
  - 9W
  - Feora Bush Rd.
  - Selkirk Rt. 396
- Coordinate decision making and planning
- Exit 22 truck access – review Selkirk
- Improve utilities (Selkirk, Albany water rates)
- Fix zoning
- Encourage small businesses
- Clash of ideas between long-term and new residents (ideas from elsewhere – keep local identity)
- Affordable housing and diversity of housing for young people (“our kids”), seniors, and local employees
- Conservation of water/water use
- Noise-related to residences (no noise ordinance)
- Loss of open space
- Transportation (roads, trucks)
- Services as offered all around town (Delmar compared to other areas)
- Infrastructure – fix current problems, how to finance improvements for roads, sewer, etc.
- We have a lot of parks – not used enough
- Use of vacant buildings – Ames, Grand Union, Blue Cross – rather than building new.
- Sharing info in town (ex. Fire station)
- Generational transition of farms
- Some new development looks awful
- Need more cultural opportunities in town (big arena)
- Subdivision problems (regulations) – cannot simply divide a few parcels; forces a sale; expensive process to developer
- Balance/mix of small, local, and larger, national businesses (way-of-life change)
- How to keep town character and “improve” roads
- School taxes – how to achieve a good mix
- Coordination between town and school districts
- Should the town own land?

- Increased vehicular traffic leading to diminished bicycle and pedestrian opportunities
- Capacity of existing roadways and ability to handle additional traffic
- Hierarchy of roadway system – remove through traffic from local roads
- Need for better east-west traffic flow
- Taxes – need for better commercial base; lower taxes on open spaces not utilizing services
- Commercial growth on greenfields and impact of big boxes on community character – should reuse vacant areas
- Requirements on commercial development may hinder it
- Residential growth and impact on school taxes
- Large lot zoning results in quick loss of farmland
- Protection of historic resource
- Property owner rights
- Any proposed changes should be fair
- Respecting diversity in Town (from rural areas to more developed areas)
- Maintain ability for active farm business other than preserving
- Representation within school districts
- Libraries, parks, golf courses are not in all parts of town (Glenmont)
- Glenmont is not walkable (no sidewalks)
- Bypass is barrier
- Major traffic issue on Route 85 – gridlock near toll gate on New Scotland Road
- Influx of big box development
- Traffic – trucks and noise
- No buffer between roads and residents
- Access management
- Need more employment opportunities in town – need more businesses
- Fill up underutilized existing commercial development, such as Glenmont Plaza
- Lack of consistency in application of architectural standards (Glenmont versus Slingerlands)
- Outdated Zoning Code
- Non-conforming uses, grandfathered in
- Not utilizing local natural resources
- Opportunity for bed and breakfast
- No travel/tourism accommodations
- No noise standard/ordinance
- Imbalance between commercial and residential tax base
- Riverfront is underutilized
- Middle income senior housing (market rate – not subsidized)
- Community recreation center
- Facilities for youth
- More pubs within walking distance
- Revitalize hamlets; yet allow hamlets to keep individual identity

***Priority Concerns, What should be accomplished, and Potential obstacles? “How to...”***

Transportation:

- Relief at rush hour
- Secondary roads – plan for future
- Alternate routes – so few main entrances to town
- Rights-of-way – plan for future
- Expand sidewalk network
- Promote alternatives – bus, ridesharing
- Southern end – traffic must pass through town, bypass?
- Safety training – rules of the road
- D&H railroad trail
- Coordination with other agencies (state, etc.) – Thruway
- Town Board must promote coordination
- How to create tax dollars to pay for this? (Southern end of town is outside Bethlehem schools, but economic development there could still generate revenue for the town.)

Undeveloped Private Land:

- Private landowners
- Constraints on how they can use/divide
- Minimize restrictions (zoning and subdivision)
- Achieve balance – humanize restrictions? (Don’t create hardships, but don’t create ticky-tack.)
- Incentive measures – tax relief, TDR, etc.

Parks and Recreation:

- Encourage neighborhood play groups (homes, backyards)
- Team sports – new fields are packed, but fields are not used
- Small neighborhood parks – more spread out
- Encourage active youth
- Not used enough
- Make it easier for kids to get to parks
- Nature, picnic, passive parks

Infrastructure and Vacant Buildings:

- Incentives to use old buildings first (rather than build new)
- Quality and supply of water
- Improve old sewers (old infrastructure)

Town Role in Ownership of Land:

- Taxes – no revenue if town owns land
- Don’t do too much purchasing
- Create “shovel-ready” sites – private deals, not town-brokered

Maintain ability for active farm business:

- Create zoning to support farming and allow for more
- Lower taxes for open space and farming
- Encourage farmers to farm
- Encourage people to buy locally
- Institute transfer of development rights or purchase of development rights
- Educate future farmers (school outreach programs)
- Make the subdivision of small amounts of land easier

Fairness:

- Empower all points of view
- Ensure decisions are impartial
- New ideas and concepts
- Balance diversity between interests (rural landowner interests and more suburban interests)

Property owner rights:

- Allow property owners to use as they see fit
- Address trespassing issues; enforcement
- Encourage resource based methodology in planning
- Encourage privacy in more urban areas
- Protect value of private property
- Respect private property and large land owners
- Be realistic
- Preserve/affordability
- Listen/fairness
- Public awareness

Type of commercial growth and balancing the tax base:

- Move big box into rural areas and keep character of hamlet areas
- Balance growth and impacts on school districts
- Designate shovel-ready sites
- Preserve and enhance existing commercial districts (prevent sprawl)

Community character including impact of commercial growth, open space:

- Increase tax base and maintain community character
- Maintain historic character of hamlets and create center
- Maintain walkable, bikable community, especially with increased traffic
- Protect green space

Riverfront:

- Preserve
- Enhance
- Capitalize on opportunity for business, particularly river-oriented businesses

- Access to river
- Stabilize shoreline
- Fishing access
- Non-motorized access
- Mohawk Hudson bike trail extension
- Normanskill access – passive recreation
- Address safety, property ownership, and liability

Hamlets:

- Differentiate between suburban development and hamlet character/function

Zoning:

- Update
- Flexible
- Comprehensive
- Visual design standards
- Timely process
- Big box to comply with standards
- Encourage small business/cottage access info (how to: zone – define vision)
- Revise allowable uses to contemporary business (e.g., used book and commerce)
- Residential areas (“AB”) – controls, “soft uses allowed”
- Small business tax breaks – IDA benefits
- Respect, support, and encourage *both* small and larger businesses
- Positive environment
- Fast track new business (big box desired) – shovel-ready, zoning, and infrastructure

Walkability:

- Create network of sidewalks, paths and pedestrian friendly roads
- Incorporate into development policies, access property, liability

Traffic:

- Extension of Route 85
- Route 396 truck bypass
- No increase in Route 9W traffic

*How to:*

- Finance or find funding
- Identify areas in need of preservation
- Identify areas that are good candidate for growth and development
- Develop consensus
- Get DOT involved /interested
- Reduce traffic volumes
- Advocate for transportation funding

- Avoid over emphasis on special interests
- Obtain property for sidewalks
- Find locations
- Budget appropriately
- Promote in-town transportation (public – trolley)
- Educate people about existing recreational facilities
- Promote better use of recreational facilities
- Update infrastructure
- Encourage investment in local business – friendly public policy

*Public Comments*

- Bethlehem Tomorrow will hold a meeting focusing on Transportation on May 17<sup>th</sup> from 7-9:00 pm at the Town Hall.
- Presentation should be available on the website
- The Town is at a crossroads and this is a great opportunity to do positive work
- Documents are available at Town Hall for public viewing
- The need for consensus is important
- Concern with over-planning a community



**Town of Bethlehem**  
***Visioning Workshop Results***  
**June 15, 2004**  
**Town Hall Auditorium**

The second public workshop for the Town of Bethlehem Comprehensive Plan was held on Tuesday, June 15, 2004. Approximately fifty community members and Town officials attended the workshop. The purpose of this workshop was to identify a vision for the future of the town. Input from this workshop, in addition of information gathered at previous public workshops, will form the basis of the goals included in the comprehensive plan.

Workshop participants were asked to take part in an image preference evaluation. Over 50 images were shown illustrating various styles and types of commercial development, housing, streetscape and public spaces. Participants were given a scorecard and asked to rate each image on a scale of 1 to 7. A score of 1 is undesirable or inappropriate and a score of 4 is indifferent, while a score of 7 is very desirable or appropriate. The results of the image preference evaluation are discussed in a separate document.

Following the image preference evaluation, participants were divided into smaller groups to circulate around a series of four aerial maps. For the purposes of this workshop, the town was divided into the following 4 areas: North Bethlehem / Slingerlands; Delmar / Elsmere; Bethlehem Center / Glenmont; and South Bethlehem / Selkirk. The maps represented each area of the town. Throughout the workshop, the groups visited each table and described what they envisioned for that specific area of the town. Using markers, this vision was drawn on the maps provided. The participants' vision for each area is listed below.

***North Bethlehem / Slingerlands Area:***

- Maintain agriculture in the area west of Elm Avenue Park
- Obtain a forever green easement to create a Phillipinkill Emerald Necklace from the Hudson to Five Rivers Environmental Education Center and also connect with Elm Avenue Park (possibly through the agricultural area). Important note that not all landowners want individuals coming thru their property because individuals do not always stay on trails.
- Extend bike path along Delaware Avenue
- Use purchase of development rights for property west of the Slingerlands Bypass, if privately owned.
- D & H rail line
  - Rail to trail multi-use recreational trail with links to natural areas and mini parks in neighborhoods
  - Protect for future mass transit rail
- Protection of the Normans Kill stream corridor

- Preserve, zone to protect as a natural area or create a park within the entire area south of the Normans Kill and north of the rail line. A link to the Normans Kill should also be created. Important note that land is privately owned and, as their main asset, owners have invested time and money in their property.
- Area east of the Slingerlands Bypass Extension (Proposed) and west of New Scotland Road should be mixed use commercial
- Along New Scotland Avenue between Cherry Avenue and the existing Slingerlands Bypass:
  - Neighborhood commercial zoning with a mixed of retail and office
  - Design with fountains, awnings, sidewalks, 1-2 story buildings
  - Businesses to support the technology park
  - No strip commercial
- Area along the proposed Bypass Extension (west of bypass)
  - Locate commercial/technology in the – 2 story maximum height on the buildings
  - Mix of apartments and office
- Location of apartments near intersection of Cherry Avenue and Kenwood Avenue
- Neighborhood commercial development located on New Scotland at intersection of D & H rail line. Possible trail connection at this location between the rail line and the Normans Kill
- Move school to a neighborhood
- In the area on Delaware Avenue, southwest of school the following is suggested:
  - Neighborhood commercial
  - Encourage bike paths and trail in areas adjacent to Delaware Avenue (both north and south of roadway)
- Extend the Delmar Bypass west to create a loop along western boundary of town and connect with the proposed Slingerlands Bypass Extension

***Delmar / Elsmere Area:***

- Create pocket parks throughout neighborhoods
- Create a trail along stream corridor and add boat launches and take outs
- Purchase the land south of the Delmar Bypass and west of Route 9W to keep as open space
- Create a well-designed path along D & H rail line
- Create new park in the area east of school and south of Delaware Avenue – add mountain biking trails
- Create environmental retreat south of the Delmar Bypass, near Route 9W
- Create trails and protect open space along waterline
- Maintain green space in area bounded by Delaware Avenue, Kenwood Avenue, and New Scotland Road
- Future school site near residences identified between Delmar Bypass and Feura Bush Road
- Several items were discussed regarding the Delmar four-corners area including the following:
  - Make more pedestrian friendly
  - Design as a gateway to town
  - Add More commercial activity
  - Allow/encourage parking on street

- Route traffic around the four-corners
- Along Delaware Avenue:
  - Add more lighting
  - Add sidewalks on both sides of Delaware Avenue, including a sidewalk to YMCA
  - Move Town Hall to the Delmar four-corners area
  - Add more affordable senior housing along Delaware Avenue and within proximity of Delmar four-corners area
- Extend the Delmar Bypass west to create a loop along the western boundary of town and connect with the proposed Slingerlands Bypass Extension
- Improve median aesthetics along Cherry Avenue
- Add sidewalks along Wood Avenue
- Possible location for another school or youth center on Wood Avenue
- Ideas for the entire area include:
  - Walkability
  - Scale
  - Protected greenspace
  - One-way streets

***Bethlehem Center / Glenmont Area:***

- Find or create walking or biking connections to isolated neighborhoods – add sidewalks
- Maintain open spaces as part of each residential development
- A potential trail opportunities exist along the Normans Kill, the waterline and along the D & H rail line (north of Delmar Bypass)
- Improve canoe access along Normans Kill
- Open space/farmland identified along the west side of Route 9W (south of Feura Bush Road)
- Ponds identified as open space on Route 9W (west side) – questions were brought up about the ownership of this property.
- A significant amount of land is actively farmed for beef and/or horses north and south of Feura Bush Road – support active farming through tax breaks and flexible zoning
- Create public space as a part of the Town Center – i.e. use ponds for ice skating
- Future commercial development should occur across from the Town Center, but should be better than existing commercial in the area
- Move the school to a parcel north of Feura Bush Road or between River Road and the Thruway
- Use the land between River Road and the Thruway for residential, office or higher education. There was discussion about whether any forever-wild lands are located in this area.
- Location of the potential Dewatering Site along Hudson River, east of River Road, just south of Port of Albany. Post dewatering might allow for new development such as the Victor Gush development. Clean up of River Road could be mitigation for the dewatering site.
- Future of Route 9W
  - Straightened?
  - Future Wolf Road?

- Bypass (Route 9W Study) to create new interchange
- Impact on Feura Bush Road?
- Rework intersection of Route 9W and Delmar Bypass
- Create a walkable center at the intersection of Route 9W and Feura Bush Road

***South Bethlehem / Selkirk Area:***

- Maintain greenspace along the Hudson River
- Maintain green buffers along stream corridors including the Onesquethaw and Vloman Kill
- Important existing green/open spaces identified include Verstandig Greenhouse, Audubon property north of Route 396.
- The limestone area west of the rail yards should remain as open space (since it is probably not developable land)
- Allow for residential development to continue along riverfront
- Create a balance of commercial and greenspace along the riverfront; allow for mixed uses including restaurants, cultural, residential.
- Protect existing residential development east of Route 144 – keep residential focus in areas already residential
- Maintain scenic vistas
- If a bypass occurs in this area, encourage industry (distribution or light industrial) near bypass – concentrate industry
- Concentrate heavy industry where it currently exists near rail yards
- Protect working farms – use preservation techniques, assessments, subsidies, allow flexibility for farmers; Indian Ladder Farms discussed as an example.
- Create public access to open space through a trail system
- Lighter industry could be sited in the area south of the Vloman Kill and west of the Thruway.
- Create access and connections (vehicular, bicycle, pedestrian) between residential and commercial. Allow for residential close to access points– as gas prices increase, people may not want to commute far to work.

***Public Comments***

- Bethlehem is a large town and there is enough room for everything including big box, small shops, sidewalks, sprawl, etc.
- Affordable housing is very important.
- Senior housing should be within walking distance of services such as grocery stores, medical services, etc.

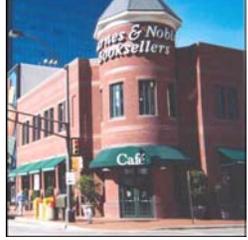


**Town of Bethlehem**  
**Visioning Workshop**  
*Image Preference Evaluation & Discussion Comments*

**June 15, 2004**  
**Town Hall Auditorium**

Workshop participants were asked to take part in an image preference evaluation during the Visioning Workshop. Over 50 images were shown illustrating various styles and types of commercial development, housing, streetscape and public spaces. These images are included in the Visioning Workshop presentation. Participants were given a scorecard and asked to rate each image on a scale of 1 to 7. A score of 1 is undesirable or inappropriate and a score of 4 is indifferent, while a score of 7 is very desirable or appropriate. A brief discussion of each image followed the image evaluation. The average rating of each image, as well as discussion comments, is found in the following table.

<b>Image #1</b>	<b>Average Rating: 4</b>
	<ul style="list-style-type: none"> <li>• Good because it might encourage small business</li> <li>• Car only access</li> <li>• Not attractive</li> </ul>
<b>Image #2</b>	<b>Average Rating: 4</b>
	<ul style="list-style-type: none"> <li>• Lots of green</li> <li>• Too much green</li> <li>• No trees</li> <li>• No pedestrian/bicycle access</li> </ul>
<b>Image #3</b>	<b>Average Rating: 2</b>
	<ul style="list-style-type: none"> <li>• Asphalt</li> <li>• Dangerous access</li> <li>• We can do better</li> <li>• No plantings, trees</li> <li>• No pedestrian access</li> </ul>

<b>Image #4</b>	<b>Average Rating: 4</b>
	<ul style="list-style-type: none"> <li>• Appropriate for Bethlehem?</li> <li>• Wasn't sure what it was</li> <li>• Good Signage</li> <li>• Sidewalk, curbs</li> </ul>
<b>Image #5</b>	<b>Average Rating: 4</b>
	<ul style="list-style-type: none"> <li>• Terrible signs (location)</li> <li>• Landscaping nice</li> <li>• Low sign positive</li> <li>• Visible</li> </ul>
<b>Image #6</b>	<b>Average Rating: 6</b>
	<ul style="list-style-type: none"> <li>• Trees and brick-streetscape</li> <li>• Variety of storefronts</li> <li>• Scale</li> <li>• Uncluttered with utilities</li> <li>• Small signs</li> <li>• Local businesses</li> <li>• Pedestrian buffer</li> </ul>
<b>Image #7</b>	<b>Average Rating: 3</b>
	<ul style="list-style-type: none"> <li>• Too much asphalt</li> <li>• Boring buildings</li> <li>• Ugly</li> </ul>
<b>Image #8</b>	<b>Average Rating: 5</b>
	<ul style="list-style-type: none"> <li>• Brick and architecture is nice</li> <li>• Sign too visible</li> <li>• Too much brick</li> <li>• Scale related to sidewalk</li> </ul>

<p><b>Image #9</b></p> 	<p><b>Average Rating: 3</b></p> <ul style="list-style-type: none"> <li>• Big Box</li> <li>• Anywhere, USA</li> <li>• Car oriented</li> </ul>
<p><b>Image #10</b></p> 	<p><b>Average Rating: 4</b></p> <p>Positive</p> <ul style="list-style-type: none"> <li>• Wide sidewalk</li> <li>• Re-use/context of adjacent uses/area</li> <li>• Signage</li> </ul> <p>Negative</p> <ul style="list-style-type: none"> <li>• Little parking</li> <li>• Trees (too small)</li> </ul>
<p><b>Image #11</b></p> 	<p><b>Average Rating: 3</b></p> <ul style="list-style-type: none"> <li>• Parking in front</li> <li>• No green</li> <li>• Architecture</li> <li>• In-town location (positive)</li> </ul>
<p><b>Image #12</b></p> 	<p><b>Average Rating: 5</b></p> <p>Negative</p> <ul style="list-style-type: none"> <li>• Looks like a prison</li> </ul> <p>Positive</p> <ul style="list-style-type: none"> <li>• Reuse</li> <li>• Public Space</li> <li>• Lighting</li> <li>• Underground utilities</li> </ul>
<p><b>Image #13</b></p> 	<p><b>Average Rating: 5</b></p> <ul style="list-style-type: none"> <li>• Small scale</li> <li>• Local bus</li> <li>• Awning</li> </ul> <p>Negative</p> <ul style="list-style-type: none"> <li>• Can't see signs</li> <li>• Typical strip mall</li> </ul>

<b>Image #14</b>	<b>Average Rating: 5</b>
	<p>Positive</p> <ul style="list-style-type: none"> <li>• Landscaping</li> <li>• Building materials</li> </ul>
<b>Image #15</b>	<b>Average Rating: 4</b>
	<p>Positive</p> <ul style="list-style-type: none"> <li>• Nice Design</li> <li>• Landscaping</li> </ul> <p>Negative</p> <ul style="list-style-type: none"> <li>• Too big</li> <li>• Isolated</li> <li>• Auto oriented</li> </ul>
<b>Image #16</b>	<b>Average Rating: 3</b>
	<ul style="list-style-type: none"> <li>• No walking area</li> <li>• Loading docks</li> <li>• Design (Architecture)</li> </ul>
<b>Image #17</b>	<b>Average Rating: 5</b>
	<ul style="list-style-type: none"> <li>• Re-use of building</li> <li>• Mixed use/multi story</li> <li>• Pedestrian access to neighborhood</li> <li>• No power lines</li> </ul>
<b>Image #18</b>	<b>Average Rating: 3</b>
	<p>Positive</p> <ul style="list-style-type: none"> <li>• Parking</li> <li>• We know what it is/ can clearly identify</li> <li>• Pedestrian provisions</li> </ul> <p>Negative</p> <ul style="list-style-type: none"> <li>• Parking (traffic)</li> </ul>

<b>Image #19</b>	<b>Average Rating: 4</b>
	<p>Positive</p> <ul style="list-style-type: none"> <li>• Could do worse</li> <li>• Low profile</li> <li>• Small business</li> <li>• Connections to neighborhood</li> <li>• Fence</li> </ul> <p>Negative</p> <ul style="list-style-type: none"> <li>• Fence</li> <li>• No parking</li> <li>• Vehicle speed on street</li> </ul>
<b>Image #20</b>	<b>Average Rating: 3</b>
	<ul style="list-style-type: none"> <li>• Big Store</li> </ul>
<b>Image #21</b>	<b>Average Rating: 4</b>
	<p>Positive</p> <ul style="list-style-type: none"> <li>• Trees</li> <li>• Bench</li> <li>• Bus stop</li> </ul> <p>Negative</p> <ul style="list-style-type: none"> <li>• Trying to hid building (try too hard)</li> <li>• Random place for bus stop</li> </ul>
<b>Image #22</b>	<b>Average Rating: 5</b>
	<ul style="list-style-type: none"> <li>• Friendly</li> <li>• Affordable</li> <li>• Porches</li> <li>• No garage doors</li> </ul>

<b>Image #23</b>	<b>Average Rating: 4</b>
	<ul style="list-style-type: none"> <li>• Suburban sprawl</li> <li>• No landscaping</li> </ul> <p>Positive</p> <ul style="list-style-type: none"> <li>• Lots of space</li> <li>• Combine living /green space</li> <li>• Big lawns</li> <li>• No defined property lines</li> </ul>
<b>Image #24</b>	<b>Average Rating: 3</b>
	<ul style="list-style-type: none"> <li>• No trees</li> <li>• No sidewalk</li> <li>• No community feel</li> <li>• Sewer</li> </ul>
<b>Image #25</b>	<b>Average Rating: 3</b>
	<ul style="list-style-type: none"> <li>• People on top of each other</li> <li>• House too large for lot</li> <li>• Garage</li> </ul> <p>Positive</p> <ul style="list-style-type: none"> <li>• Greenspace</li> <li>• Larger variety of floorplans</li> <li>• Orientation of garage door</li> </ul>
<b>Image #26</b>	<b>Average Rating: 4</b>
	<ul style="list-style-type: none"> <li>• Clearcut</li> <li>• Scale of lots (too large/too small)</li> <li>• Site line</li> </ul>
<b>Image #27</b>	<b>Average Rating: 3</b>
	<ul style="list-style-type: none"> <li>• Cookie cutter</li> <li>• Rural sprawl</li> <li>• Sidewalks (Positive)</li> </ul>
<b>Image #28</b>	<b>Average Rating: 2</b>
	<ul style="list-style-type: none"> <li>• Garage</li> </ul>

<p><b>Image #29</b></p> 	<p><b>Average Rating: 5</b></p> <ul style="list-style-type: none"> <li>• Garage in back</li> <li>• Style of architecture</li> <li>• Close to street</li> <li>• Sidewalks</li> <li>• Porches</li> </ul>
<p><b>Image #30</b></p> 	<p><b>Average Rating: 5</b></p> <ul style="list-style-type: none"> <li>• Reuse</li> <li>• Character of building</li> <li>• Appropriate density</li> <li>• Materials</li> <li>• Green space</li> </ul>
<p><b>Image #31</b></p> 	<p><b>Average Rating: 4</b></p> <ul style="list-style-type: none"> <li>• Cars in back</li> <li>• Landscaping</li> <li>• Compact</li> <li>• Modern version of brownstone</li> </ul>
<p><b>Image #32</b></p> 	<p><b>Average Rating: 5</b></p> <ul style="list-style-type: none"> <li>• Narrow street</li> <li>• Scale</li> </ul> <p>Negative</p> <ul style="list-style-type: none"> <li>• Trees</li> </ul>
<p><b>Image #33</b></p> 	<p><b>Average Rating: 4</b></p> <p>Negative</p> <ul style="list-style-type: none"> <li>• Green chemical grass</li> <li>• Street design</li> </ul>

<b>Image #34</b>	<b>Average Rating: 5</b>
	<ul style="list-style-type: none"> <li>• Scale</li> <li>• Character</li> <li>• Variety</li> <li>• Pedestrian buffer</li> </ul> <p>Negative</p> <ul style="list-style-type: none"> <li>• Too close</li> </ul>
<b>Image #35</b>	<b>Average Rating: 6</b>
	<p>Positive</p> <ul style="list-style-type: none"> <li>• Trees</li> </ul>
<b>Image #36</b>	<b>Average Rating: 3</b>
	<p>Negative</p> <ul style="list-style-type: none"> <li>• Not inviting</li> <li>• Run-down</li> </ul>
<b>Image #37</b>	<b>Average Rating: 5</b>
	<ul style="list-style-type: none"> <li>• Benches</li> <li>• Trees</li> <li>• Pedestrian Buffer</li> <li>• Defined store entrances</li> </ul>
<b>Image #38</b>	<b>Average Rating: 5</b>
	<ul style="list-style-type: none"> <li>• Slow Traffic</li> <li>• Attractive</li> <li>• Pedestrian amenities</li> <li>• Green median</li> <li>• Will this fit into Bethlehem?</li> </ul>
<b>Image #39</b>	<b>Average Rating: 4</b>
	<ul style="list-style-type: none"> <li>• Sidewalk</li> <li>• Banners</li> </ul> <p>Negative</p> <ul style="list-style-type: none"> <li>• Utility poles</li> <li>• Access to business (pedestrian access)</li> </ul>

<b>Image #40</b>	<b>Average Rating: 4</b>
	<ul style="list-style-type: none"> <li>• Sidewalk but close to street</li> <li>• Paved shoulder</li> <li>• Dangerous for pedestrians</li> </ul>
<b>Image #41</b>	<b>Average Rating: 3</b>
	<p>Positive</p> <ul style="list-style-type: none"> <li>• Crosswalk</li> </ul> <p>Negative</p> <ul style="list-style-type: none"> <li>• Stark</li> <li>• Long crosswalk</li> </ul>
<b>Image #42</b>	<b>Average Rating: 5</b>
	<p>Positive</p> <ul style="list-style-type: none"> <li>• Not far to walk</li> <li>• Brick work</li> <li>• Accessible</li> </ul>
<b>Image #43</b>	<b>Average Rating: 4</b>
	<p>Positive</p> <ul style="list-style-type: none"> <li>• Walk to school (close to homes)</li> <li>• Protection (crosswalk)</li> <li>• 4-way stop</li> </ul> <p>Negative</p> <ul style="list-style-type: none"> <li>• Kids off crosswalk</li> <li>• Wide intersection</li> </ul>
<b>Image #44</b>	<b>Average Rating: 6</b>
	

<b>Image #45</b>	<b>Average Rating: 5</b>
	<p>Positive</p> <ul style="list-style-type: none"> <li>• Trees for shade</li> <li>• Lighting</li> <li>• Pedestrian friendly</li> <li>• Looks quiet</li> </ul> <p>Negative</p> <ul style="list-style-type: none"> <li>• No pedestrian seating</li> <li>• No style</li> </ul>
<b>Image #46</b>	<b>Average Rating: 5</b>
	<ul style="list-style-type: none"> <li>• Kept for rec. resources</li> <li>• Accessible</li> <li>• Pocket park</li> <li>• Lighting</li> </ul>
<b>Image #47</b>	<b>Average Rating: 5</b>
	<ul style="list-style-type: none"> <li>• Public space in natural setting</li> <li>• Passive recreation</li> </ul> <p>Negative</p> <ul style="list-style-type: none"> <li>• Maintained?</li> <li>• ADA</li> </ul>
<b>Image #48</b>	<b>Average Rating: 6</b>
	<p>Positive</p> <ul style="list-style-type: none"> <li>• Maintain wild area</li> <li>• Quiet</li> <li>• Preserve will provide access</li> </ul> <p>Negative</p> <ul style="list-style-type: none"> <li>• No railing</li> </ul>
<b>Image #49</b>	<b>Average Rating: 6</b>
	<ul style="list-style-type: none"> <li>• Dangerous for bike riders (multi-use)</li> </ul> <p>Positive</p> <ul style="list-style-type: none"> <li>• Accessible</li> <li>• Large green space</li> <li>• Walking and talking</li> </ul>

<b>Image #50</b>	<b>Average Rating: 6</b>
	<ul style="list-style-type: none"> <li>• River access</li> <li>• Landscaping</li> <li>• Mixed recreation</li> <li>• Many age groups</li> </ul>
<b>Image #51</b>	<b>Average Rating: 6</b>
	<ul style="list-style-type: none"> <li>• Inviting, attractive</li> <li>• Views</li> <li>• Public gathering space</li> <li>• Will people go to? (negative)</li> </ul>
<b>Image #52</b>	<b>Average Rating: 5</b>
	<p>Positive</p> <ul style="list-style-type: none"> <li>• Waterfront access (is it possible)</li> <li>• Mixed use</li> <li>• Some green</li> <li>• Many people can live here</li> <li>• Master plan</li> </ul> <p>Negative</p> <ul style="list-style-type: none"> <li>• Water quality</li> <li>• No natural area left</li> <li>• Looks too much like Miami</li> </ul>
	<b>Public Comment</b>
	<ul style="list-style-type: none"> <li>• Town is large and there is room for all images (big box, small shops, sprawl, sidewalk)</li> <li>• Concern regarding affordable housing – current residents are being priced</li> <li>• Out of town</li> <li>• Location of senior housing and services (within walking distance)</li> <li>• Affordable housing</li> <li>• Make it easy for developer to develop affordable housing</li> </ul>



**Town of Bethlehem**  
**Focus Group #1**  
***Current Zoning and Development Review Process***

**May 20, 2004**  
**Town Hall Auditorium**

The Town of Bethlehem Planning Advisory Committee (BPAC) sponsored the first of five focus group meetings on Thursday, May 20, 2004. The Town is currently engaged in creating a Comprehensive Plan to identify the Town's long-term vision. The series of focus group meetings will address specific topics or geographic areas. Focus Group #1 addressed the current zoning and development review process. Approximately eighty community members, developers, Planning Board members, Zoning Board members, and Town officials attended the focus group. The purpose of this focus group was to determine areas in the current zoning that should be updated and identify potential solutions.

Following an introductory presentation by The Saratoga Associates, The LRC Group provided an overview of the current zoning and subdivision regulations. Workshop participants were then divided into three breakout groups for a more in-depth discussion. Participants were asked to assign themselves to one of the following groups: project proposers, project reviewers, or project neighbors. After an icebreaker, the following set of questions were addressed in each group:

*Icebreaker:* Think of a single word to describe a recent experience you had while working with the current land use regulations or development review process? Briefly explain.

1. What is working in terms of current land use regulations or development review processes?
2. What are the primary problems or concerns that you have regarding current land use regulations or development review processes? Prioritize issues.
3. What are your suggestions for fixing each of these issues and what should the solution accomplish?

The participants' responses for each are listed below.

**Project Proposers**

***What is working:***

- Staff is up-front and accessible – door is always open
- Most officials will talk to you

***Primary problems or concerns:***

- Slowness of review for commercial development
  - Detracts from investment when Town needs commercial tax base
  - Too many hurdles
- Should pre-approve or fast track
- Lack of uniform application of rules
  - Different interpretations by reviewers
- Slow review for residential
  - Additional cost to developers (and also to land owners)
- Process seems designed to slow things down
  - Insufficient staff for review
  - Can't hire independent consulting engineer
- Too murky/too gray
  - Takes too long because it is unclear
  - The plan needs to resolve what belongs where, etc.
  - Need to be more black and white to know where you stand
- 'Planning Board' is an approval board – developers plan
- Multiple-jurisdictions (town, state) will always slow things down
- State and federal agencies – slow, but process is clear
  - Town process is less clear
- Tell people what to do – if it is done, move through process more quickly
- Broad interpretation
- Challenge is how to be specific
- Started with an un-planned town and are in a reactive mode with band-aid fixes
- Trying to catch up with growth in terms of infrastructure and services – causing reactive approach
- Variances – ZBA doesn't follow proper review criteria (as outlined in state law)
- Lack of coordination between many agencies – town, state, federal
  - No clear coordination between town entities
- Lack of cooperation by review boards, but also the public – nobody embraces a project , just opposition
- Planning Board not expert in development and this leads to a lack of understanding
- Need for training for the boards, possibly through NYS Department of State
- Need to expedite/coordinate review process for the type of development that is desired

***Solutions:***

- Expedite review
  - For type of development wanted
  - Simplify if project meets criteria
  - Clearer timetables – make certain to stick to them
  - Assign adequate, committed and knowledgeable staff reviewers (with experience in building)

- Costs/fees for outside independent review (engineers)
  - Viewed as a cost of doing business and okay if it expedites the process
  - Concern for the small developer
- Pre-approved or prepared site for industrial or commercial development
- Too murky/Too gray
  - Tell people what to do; if done then the process moves more quickly
  - Flexibility
  - Too many variances is a problem
  - Plan – question about how to do this and whether you can
  - Understand likelihood of approval
    - Be up-front early in process
  - Do not regulate what doesn't need to be
  - Establish objective/measurable criteria

### **Project Reviewers**

#### ***What is working:***

- Exchange of ideas from staff to applicants
- Good staff communication
- Competent and professional planning and zoning boards
- Zoning Board of Appeals:
  - Quick decisions
  - Professional staff for review and issue identification
  - Well-defined guidelines
  - Excellent elements of existing system, including staff

#### ***Primary problems or concerns:***

- Lack of integration of school district plans with zoning
- Code lacks underlying political vision for Town
- Lack of zoning distinction for hamlets
- Incomplete submittals
- Convoluted process
  - Integration of SEQRA
  - Agency jurisdiction confusion
    - Who?
    - Correct lead agency?
    - PDD
- Code lacks up to date standards
- Limited agricultural business without definition

#### ***Solutions:***

- Fix the process
  - Send back incomplete submittals

- Independent engineer review at submission
- Create a functional code with the following:
  - Definitions
  - Provision for split lots
  - Provisions for non-conforming lots
  - Cluster authority
- Create a working boundary for hamlets
  - Provisions for sewer and water services
  - Code to recognize hamlet character
- Zone change and site plan review
  - Planning Board needs to perform site plan review for zone change

### **Project Neighbors**

#### ***What is working:***

- moratorium

#### ***Primary problems or concerns:***

- Inconsistency of regulations
  - Planning Board has broad discretion
  - Not everyone has the same rules
- Representation
  - Not enough representation of Selkirk area at government level
  - South Bethlehem representation
  - Town versus Country
- Trespassing (trails)
- Environmental standards (lack of standards)
  - Erosion control
  - Clearcuts near streams
  - Overdevelopment
  - Not stringent enough
  - Effects of development on natural areas downstream, i.e. algae
- Consider traffic impacts
  - Speeding
  - Traffic signals
- Costs of development not distributed fairly in terms of schools and taxes
- Development review process too long
- Sprawl and single uses
  - Would like to see mixed use development
- Lack of accountability
  - Developer's money talks
  - Promises by developer not followed through
  - Weak enforcement

- Penalty should be enforced
- Require performance bond
- Must have ‘teeth’
- Explore neighborhood associations
  - What are responsibilities – would these be beneficial
- Parkland set asides
  - Think about connections to critical areas when allowing development
- Consider the small developer
  - Costs
  - Alternative review process
- Different sectors of the community are not recognizing common goals
- Fear the loss of agricultural land and community character
- Neighbors of zoning changes feel disregarded and not a part of process
- Planning Board is too rigid
- The current regs are geared toward the developer not the landowner
- Outdated regulations
- No context or consideration of cumulative impacts of projects
- Need to consider impact on emergency services, schools

***Solutions:***

- Environmental Standards
  - Environmental Impact Statements should be more easily accessible to public
  - Identify and protect sensitive areas – bring into subdivision review process
  - Big fines for non-compliance
  - Require open space
    - Town-wide
    - With new development
    - Provide incentives to preserve existing agricultural land
    - Fear of takings
  - Storm sewer system
  - Protect Hudson River
- Representation
  - One school district an idea to examine
    - May lead to more information readily available to all residents
  - Representatives on boards should be from all areas of Town (at-large versus district representatives.)
  - Increase communication and publicity of activities
  - Create local liaisons between various areas of Town
- Create a more equitable system
  - Address fairness of review requirements for small subdivisions
  - No tax exemptions for commercial development
  - Require performance bonds

- Developers should pay for infrastructure and additional community services
- Update regulations
  - Allow for mixed use
  - Should be more flexible
    - Have ability to interpret on a case by case basis
    - Should also be flexible over time
  - Encourage alternate modes of transportation
  - Put more ‘teeth’ in trespass laws
- Address fiscal aspects and impacts on taxes
  - Lower taxes on undeveloped land
  - Adopt an adequate public facilities and services ordinance
  - Pass costs of services on to the new home buyer in new residential developments instead of developer
  - Require a fiscal impact analysis as part of site plan review

**Public Comments**

- Placement of professional offices should be considered
- Keep the definition of agriculture as it currently is in the zoning
- Allow for 2-family homes in the zoning
- Address when an applicant is required to go through subdivision review (small versus large subdivision)
- Try to establish a balance of mixed uses



**Town of Bethlehem**  
**Focus Group #2**  
***Slingerlands Bypass Extension and Vicinity***

**May 24, 2004**  
**Slingerlands Elementary School**

As part of the comprehensive planning process, the Town of Bethlehem Planning Advisory Committee (BPAC) sponsored the second of five focus group meetings on Monday, May 24, 2004. Focus Group #2 addressed the Slingerlands Bypass Extension and the surrounding area. Approximately seventy community residents, business owners, and Town officials attended the focus group. The purpose of this focus group was to describe the bypass extension, discuss additional concepts for the area and identify suggestions for the future of the area.

Following an introductory presentation by The Saratoga Associates, a representative of the New York State Department of Transportation Region 1 (NYSDOT) provided a brief overview of the Slingerlands Bypass Extension and a representative from BBL Corporation described the concept of the Vista Technology Center.

According to NYSDOT, the Slingerlands Bypass Extension has been discussed for many years and will be a four-lane divided roadway with limited access. The Bypass will loop behind the existing Price Chopper Plaza and connect with Cherry Avenue. The purpose of the Bypass will be to relieve traffic on New Scotland Road. Maps illustrating the alignment and design elements were displayed.

An illustrated concept plan was also displayed for the Vista Technology Center. The site would involve a 440-acre parcel, of which 30% would be developed. The remaining area would be devoted to open space in the form of trails and a nature park. The Vista Technology Center concept will primarily include several one and two story buildings that would provide employment for many in the region. The concept discusses a mix of commercial office and research uses with limited service or retail uses.

Workshop participants were then divided into three breakout groups for a more in-depth discussion. The following set of questions were addressed in each group:

1. What do you like about the projects/ideas that have been described? Why?
2. What concerns you about the projects/ideas that have been described? Why?
3. What suggestions do you have for improving the future of this area?

The participants' responses for each are listed below.

## **Group 1**

### ***What do you like:***

- Multi-use trail along the bypass
- Tech Park – commercial tax base
  - Not near residences
  - Similar to Hillsboro, Oregon (Intel) (\$40 billion investment)
- Takes Traffic off New Scotland Road – cars go direct to Cherry Ave.
- Alternative housing opportunities – variety of housing types
- Capacity increase all the way to Albany
- Tech Park – open space along Normanskill
  - Natural buffer
- Idea of mixed-use Town Center (including housing options)
- Re-urbanization of New Scotland Road an exciting idea
  - Destination for employees and residents

### ***What concerns do you have:***

- Access to bypass from the Tech Park and Price Chopper is inadequate as shown on map
  - But limited access is important to maintain highway function
- Concern about commercialization
  - No strip-mall, fast food
  - Mixed-use commercial/residential? (a real community) – Perhaps this would okay
- Concern about the rest of Slingerlands
  - impact of traffic; encourage new trips – this is a problem
- Will simply move congestion to Cherry Ave. at Kenwood Ave. (2 lanes)
- Process Occurring Backwards – Comp Plan should come first, infrastructure second
- Too much emphasis on moving cars – roads don't solve congestion
  - How to move people? Alternative modes
  - Land Use
  - Tech Park employees – how do they move from place to place
- Stoplight needed at Maher Road
- Sidewalk along New Scotland Road needed – as important as multi-use trail along bypass
- Tech Park design
  - Does not reflect current thinking – how about a mixed-use “place”
  - Very conventional
- If New Scotland Road becomes commercial there is an opportunity to control the design to reflect a more traditional urban form

- Environmental Concerns
  - Tech Park – Normanskill
  - Preserve natural features of the site, don't over-grade or clear

***Suggestions for the future:***

- Continue road extension to 85A in New Scotland (serious environmental constraints – but still consider) - perhaps DOT/State should start reserving right-of-way
- Place emphasis on pedestrian-friendly, people-friendly place
  - Not as auto dependent
  - Minimize auto influence
- Plan specific but limited points of access onto bypass extension
- Opportunity to plan Normanskill for nature walks, access (canoeing)
- Redesign Tech Park – more mixed-use – town center
- Intersection with Cherry Avenue Ext. – consider pedestrians and bicycles
- Redesign Tech Park with thought to these other issues (i.e. right-of-way to New Scotland)
- Discourage residential growth in the area – increases burden on schools, resources (water) – instead improve existing residential neighborhoods in town
- Develop open space plan for this area – network
- Careful with lights and signs with new commercial

**Group 2**

***What do you like:***

- Young adults can stay local – jobs
- Bypass
- Bike/pedestrian Facilities
- Tax revenue potential
- Low rise buildings

***What concerns do you have:***

- More variety in land use (villages) – reduce vehicular trips
- More bus service
- Bike/pedestrian quality on New Scotland Road (Price Chopper entrance) after bypass is built
- Utilities (water/sewer/power)

- High tech (could raise taxes)
- Treatment of New Scotland after bypass
- Turning out of Maher Road (speeds – need signal)
- 1/3 that goes west into Hamlet of Slingerlands
- Impact to Remainder of New Scotland after bypass is built
- Increase in traffic on Cherry Ave /Elm Ave.
- Traffic accessing the Tech Park
- Tech Park attracts wealthy residents – could lose control of town
- Don't want bypass in backyard
- Fire service – where are volunteers going to come from?

***Suggestions for the future:***

- Develop area as a Hamlet with affordable housing
- Reserve corridor from New Scotland to 85A
- Berm/buffer along bypass
- Reduce speed on bypass
- Focus/Consider quality of life and bike/pedestrian facilities in all future planning efforts
- Do something with the Blue Cross/Blue Shield building
- Focus on retaining long-term residents and blue collar workers
- Development that accompanies Tech Park is good for the town (nature trails, community center, not strip malls).
- Tech Center works with schools so kids can stay
- Ask developers to present/allow options for Tech Park use
- Attract business/industry that is not traditionally outsourced (overseas, etc.)

**Group 3**

***What do you like:***

- Direct connection provided by the bypass
  - Speed up travel
  - Easier on neighborhoods
- Bike and Pedestrian Trails
  - Bypass & Vista concept
- Finally time for bypass to be constructed
  - Maher Road resident
- Commercial Park

- Jobs & tax base
- Separate from residential areas
- Design of bypass
  - Slow traffic – especially on Route 140
- Vista Park
  - Cluster of buildings and preservation of open space
- Areas near/adjacent to New Scotland could reflect hamlet-style character – must consider

***What concerns do you have:***

- Dislikes all concepts:
  - Concepts developed without Comp Plan and should be put on hold until comp plan is complete
  - Concern with traffic impacts from Vista Park
  - Vista an isolated location
    - Residents not likely to use bike paths
  - Concerned with safety of biking and walking
  - Access by residents?
- Higher density on New Scotland
- Regarding the bypass - more lanes will promote more traffic
- Disaster waiting to happen, especially without a comprehensive plan
- Supporting infrastructure and services such as fire, police, etc.
- Bottle neck at Route 140 and New Scotland (what happens beyond Price Chopper)
- Other alternatives to get to work
  - Bypass handles current traffic, but what about other modes?
  - Bus, bike, light rail
- DOT maps (bypass design)
  - LaGrange Road access?
  - Vista impact on bypass?
  - Might not be right process for Tech Park to be examined within
- Process being followed
  - Bypass
    - Opportunity to make it fit better into community
    - Don't split community further
    - Route 140 and New Scotland
      - Concern with walkability
    - Should strive to make bypass function for traffic and community
- Traffic on New Scotland Road

- Increased development in Town of New Scotland and potential impact on intersection of New Scotland Road and Rte 140
- Vista employees access to bypass
  - Light/signal needed at La Grange Rd.
- Access to Price Chopper
  - Safety concerns
  - After bypass is constructed, will it still be possible to walk to Price Chopper?
- Bike path access – where along bypass?
- Access management – consolidate to single point of access along bypass
- Reserve right-of-way within Vista Park to allow for a future continuation of bypass
- The amount of traffic on bypass
- Bus service
  - Within the Town
  - Other areas

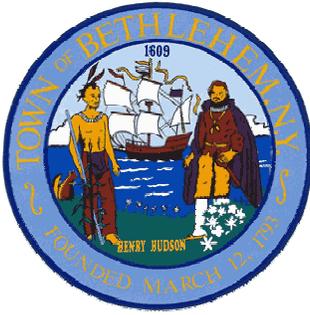
***Suggestions for the future:***

- Develop comprehensive plan first and then follow the vision identified by residents regarding:
  - Traffic, Residential uses, Education, etc.
  - Possible multiple use path
  - Mass transit
  - Bike/pedestrian connections
- Only way for bypass to be successful is to be limited access
- Target development on New Scotland
- Must find vision for New Scotland
- Mixed-use on New Scotland okay. RE: Capacity
- Aesthetics – Gateway to town
  - Streetscape along bypass
- Bike and sidewalk links
  - Delmar/Cherry Ave. and Price Chopper
  - Down Route 140
- Long-term
  - Growth to west (impact on New Scotland Road)
  - Extend bypass to Town of New Scotland
    - Reduce impact
    - Reduce truck traffic on Elm Ave.
- Bus

- Limited schedules (need more frequent times)
- Few Bethlehem residents use
- Coordinate with CDTA to increase ridership
- Property Owner Concern
  - Property owners should have reasonable return (if desired)
  - Also benefit town in some way in term of tax base
  - How to balance?
- D & H railroad – trail opportunity
  - Connect to Price Chopper
  - Light rail with a link to Vista Park
- Planning can't be done in isolation
  - Need to examine what is happening in Albany and Town of New Scotland and determine impacts

### **Public Comments**

- Affordable housing do not necessarily mean low income housing. It is important to have housing that is affordable for those with an income of \$40-50,000 also.
- All of these proposals should be on hold until the comprehensive plan is finished
- Bypass process
  - The bypass should not be tabled because of these discussions
  - Project should continue to move forward
- Concern regarding timing issues regarding current projects and the comprehensive plan.
- Vacant Buildings
  - Think about opportunities for re-use (long-term) when new buildings are constructed
- Address regional traffic
- Need to make sure we do the bypass right the first time
  - We have an opportunity now and once the bypass is built the opportunity will be gone.



**Town of Bethlehem**  
**Focus Group #3**  
***Bethlehem's Riverfront***

**September 2, 2004**  
**Town Hall Auditorium**

As part of the comprehensive planning process, the Town of Bethlehem Planning Advisory Committee (BPAC) sponsored the third of five focus group meetings on Thursday, September 2, 2004. Focus Group #3 addressed the Bethlehem Riverfront. Over one hundred community residents, business owners, property owners and Town officials attended the focus group. The purpose of this focus group was to describe existing conditions of the riverfront, discuss current projects and initiatives, and identify opportunities for the future of the riverfront.

The Saratoga Associates provided a brief overview of the comprehensive planning process and described what has been occurring to date. The meeting presentation is available on the Town website. Workshop participants were then asked to participate in an icebreaker. Participants were asked to identify what is currently working regarding the riverfront and also to discuss what issues or concerns they have about the riverfront. The results of this discussion are listed below. Following this interactive discussion, the current setting of the riverfront was described in terms of land use, zoning, specific projects (such as the EPA Dewatering Facility Site selection), or concepts (such as the Henry Hudson Harbor and Hamlet Concept).

The second portion of the workshop consisted of facilitated discussions in breakout groups. Participants were divided into four breakout groups. The following set of questions were addressed in each group:

1. What do you like about the ideas that have been described? Why?
2. What concerns you about the ideas that have been described? Why?
3. What other opportunities do you see for improving the future of Bethlehem's riverfront?

The participants' responses for each are listed below.

**Icebreaker**

***What is working in terms of the Town's riverfront area?***

- Henry Hudson Park
- Wooded areas; open fields
- Know neighbors; not overcrowded
- Limited traffic/easy commute from Albany
- Clean riverfront, especially Henry Hudson Park
- Rensselaer side of river is pristine

- Wildlife
- Historic area
- Character of houses
- Tidal qualities of the Hudson River (ebb and flow of river)
- Rural roads for bicycling
- Historical aspects
- River traffic to Port of Albany

***What is not working? What concerns do you have about this area?***

- Not enough riverfront for residential purposes
- Too many housing developments
- Destruction of archeological and historical resources
- Much of riverfront is spoiled by industry
- If grant funding is received, then the park must be open to all
- Too much parking and asphalt in Henry Hudson Park to accommodate boating - changing character of park
- Noise and pollution from boat traffic
- Lacking nature preserve
- Loss of family land to development
- Increasing housing costs
- Perception of areas East of Rt. 9W not treated as others in Town (services)
- Truck traffic and speeding on Rt. 144
- Want to keep open space (reason for moving from Delmar)
- Impact of development on other side of River (Rensselaer side)
- Floodplain protection
- Crime rate increase if more development occurs
- Additional Rt. 144 traffic (as a result of new interchange)
- Competing projects along waterfront
- Preserving open space before its gone
- Housing development near Henry Hudson Park – concerns with downstream pollution and the sustainability of land and taxes
- EPA dewatering site
- Underutilized former industrial properties

**Group 1**

***What do you like about the ideas described:***

- Walkable Community
  - Services close (such as a market) – less reliance on cars
- Truck traffic resolved
- Managing change, not being reactive
- Mix uses, residential & non-residential
- Tries to start with a vision and zone accordingly

- Will allow more residents to access the river
- Concept OK (location is not)
- Job creation for all levels–
  - Technology industries, retail, services, etc.
- Recreation/Trails

***What concerns do you have:***

- Pristine location of harbor concept – how about using brownfields to the north?
- Opposite of keeping this a “rural” community, bringing more development
- Other options to conserve land should be considered
- Concern about Eminent Domain
- Road (bypass) will go on peoples’ homes, bring trucks to this area
- Will the interchange devalue property?
- Traffic on Rt. 144
- How will people get to this area from other areas of town (especially by bicycle)
- To move traffic from Selkirk to this area seems wrong. Traffic will be drawn here instead.
- Costly
- Will destroy sense of community currently there and impact quality of life
- Is it possible to create these benefits without this concept plan
- Is there another way to solve Selkirk truck traffic issue?
- Uses the riverfront to solve a problem from outside this area.
- 10 mile riverfront– look, focus on the whole area, preserve resources
- Impact on school district?
- River is a unique and special resource, this is an inappropriate concept for the riverfront
- The plan fragments green space
- Destroys historical homes
- Zone area for conservation.
- Concern about unzoned areas
- This concept doesn’t resolve what happens to land outside of here. Stimulates development.
- Too big

***Opportunities or suggestions for the future:***

- Utilize the tank farm area or other brownfield areas to focus development and create potential access to the riverfront

**Group 2**

***What do you like about the ideas described:***

- Eliminates southern bypass
- We’re thinking about it as a community
- Like the green aspects, pedestrian amenities, bicycle access

- Not auto-dependent
- Good if connected to Corning Preserve
- Good if there is a school, post office, etc.
- Mixed use
- Self-contained
- Controlled development is better than haphazard development
- Emphasis on quality of life
- Adds another housing option to town

***What concerns do you have:***

- Other uses in area might pose conflicts (Niagara Mohawk, etc.)
- Would be plunking down a new community into an existing one (not vacant land)
- Will there really be a market for such a community?
- Only water available would be from river near docks
- Increased traffic on Rt. 144
- Concept plan details are vague and deceptive (no definitions of green infrastructure, etc.)
- Concern about sales pitch that would increase property values as increases housing costs
- Existing residents will be pushed out
- River is unique and unspoiled, don't spoil
- Historic area
- Concept preceded discussion with residents
- How will it affect community services such as fire, ambulance, etc.?
- Most school taxes would go to RCS
- Possible draw of people from Albany/CDTA buses/crime
- How many families will be affected and lose homes with new interchange
- Concerns about grant funding with strings
- 36" gas line in area of concern
- Concept takes no notice of RR line – perhaps RR is better than bypass for industrial transport
- Truck stop potential a concern
- Has there been market research supporting demand for this
- Concern with coordinating zoning with development of concept
- Need to see the experiences of others – successful?
- Conflict with EPA dewatering site
- Already good park access, don't need concept's green space

***Opportunities or suggestions for the future:***

- Use RR lines for industrial transport
- More parks and nature preserves
- Rowing/canoe club
- Restaurant on river
- Take advantage of historic area – create a living museum

- Office and neighborhood commercial development rather than light industrial
- Light industry
- Work with existing hamlets rather than create new one
- The concept has no need for a river location
- Move concept to a brownfield site rather than this greenfield site

### **Group 3**

#### ***What do you like about the ideas described:***

- Incorporates mixed use principles
- Attractive Design elements
- Planned focus on land use
- The idea of knowing future land use, for better or worse, is encouraging
- The ability to have input in process
- Incorporates green space
- Solves existing and future traffic problems

#### ***What concerns do you have:***

- Existing waterfront-----Leave it alone
- Condition of river-----generation of more trash will require additional cleanup
- Development will decrease property values
- Doesn't address desires/needs of existing residents
- Displaced/loss of homes
- Unrealistic in scope and size
- Residential component-----do not need any more in the area
- Increased boating traffic
- Will this push the Town over its desired population?
- Is there a market---especially in the winter?
- Zoning/Zoning/Zoning
- Density

#### ***Opportunities or suggestions for the future:***

- Low-key/scattered opportunities for river access
- Improve infrastructure to accommodate growth
- Be more aggressive in accessing funding (Hudson River Greenway Council)
- Connections to river
- Publish results for community
- Communicate the process and results better with the community

### **Group 4**

#### ***What do you like about the ideas described:***

- Repositioning of Exit
- Planning for the future

- More commercial tax base (where?)
- Preservation of agricultural land
- Mixed use
- Preservation of open space
- Walkable community
- Walkable with open space and mixed use
- Increased recreational opportunities on river

***What concerns do you have:***

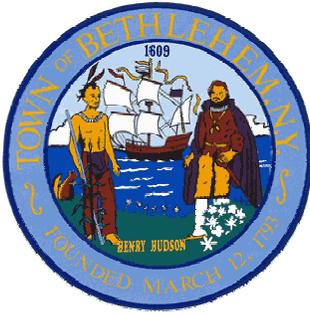
- Where is agricultural land to be protected?
- What will be in the Unzoned area?
- Cedar Hill area - if this area is to be more residential then:
  - Should be large lot
- Pollution of the Vloman Kill – already polluted
- Additional housing and costs
- Trails thru private property
- Traffic increase on Rt. 144 and 9W – it’s a shift of traffic not an actual solution
- Development inevitable, lets try to manage
- Development cannot be considered in isolation – must consider what is happening regionally with Albany County, New Scotland, Rensselaer
- Concern with future restrictions on vacant land and property owners
- EPA dewatering site
- Costs of services with residential development
- Property Value increases
  - Positive for those wanting sell
  - Negative for those wishing to stay
- Change how taxes are assessed (school tax, property tax)
- Pilots and tax breaks for commercial development only (not for residential development).
- Open space tax breaks?
- What is definition of open space?
- Trail connections – are trails necessary??
- Water & sewer capacity
- Impacts on Schools
- The concept is sprawl that results in the quality of life deteriorating
- Delmar should pull its fair share of tax base
- The area near the concept plan is unpopulated with little traffic and this is why many have moved to the area. Concern that character would change.
- Decrease of property values near new interchange
- Concept for small portion of waterfront only (RCS school district)
- Will it impact school district taxes in a meaningful way?

***Opportunities or suggestions for the future:***

- Move concept plan north
- Community boathouse and other facilities (such as in Burlington, VT)
- Use abandoned land (brownfields) on riverfront development such as “hamlet concept”
- Keep trees along River (keep the riverfront in a natural state)
- Create a clear and easy to understand development process
- Have the area developed privately with developers money
- Residents and property owners of area impacted should have a weighted voice

**Public Comments**

- With reference to the title on the concept brochure, what are traditional values and how to mix into the community?
- Concern about the location of sewer and capacity @ existing plant
- Question about the map legend
  - What is the Residential/Preservation area?
  - Open space – is a golf course possible?
- The concept may impede North-South traffic flow (difficult for bicycles and walking)
- Desire to maintain rural feel and conserve land
- The use of rail to resolve truck traffic issue should be considered
- Is the concept discussed in conflict with EPA dewatering site?



**Town of Bethlehem**  
**Focus Group #4**  
***Trails, Greenways and Recreation***

**September 23, 2004**  
**Town Hall Auditorium**

*Note: The following are comments received from participants during a public workshop.*

As part of the comprehensive planning process, the Town of Bethlehem Planning Advisory Committee (BPAC) sponsored the fourth of five focus group meetings on Thursday, September 23, 2004. Focus Group #4 addressed trails, greenways and recreation in the Town. Nearly 150 community residents, business owners, property owners and Town officials attended the focus group. The purpose of this focus group was to describe existing conditions and identify opportunities for the future of the trails, greenways and recreation in Bethlehem.

The Saratoga Associates provided a brief overview of the comprehensive planning process and described what has been occurring to date. The meeting presentation is available on the Town website. Techniques utilized in other communities to conserve areas and enhance recreation opportunities were also discussed.

The second portion of the workshop consisted of facilitated discussions in breakout groups. Participants were divided into four breakout groups. Maps were available at each group for individuals to identify geographic locations for facilities, trails, and conservation areas. The following set of questions were addressed in each group:

1. What do you like about the ideas that have been described? Why?
2. What concerns you about the ideas that have been described? Why?
3. What other opportunities do you see for the future?

The participants' responses for each are listed below.

**Group 1**

***What do you like about the ideas described:***

- Clustering
  - There appears to be economic benefits (for the developer) with this approach
  - Accomplishes land preservation through the development process
- Incentive Zoning – makes sense to use this tool with clustering or conservation subdivision

- Discussion of grants and funding opportunities – ways to fund land conservation and trail or recreation development
- Connections – looking to link recreational facilities and open spaces – Corridors and networks of open land
- Attitudes about trails – there appears to be ways that other communities have addressed the legitimate concerns about trail development – this information can be used to change attitudes here as well
- Development that works with natural features viewed as positive (conservation subdivisions)
- Discussion about the value placed on scenic views (in some communities)
- Viewed as positive that in most examples described, landowners maintain control of open land
- Tech Valley – attracting tech industries- recognition that these issues are related to economic development initiatives
- Protection of environmental resources
  - Bio-diversity –wildlife corridors
  - Water quality
- No eminent domain
  - Discussion was about willing sellers only
- These initiatives can improve health of community
- Important that we addressed trail issues upfront – trespassing, liability, etc.
- Mention of the desire to improve access to the Hudson River
- Farms staying Farms
  - Discussion of techniques such as conservation easements
    - Example: Indian Ladder Farms
- Golf course? Are there plans for one in the town?

***What concerns do you have:***

- Liability – some large land owners have had problems getting insurance because of liability exposure.
  - Public perception that Rights-of-way are for public use
- Lawsuits –still a problem if you are forced to defend yourself
  - Can the municipality pay for, or help defend a landowner who has allowed public access to his/her property for a trail?
  - Can the landowner be indemnified?
- Concern about parks being open to non-residents (if grant funding is used)
- Nothing has been done with River Road land (north of Job Corps) and it is off tax rolls
- There is a sense of urgency – worried about the loss of opportunities as the town continues to grow
- Hard to reconcile this meeting with Riverfront concept from the last meeting
- How we project ourselves as a community is a concern - Are community spaces part of our values?

- No discussion of dealing with Albany County regarding the D & H Rail line
  - There is some frustration about the lack of information about the future of this corridor. Also, there are current concerns – trespassing, use of motorized vehicles, etc.
  - Purchase will happen – issues need to be addressed now
- More publicly accessible open spaces (woods, nature trails)
  - Example: Big arena trails - keep existing trails there
  - Trails for dog walking? Trails for horses?
- What is the process for airing concerns related to proposed rail trail (D&H rail line)?
  - Policing
  - Cars on trail
- How many are really interested in trails, greenways and recreation? Concern that we are devoting attention to this, when it might not be important to most people [in this person’s opinion . Response: Community Survey might help clarify the level of interest in these topics]
- Place emphasis on redevelopment of existing sites – as an alternative to development of currently undeveloped areas
- Should have penalties for dumping
- Cost involved in safety and maintenance of trails is a concern
- Concern about regulations – must be fair
- Make it safe to get to parks without car

***Opportunities or suggestions for the future:***

- Formalize existing informal trails - map them, sign them. People trespass now.
  - Like water line
  - Along the Normanskill
  - Rockefeller Road – Bridge
  - Create non-vehicular connections between developments (when there is opposition to connecting them with streets)
- Incentives for continuance of farming and new farming
- Improve sports facilities to extend seasons.
  - Lights
  - Turf
- Clarify status of property – it is sometimes difficult to know if you are trespassing
- Allow creative use of farmland (generate money) – example cross country skiing, flexible use zoning
- Power lines are an opportunity/Work with utilities – (make sure to deal with agricultural rights that pre-exist.)
- Viewsheds
- Beautification Projects
  - Trees
  - Gardening Clubs

- Historical markers
- Barn Preservation grants

## **Group 2**

### ***What do you like about the ideas described:***

- Being able to preserve open space without impacts on landowners
- Like the cluster idea
- All ideas for preservation have merit
  - A mix is good (not all cluster)
- Likes Hudson River Valley Greenway work
- Likes pedestrian and bicycle connections to different areas
- Important to protect viewsheds
- Preserve D & H Right-Of-Way

### ***What concerns do you have:***

- Eminent domain
- Trespass concerns
- How do you access trails?
  - Parking issues?
- Underlying theme of conservation a problem
- Definition of open space is flawed – too broadly defined
- Zoning would restrict landowner right to develop and would create recreation rather than conservation uses
- Don't want conservation mandated
- Higher taxes
- Time frame important so can start protection before opportunities are lost
- Should distinguish between working with local vs. non-local developers
- Disrespect in private land and trespassing is growing – who will police?
- Who will maintain, assume safety responsibility, clean trash?
- Not enough enforcement
- Keeping non-motorized trails
- We should be able to agree without differences.
- Cost of policing
- If we don't preserve open space, more traffic will result

### ***Opportunities or suggestions for the future:***

- Better use of parks
- Use town property
- Thinks existing parks are heavily used
- Create trails on Normanskill
- Rail trail – develop and connect places such as the Phillipin Kill, park, etc?

- Use school property for trails
- ATV park
- Cluster should be mixed use
- Corridor Transfer of Development Rights should be implemented
- Ban ATV use (amend NY Laws)
- Make shoulders bigger to allow people to walk safely

### **Group 3**

#### ***What do you like about the ideas described:***

- The idea of development creating resources (as part of development process)
- Limit overdevelopment by preserving open space
- Incentives for open space preservation
- More creative ordinances to allow or require open space
- Greenways could preserve Right-Of-Ways for other uses
- Trails associated with mass transit
- Greenways can be used to protect sensitive resources
- Open Space increases quality of life
- Few heavy handed ideas in the presentation
- Quality of life can be economic incentive and an attraction to the community
- Cluster planning is important to all kinds of development
- Existing recreation resources are very good
- Riparian corridors are great resources
- Preservation of open space can save tax money
- There are tools to balance public & private recreation and open space opportunities
- Non-motorized trails are environmental pluses
- More community interaction could result from clustering and connections
- Recognition that “Willing” landowners are important to preservation and to changes in development rights
- Open Space is not necessarily open to public

#### ***What concerns do you have:***

- Safety, security, crime, ATV’s are concerns of landowners adjacent to rail trail
- Usage of rail trail should be restricted to pedestrian use
- Enforcement of rail trail usage in future – who and how?
- What entity will operate/manage the rail trail
- There are similar trail concerns for rural property as well
- Eminent domain might be used to acquire trails
- Too many voluntary techniques may make it difficult to achieve town goals.
- What happens if a Conservation Easement exists and farm viability changes?
- Fear of government changing rules and plans
- Do Conservation Easements subsidize unwanted development

- School playing fields were not shown on the maps
- Community access to playing fields is presently limited
- In attempting to meet everyone's needs, no one's needs will be met.
- Should we have ATV and snowmobile trails?
- Not enough assessment of Town recreation opportunities
- Should consider aviation opportunities – in cases of medical emergency

***Opportunities or suggestions for the future:***

- Hudson River recreation opportunities
- Outreach to private landowners for recreation access
- Town should emphasize a walking – biking community

**Group 4**

***What do you like about the ideas described:***

- Acquiring land for open space
- Conservation zoning
- Recreational trails
- Bonding to fund the purchase easements
- Natural resource preservation – there is value in keeping a resource “as is” without adding facilities
- Conservation subdivision design
- Map of conservation interest to identify resources
- Willing landowners is important to recognize
- Likes emphasis on trespass concerns
  - Enforcement is a serious issue
- Conservation plan
  - Evaluate the carrying capacity of natural resources
- Currently unused Town owned property should be potential connection in areas that already exist
- Maintaining working farms – the best way to keep open space is to make farming more profitable
- Identification of natural features is important – should look into creating access and enhancing recognition of such resources
- It is important that opinions are being discussed in this manner

***What concerns do you have:***

- Are we seeing everything?
  - Reference to IDA concept plan
  - Concern about interchange
- Are balances being met?
- Respect rights of individuals and individual neighborhoods

- Conservation subdivision
  - Not being able to develop property if there is an easement
- Agricultural Conservation easements
  - Very involved
  - Farmers need to know restrictions up front
- Open access to private property for public access
  - Who will control that?
- Clean up of trails
  - Dog walkers, trash
- Concern with kids partying on trails
- Law enforcement on trails and open space
- Public land and private land recognition that undeveloped land is important for water quality and the protection of natural resources
- Need cooperation from town, landowners, residents, etc.
- Misinformation by private landowners
  - Open space people want to help individuals to protect undeveloped land
  - Undeveloped land is valuable to the Town from a natural resource protection / viewshed perspective, even if there is no public access
- Education
  - What is a woodlot?
  - What farmers do, why and how?
- Town has gone very far in development already
  - Need to acquire available land right now
- D&H rail-line
  - Will the Town control? What is the current status? What is going to happen?
- Residential development should be 3-5 acre minimum lot size

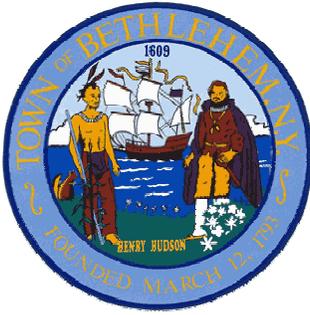
***Opportunities or suggestions for the future:***

- Be aggressive with state and seek coordination with agencies (i.e. Hudson River Valley Greenway)
- Link to dewatering site
  - An opportunity to leverage funds for preserving space
- Recreation facilities owned by school districts might be another opportunity – coordinate efforts
- Albany County Land Conservancy
  - Own parcels in town
  - Need more resources to maintain
  - To be recognized as trail linkages
- Trail on Bethlehem side of Normanskill
- Attention to river access
- More emphasis on human-powered boating such as kayaking – launch locations
- Work to utilize utility line as trail

- Skateboard/rollerblade park
- Zoning areas to encourage private property for recreation opportunities such as a golf course
- Publicly owned ATV park
- Perhaps allow ATV use on recreational trails during designated hours only
- Now is the only opportunity to preserve land
- Trail by Vloman kill with connections elsewhere
- Look to all stream corridors for trail opportunities
  - Five Rivers to Phillipin Kill preserve
- Additional youth programs
- Town Park should have lights (micro-soccer fields)
- Turf fields available for multi-purposes
- Fields should be open for pick-up games
- T-bar at location of Delmar landslide (a portable one as used in Europe)
  - Opportunity for sledding and some skiing
- More dog walking facilities (trails)
- Conservation subdivision
  - Connect open spaces from one development to another

#### **Public Comments**

- Grant funding available from health programs (such as the Department of Health) to create trails, etc.
- Conservation subdivision
  - Non-farm neighbor conflicts
- What is town saying about utility lines? Are they private or public?



**Town of Bethlehem**  
**Focus Group #5**  
***Commercial District Design***

**September 29, 2004**  
**Town Hall Auditorium**

*Note: The following are comments received from participants during a public workshop.*

As part of the comprehensive planning process, the Town of Bethlehem Planning Advisory Committee (BPAC) sponsored a focus group meeting on Wednesday, September 29, 2004. Focus Group #5 addressed commercial district design in the Town. Nearly fifty community residents, business owners, property owners and Town officials attended the focus group. The purpose of this focus group was to understand the different scales of commercial districts in Bethlehem, discuss common design elements and identify solutions for the future.

The Saratoga Associates began the presentation with a description of the three scales of commercial districts found in Bethlehem – hamlet or small scale; medium or neighborhood scale; and large scale or big box. The Saratoga Associates lead the group in an icebreaker discussion. The icebreaker asked the following questions: What is working about commercial district design and what is not working? The meeting presentation is available on the Town website. Techniques utilized in other communities to address commercial district design were also discussed.

The next portion of the workshop consisted of facilitated discussions in breakout groups. Participants were divided into three breakout groups. The following set of questions were addressed in each group:

1. What do you like about the ideas that have been described? Why?
2. What concerns you about the ideas that have been described? Why?
3. What would you like to accomplish at each scale of commercial development?

The participants' responses for each are listed below.

**Icebreaker**

***What's working?***

- Chamber efforts at the Four-Corners
  - Pedestrian-friendly
  - The entire area seems to be pulled together aesthetically and functionally
  - Parking behind the buildings
- Shared access/parking
- Consistent setbacks

- Consistent building scale
- Single family homes converted into commercial uses adds character to the Delaware Avenue corridor
- Walmart/Lowes within community
- Lots of parking can be found in the commercial areas
- Berms in front of Walmart area development to buffer the development
- Slingerlands Price Chopper Architecture
- Post Office Architecture
- Price Chopper Plaza has other businesses within the development. It is a nice variety.
- The improvements made at the deli in Slingerlands are positive improvements.

***Concerns:***

- There is not currently enough outdoor seating/patios
  - At the Four- Corners area.
  - At various restaurants including Mangia's, and Beff's
- The current review process is cumbersome
- Delaware Avenue lacks trees (especially near Dunkin Donuts) and landscaping
- There should be standards for small businesses to maintain buildings and property
- Parking in front of buildings should be addressed
  - Put in back and move building closer to the street
  - Better options/design from the developer at the beginning of the development process might expedite review
- Signage
  - Current form may not be appropriate
  - Need standardization
- Need for design standards
  - Not just berms acting as nature's band-aid
  - Auto oriented services are threatening hamlet commercial areas
- Look at how many parking spaces are really needed within a development
- Address non-conforming commercial uses (standards) enforcement when use is done
- Too many access points
  - Need to reduce curbcuts and improve traffic flow
- Improve pedestrian access
  - Irregular intersections make pedestrian crossings dangerous and difficult
- Add landscaping within parking lots
- How to distinguish between residential and mixed use areas
  - How to plan for mixed use?
- Green buffers should be placed between residential and commercial uses

**Group 1**

***What do you like about the ideas described:***

- Integrated landscape

- Parking areas
- Streetscape
- Connections between commercial and residential uses
- Consistent setbacks, especially along Delaware Avenue
- Windows on the 1<sup>st</sup> floor
- Making sure lighting fixtures are appropriate for the place
- Planned mixed-use and not haphazard development
- Architecture – focus on that which is appropriate within community
- A strong direction in the code (especially for national retailers) would help on Route 9W
- The height of buildings should not be higher than the trees (2-3 stories)
- Appropriate signage
- Lower speeds to create a more pedestrian friendly place. This would also affect signage and ability to read signs while driving.
  - Street design might assist in slowing down traffic (one-way, etc.)
- Emphasis on helping small businesses - Design to help them succeed

***What concerns do you have:***

- A lot depends on where the lines are drawn - i.e. color of buildings, etc.
- This will take time – Delaware Avenue will require patience, give and take. We need businesses.
- Concern for over-planning
  - Should avoid creating a Disneyland where everything is the same
- What will the costs to small businesses be?
- Incentives to help existing local businesses come up to standards – a “Safety net”
- Delaware Avenue used to have discrete commercial areas with residential in-between
- Need to have successful business in town
- Upper Delaware Neighborhood Association fought to keep 4-corners to high school residential. It is important to have a strong code to create definitiveness with Less variances.
- Need to develop a workable, supportable plan - Make it adoptable
- Need additional places for civic functions and a farmers market
- Enhancing farms as small business – requires flexibility (true for all businesses)
- Example of Plymouth, Michigan, as a great reuse of downtown
- Don’t gentrify – drives out low and mid class

***What would you like to accomplish at each scale of commercial development:***

- Make certain to accommodate all from farmer to high tech businesses. Allow all to exist in town.
- Enhance predictability to approval process
  - Be clear about expectations
  - This would encourage tax base
- Help to create certainty about the value of your investment

- Are we allowing ourselves to expand? Are we stagnating?
  - Need to identifying where/how to grow appropriately
- Be careful about over expanding in Big Box scale
- Town needs commercial growth
  - Tax base
  - Areas designated for businesses
- Don't (over) subsidize commercial –
  - Need tax base
  - Especially retail (big box)
  - Maybe not true for industries (they have multiplier benefits to community)
  - Tied to job creation
- This area (not necessarily in town) is ideal for truck park
- What works today, may not tomorrow
  - Design of outside – can control
  - Allow flexibility in interior use
  - Also – design interiors for flexible uses
  - Transportation Problems are regional and are part of growth beyond the town - people are willing to tolerate longer drives
  - Incorporating greenspace and landscaping - Beware of cost for small businesses
  - Creating/restoring pedestrian and bike friendly roads in hamlets and throughout town
  - Shoulder maintenance to allow for better bicycling opportunities
  - See draft bicycle map at CDTC
  - Prioritize routes
  - Encourage mixed use buildings in appropriate areas – create a 24 hour business district
  - Emphasize historic elements of architecture guidelines
  - Look at pros and cons of creating historic districts in certain areas such as the hamlets. This could be something to promote/market.

## **Group 2**

### ***What do you like about the ideas described:***

- Aesthetics – looks good, provide flexibility use
  - Define standards, develop consensus
- Scale – the building ‘fit’ in the neighborhood should be compatible
- Parking Orientation – should be in rear of buildings and articulate building facades
- Good Big Box examples – Slingerlands Price Chopper with landscape parking; area behind Lowes; Lake Placid Price Chopper
- Corporate Design can be good; playing up good examples such as Friendly’s landscaped parking can create less opposition and good visibility
  - Economic benefit

***What concerns do you have:***

- Small, local business owner
  - Is it affordable?
  - Need mix of businesses
- Cost premium? Is there financial help available?
- Flexibility in standards
- The predictability of process
- A Standards book would provide help
- Entrepreneur assistance
- Predictable process; help to understand rules to avoid guessing
  - Staff, board & applicant
- Mixed use
  - Concern with property values
  - What type works here?
- Neighborhood differences/special features need to be incorporated
  - 9W
  - Glenmont
  - Delmar
- Consider project impacts on neighborhoods
- Review guidelines to respond to change

***What would you like to accomplish at each scale of commercial development:***

- Hamlet
  - Code needs to differentiate use & signs
    - Start at fitting, control how -----
    - Differentiate small scale, local business and regional scale
- Look at existing areas in community that work
  - Elsmere & Feura Bush
  - Selkirk
  - S. Bethlehem – S. Albany Road & Rt. 396
- Neighborhood Commercial
  - Businesses that have a residential look
  - Signage
  - Sidewalks
  - Public Utilities
  - Access & Parking
  - Define areas that are appropriate
  - Community commercial
  - Place for small businesses
  - Architecture should be consistent with community
  - Traffic calming/attractive
    - Boulevards, landscape

- Contained community
  - Mixed use
  - regulated
- Infrastructure important
- Understand carrying capacity land

### **Group 3**

#### ***What do you like about the ideas described:***

- That we are planning in advance
- Coordinated architecture and signage
- Improved pedestrian access
- More outside seating
- Walkable community creates a sense of community
- Mixed use
- Awnings & character
  - More traditional appearance of buildings
- Shared parking & access
- Attractive to be a pedestrian
  - Parking on side and back
- Bicycle amenities
- Underground utilities
- Connections within community
- Commercial areas that you can do 2-3 tasks by foot
  - Drive thrus might inhibit this
  - A fast pace world – provide opportunities to multi-task

#### ***What concerns do you have:***

- Concern with drive-thrus
  - Traffic
  - Pedestrian conflicts
  - How to incorporate into commercial areas safely
- Too much consistency
  - Diversity is good
- Businesses should be responsible for commercial design-related activities - through a Business Improvement District or something similar. This should not be Town driven
- Concern with overdoing design and over-planning
- Would like the opportunity to drive to Delaware Avenue, park the car & walk
- Mass transit within town
  - Shuttles from commercial district to commercial district
- Are we looking at how much development will occur?
- Can businesses commit something to community
  - Fiscally

- Green buildings
- Don't use berms as a quick fix
  - Limit height of berms
- Consider density to make it easier for pedestrians to shop
- How to encourage retrofit of existing commercial?
- Too planned
  - Unique products in low rent areas to create diversity in businesses
- Business friendly
  - Need to be more flexible
  - Need more tax base – i.e. Wolf Road
- Maintenance of amenities – costs?
- Managing commercial and industrial development
- Concern this is turning into the have and have nots
  - Not addressing issues that are needed such as water and sewer
- Parking is still necessary
- Concern with residents being able to fund improvements
- Computer-shopping society – trends
  - Delivery truck

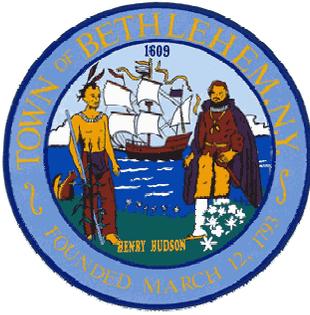
***What would you like to accomplish at each scale of commercial development:***

- Developer is contributing to community in many ways already – continue this
- Develop a movie theater - within walking distance
- Beth Industrial Park
  - Redevelopment opportunity as a mixed use community
- Create incentives to aggregate parking and serve multiple businesses; think broadly regarding setbacks as well
- Signage
  - Competing signage
  - Design of signage is based on situation
- Business should be more involved in creating standards
  - Business Improvement District possibly
- Delaware Avenue
  - No street signs
  - Difficult to cross
  - Add Stop signs to slow traffic or controlled crosswalks
- Create pedestrian/bike friendly area
  - Commercial area behind 4-corners
  - Related to D&H rail-line
  - Link to Delaware Plaza from Rail-line (if used as pedestrian facility in the future)
- Look to informal trails/walkways as potential formal walkways
  - Parking lots

- Developers could incorporate as development occurs
- Offices at Normanskill Blvd. Supporting Delaware Plaza businesses
  - Provide supporting services for offices within a node
- Work with chamber to bring in quality businesses
  - Stuyvesant Plaza
  - Clothing store
  - Teen oriented stores

**Public Comments**

- Clarification
  - Commercial district boundaries should be flexible
- Has Town considered Industrial Park?
- Town population has experienced slow growth
  - Retail is exceeding commercial base
  - Should focus on tech parks for tax base
- How do you define areas for commercial?
  - Answer: Through the comprehensive plan & zoning, BPAC & Town Board will address.
- Considered an Urban Growth Boundary as in Portland?
- How do you grandfather in businesses?
- Would like to see process specific to Bethlehem (design)
- Implement design standards in specific areas (based on information available) i.e. Selkirk Bypass
- Rt. 9W Corridor Meeting
  - Who will be there?
  - Has bypass solution idea changed?
- A question was raised regarding zoning for mixed use – is this appropriate everywhere?



**Town of Bethlehem**  
**Focus Group #6**  
***Route 9W Corridor***

**October 14, 2004**  
**Town Hall Auditorium**

*Note: The following are comments received from participants during a public workshop.*

As part of the comprehensive planning process, the Town of Bethlehem Planning Advisory Committee (BPAC) sponsored a focus group meeting on Thursday, October 14, 2004. Focus Group #6 addressed the Route 9W Corridor. Nearly one hundred forty community residents, business owners, property owners and Town officials attended the focus group. The purpose of this focus group was discuss future development in the Route 9W Corridor.

The Saratoga Associates began with a presentation about the existing and proposed conditions along the corridor. Opportunities identified from previous meetings and studies were also presented.

The next portion of the workshop consisted of facilitated discussions in breakout groups. Participants were divided into five breakout groups. For the purposes of this discussion, the corridor was divided into four segments. Segment 1 includes the area from the City of Albany line to Glenmont Road. Segment 2 is from Glenmont Road to Wemple Road. Segment 3 continues from Wemple Road south to Creble Road. Segment 4 includes the area from Creble Road to the southern boundary of the Town. For each segment of the corridor, participants were asked to do the following:

1. List opportunities for land use and transportation
2. Prioritize those opportunities

The participants' responses for each are listed below.

**GROUP 1**

***Segment 1 (City of Albany line to Glenmont Road):***

***Priorities***

- Widen 9W
- Add turning lanes at the intersection of Feura Bush/9W
- Add bike and pedestrian accommodations along 9W corridor (from Feura Bush Rd. to City)

***Additional Opportunities***

- Higher level of commercial design – higher standards
- More police presence – especially at the Walmart/Lowes shopping center parking lot
- Intersection of 32 & 9W – must be redone (however, idea of a roundabout was not favored)
  - Perhaps a modified cloverleaf
- Improve entry to I787 (note: this is in the City of Albany)
- Would like there to be a movie theater
- Access to businesses between Exit 23 of the Thruway & the area by the Quality Inn (Corning Hill Road) – dangerous now, must be improved
- Create an access road from Kenwood to Route 9W (at Walmart/Lowes)
- Reopen Bender Lane to 2-way traffic. Allow full turning movements into/out of the plaza from Bender Lane
- Slow down commercial development in this area until Route 9W is improved – in particular, work with DOT to fix the intersection of 9W with Feura Bush Road.

***Segment 2 (Glenmont Road to Wemple Road):***

***Priorities***

- Widen 9W (4 lanes)
- Create a parallel access road between 9W & Thruway
- Improve Bike/Pedestrian access (separated from traffic) to other places in the area –such as the Soccer Complex

***Additional Opportunities***

- Provide sidewalks in Bethlehem Center
- Wider shoulders on 9W-for bikes for peds.
- Re-use/redevelop old Grand Union shopping center
- Establish design standards for new development
- Add sewer in this area
- Limit big box retail to northern section – not here (less traffic)
- Offices/Light Industrial

***Segment 3 (Wemple Road south to Creble Road):***

***Priorities***

- Keep it agricultural & residential (no light industrial)
- Northern alignment – no, not here
- Wider shoulders on 9W

***Additional Opportunities***

- Zone for residential & agricultural uses
- Provide turn lanes (left-turn) at intersections – get cars waiting to turn left out of the thru traffic for safety and efficiency
- Pull-offs or turnaround for large trucks

- Add sewers

***Segment 4 (Creble Road to the southern boundary of the Town):***

***Priorities***

- From Creble Road – create a by-pass that runs straight east then south adjacent to the Thruway to Exit 22.
- A bypass solution must be found. People in Selkirk want a northern route.
- Railroad ROW option for the Selkirk By-pass

***Additional Opportunities***

- Widen 9W – shoulders, truck pull offs
- Try to think of other options for truck problem in Selkirk
- Force trucks to take Route 32 (Delmar Bypass) to Exit 23 – limit their access to other routes using weight limits [Note: problem with this idea is that it creates an excessive detour for trucks heading south or east]
- Improve sewer in Selkirk

**GROUP 2**

***Segment 1:***

***Priorities***

- Reuse underutilized buildings
  - Movie theater
  - Health
  - Mixed-use
- Improve road circulation
  - Capacity
  - Roundabout at Route 32 and 9W intersection
- Elementary School
  - Create safe access – lighting, etc

***Opportunities***

- Sidewalks to Feura Bush
- Fun – Health space, etc.
- Planned Development-sidewalks, design standards
- Consistent zoning
  - Uses – complimentary-mixed
  - Flexibility
  - Predictability
- Architectural Standards
  - Compliment commercial & residential standards
  - Details
  - Community standards

- No franchises
- Improved transit – Bus & people moving
  - Transit Hubs Considerations
- Environmental standards
- Rt. 32 – West Bound access Back entrance lanes
- Local commercial hub redevelopment
  - Price Chopper as a start
  - Require adaptive reuse
- Reclaim Bender Road from Walmart

***Segment 2:***

***Priorities***

- Traffic conflict
  - Highway corridor purpose
  - Arterial
  - Service Road
- Avoid classic strip development
  - Hamlets
  - Rt. 9W & Wemple
  - Deep set backs
  - Visual
  - Limited multi-family throughout

***Opportunities***

- Rt. 9W Still problem
  - Capacity
  - Safety
- Rational commercial depth
  - Not 300' – 1000'
  - Both sides
- Feura Bush intersection improvements
- NYS Thruway Authority Exit
  - North of Wemple
  - Rt. 9W – serves different purposes
    - Local/corridor
  - Funding? from NYS Thruway Authority?

***Segment 3:***

***Priorities***

- Good spot for
  - Northern Bypass
  - Property Owners need to be accommodated

- Families
- Farmland consideration
- Hamlets need to be preserved
- Maintain rural, agricultural character Rt. 9W
  - Move traffic to NYSTA
- Keep rural agricultural uses – preserve
- Why 3 school districts?
  - Create 1 school district

***Opportunities***

- Retain Character
- Protect environment features
- Creble Road truck traffic
  - Industrial area
  - Good location – truck access/bypass
- Protect family cemeteries
- Create a better balance between residential and business
- More efficient services

***Segment 4:***

***Priorities***

- Retail services needed – Selkirk Town
  - Benefit residents
  - Hamlet scale & character as a development center
  - Rt. 396 & 9W
- Infrastructure – S & W
  - Create to hamlet; S. Bethlehem
  - Willing to help pay?

***Opportunities***

- Truck traffic solution
  - Locate by-pass – RR – Feura Bush –356
  - Locates in commercial zone
  - Connects with New Scotland
- Preserve wetlands
  - What’s real? Valuable? Needed?
- Sidewalks

**GROUP 3**

***Segment 1:***

***Priorities***

- Promote commercial development in this area

- Widen Rt. 9W south of Rt. 32 intersection.

***Opportunities***

- Modify intersection without roundabout
- Improve Rt. 9W northbound to Rt.32 westbound
- Create an entrance to back of shopping center from Rt. 32
- Add left turn lane southbound at Feura Bush (3 lanes all approaches)
- Move the elementary school
- Limit commercial development in this area

***Segment 2:***

***Priorities***

- Consider widening to 4 lanes and establishing a business district
- Do not build service roads until they are needed
- Establish Design Standards with setbacks
- Consider widening & improving Rt.9W instead of spending money on service roads

***Opportunities***

- Consider service road from Wemple Road to Glenmont Road
- Consider zoning that allows for a Bed and Breakfast
- More compact/networked development – not linear
- Use service roads & Rt. 9W as one-way roads
- Use toll incentives to encourage trucks to use Thruway instead of Rt. 9W

***Segment 3:***

***Priorities***

- Allow land owner flexibility in use of agricultural and prime soil areas
- Zone for light industrial/office park

***Opportunities***

- Consider keeping prime soil areas as Agriculture or Open Space
- Allow for services as well
- Encourage cluster residential

***Segment 4:***

***Priorities***

- Create a Thruway exit at Creble Road, Close Exit 22 and Build new interchange to the north
- Bypass south of railroad

***Opportunities***

- Open up Creble and Wemple Roads for Development
- Get car carriers off Rt. 9W

## **GROUP 4**

### ***Segment 1:***

#### ***Priorities***

- This segment is a perfect commercial corridor (few residents)
- Make traffic flow better – roundabout? (The travel lane from Bypass to 9W South needs improvement)

#### ***Opportunities***

- Big Rig issue with roundabout – it needs to be wide enough for lane changes and long trailers; also consider delivery traffic to commercial areas
- School Conflict with commercial development
- Frontage Road
- Limit access to 9W; fewer curb cuts
- Improve visual quality
- Have developers pay for improvements

### ***Segment 2:***

#### ***Priorities***

- Sidewalks, pedestrian and bike access needed
- New Thruway Exit @ Wemple Rd.

#### ***Opportunities***

- Move 9W closer to Thruway (Parallel as a through/service road and keep old 9W as a local road)
- Limit uses to Commercial & Light Industrial
- Address mixed uses
- Volume & weight warrant rerouting

### ***Segment 3:***

#### ***Priorities***

- Extend Creble across 9W, behind Becker School to Exit 22
- Resolve local & through traffic conflicts

#### ***Opportunities***

- Vlomanskill Bridge on 9W & turn onto Creble turn create bottleneck problems (wider Bridge and turning lane should be considered)

### ***Segment 4:***

#### ***Priorities***

- Direct connection between Selkirk RR & Exit 22 – **9 Votes**

***Opportunities***

- Tandem yard at Exit 22
- Identify clearly the allowable Residential, Commercial, Industrial uses in the area

**GROUP 5**

***Segment 1:***

***Priorities***

- Roundabout @ Rt. 32 intersection safer
- Larger scale commercial belongs in this area
- Preserve environment near Glenmont Elementary
- Reconfigure Rt. 32 access to Rt. 9Ws as 2-way

***Opportunities***

- Linear park @ area near Rt. 32 as alt. To thru route or roundabout
- Pedestrian amenities (sidewalks)
- Better signage for motorists
- Sidewalks not needed
- Commercial concentrated i.e. industrial park
- Move school
  - A. south of wimple
  - Away from corridor
  - Riverfront (Gush property area)

***Segment 2:***

***Priorities***

- Ames Plaza adaptive re-use
  - Municipal presence at this location
  - Offices
  - Youth Center
- Add office space
- Left run signal @ Feura Bush
- Keep road character
  - Prevents speeding
  - Widening would eliminate the rural feel

***Opportunities***

- Straighten road
- Sidewalks
- Service Road
- Cemetery and wetlands behind Ames should remain as they are
- Road widening limited in area due to environmental constraints
- Widen road north of Glenmont

- Make more walkable, where possible
- Traffic control/speed control
- Encourage property maintenance
- Commercial recreation – less intense development
  - Driving range
  - Frisbee golf
- Bike paths
  - Multi-use paths
- Prevent a Wolf Road from occurring

***Segment 3:***

***Priorities***

- Preserve wildlife habitat
- Preserve rural character
- Northern alignment is not viewed as the preferred bypass option

***Opportunities***

- Service Road
  - Close access to Thruway
  - Could handle potential tech park traffic
  - There is a concern regarding where traffic would go at the end of a service road?
- Commercial development
  - Wemple Rd to the Preserve
- Higher intensity uses closer to Thruway along service road
- Service road & northern alignment
- Encourage opportunities to help developers/businesses to come here
  - Incentives

***Segment 4:***

***Priorities***

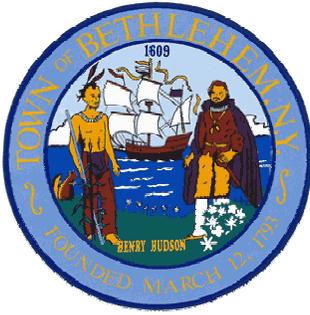
- Expand Beckers corners & Selkirk hamlets
  - Additional businesses/services
  - Gas station
  - Pedestrian access

***Opportunities***

- Keep areas outside the hamlets as they are
- Allow for land uses that can utilize rail access

**PUBLIC COMMENT**

- Emergency services should be considered while thinking about additional growth.



**Town of Bethlehem**  
**Focus Group #7**  
***Agricultural and Rural Properties***

**October 21, 2004**  
**Town Hall Auditorium**

***Note: The following are comments received from participants during a public workshop.***

As part of the comprehensive planning process, the Town of Bethlehem Planning Advisory Committee (BPAC) sponsored a focus group meeting on Thursday, October 21, 2004. Focus Group #7 addressed agriculture and rural properties in Bethlehem. Nearly one hundred forty community residents, business owners, property owners and Town officials attended the focus group. The purpose of this focus group was to discuss agriculture in the town as well as .

The Saratoga Associates began with a brief presentation about what has been discussed at previous meetings regarding options for agriculture and rural properties owners. Several speakers from a variety of organizations then each had an opportunity to discuss their expertise and experiences.

Thomas Gallagher of Cornell Cooperative Extension of Albany County described the history of agriculture in the county and in the town. He described the challenges facing today's farmer. Peter Ten Eyck of Indian Ladder Farms discussed his positive experience in preserving his Albany County farm and the importance of buying local produce. Sheila Powers, Albany County Farm Bureau, described techniques that might be useful in assisting Bethlehem farmers and rural landowners, such as agricultural overlays. Roland Vosburgh, Columbia County Planning Department, cautioned landowners to enter into easements only with a full understanding of the contractual agreement. Thomas Crowell, Columbia Land Conservancy, described the conservation easement program the conservancy supports in Columbia County. He discussed some details that are often found in such agreements and how the conservancy manages easements. Bob Somers, New York State Department of Agriculture and Markets, described the agricultural districts law and additional support for agriculture at the state level. Michael Urban, New York State Department of Environmental Conservation Forester, discussed the various options and programs available for forest owners.

Participants were asked the following:

1. What do you like about the ideas that have been discussed? Why?
2. What concerns you about the ideas that have been described? Why?

The participants' responses for each are listed below.

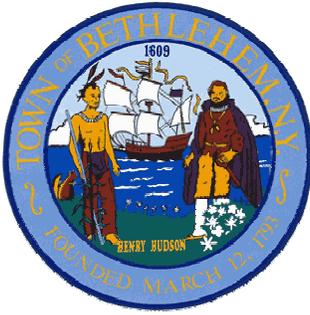
***What do you like about the ideas that have been discussed?***

- Agricultural is an economic issue not a zoning issue
- Once land has been developed it can not go back to open land again
- Understanding what we are trying to do with the plan
  - define the purpose
- Promote agri-tourism
- Conservation easement program – voluntary only
- Agricultural overlay
- Buy local products
- CSA – community supported agriculture
- Lists of contacts to assist in the protection of natural resources
  - Contact Cornell Cooperative Extension
- Diversity of agriculture in the Town and County

***What concerns you about the ideas that have been described?***

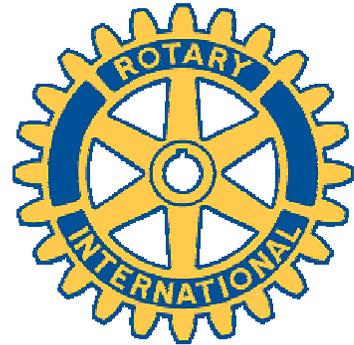
- Government is the driver behind the changes that will likely take place
  - Landowners are best stewards
- Conservation easements
- Taxes under conservation easements
- Protection from eminent domain?
  - Agricultural districts law provides limited protection
- Confusion with taxing on an easement – how does this work
- Pressures on farmers and concerns with stormwater from development
- This focus group meeting was not as participatory as past meetings
- Think about the future
  - Concern with easement as a limiting factor for future use of the property
- Concern that special interest groups are driving the plan
- Tax break to farmers
  - School and town taxes
- What is right for property owner?
- Tax breaks for open lands as well as agricultural lands
- The point of willing landowners should continue to be stressed as discussions take place. There is added pressure on landowners with the discussion of trails.
- Flexibility within a conservation easement – there is some confusion.
- Does Town encourage start up farms?
- Survey of farmers?
  - This survey is seeking information about the future of farms and rural properties
- Landowners need options
  - Land for development
  - Land for farming
- Easements for recreation

- There is a concern over liability
- Hudson River Valley Greenway
  - State organization; may offer some additional liability coverage for trails that meet their criteria.
- Source of funding for easements?
- How will an easement impact the sale of that land under an easement?
- Who owns land with an easement?
  - Non-profit/conservancy
  - Property owner
- Can Agricultural District properties receive the farm and rural lands survey?
- The discussion and focus should be on land use and not land designation (zoning)
- Tax incentives for agricultural & open lands
  - Less public costs



**Town of Bethlehem**  
**Youth Day Workshop**

**December 21, 2004**  
**Town Hall Auditorium**



**Note:** *The following are comments received from participants during a public workshop.*

As part of the comprehensive planning process, the Rotary Club of Delmar sponsored a Youth Day Workshop on Tuesday, December 21, 2004. The youth of a community are the future of that community. The Town of Bethlehem and the Rotary Club of Delmar recognize the importance of discovering what is important to Bethlehem's youth and what their future holds regarding living and working in Bethlehem. Approximately 40 students, including former students, from the Ravena-Coeymans-Selkirk School District and the Bethlehem Central School District participated in this workshop.

Saratoga Associates made a brief presentation describing the Town, the comprehensive planning process and the importance of such a process. Following the presentation, Saratoga Associates lead a facilitated discussion that centered on the following questions:

- What do you like about Bethlehem? Why?
- Do you see yourself working and/or living in Bethlehem in the future? Why or why not?
- How could Bethlehem be a better place for young people to live?

The participants' responses for each are listed below.

**GROUP 1**

***What do you like? Why?***

- Close to Albany
  - College Town – concerts, museums (culture)
- Close to Thatcher State Park
  - Hiking
- Town Park – pool, trails
- New YMCA
- Independent businesses - small
- Residential neighborhoods – well protected from commercial
- Location – NYC, Boston, Adirondack
- Five Rivers - Nature
- Friends

***Do you see yourself working /living in Bethlehem in the future? Why or Why not?***

- Yes, or a place like Bethlehem - someday
- When younger – City, active, pedestrian
- Bethlehem is a driving environment – can't walk
- Driving is getting tougher with congestion from new development
- To stay – preserve some open lands
  - Curbing
  - New Roads
- Yes – good for family

***How could Bethlehem be a better place for young people to live?***

- Preserve some of the trees/forests natural environment –near houses (not just parks)
- Especially in Glenmont – very spread out development – clearing all the land
- All the woods disappearing
- Activities – park, etc. mostly warm weather activities
  - Rest of the year?
- Encourage more local businesses
  - Less chains – looks the same as everywhere else)
  - Why live here – all the same.
- Use old buildings that are empty – Ames, CVS, Boston Market
- Hospital – medical services nearby – rather than Albany
- 4 corners area – possible place to hang –out – coffee shop
- Part of the night-life experience – meeting new people – going to Albany is no bid deal.
- Bethlehem can't compete with Albany – can complement Albany
  - \*Better access to Albany . Already pretty good – by car, no alternative to car
- Bike paths connecting different areas – Glenmont to Delmar
- Not much to do in Southern part of town – Selkirk/South Bethlehem
  - Some place to go (like 4 corners)
- Place to hang out with people
  - Harder in winter – ex: pool hall
- Water – Henry Hudson Park
  - Not much going on there – good and bad. It is quiet

**GROUP 2**

***What do you like? Why?***

- Schools
- A Safe community
- Wal-mart
  - Easy to get to
- Restaurants – variety and location

- Parks
- Not too busy (not a city)
- Like neighborhoods where I live
  - Delmar
    - Walk or bike to a friend's house
- Development has change the character of my neighborhood
  - Used to have woods nearby and feel more solitary
- Slingerlands
  - Dangerous for walking because there are no sidewalks
- Route 9W also dangerous for walking
- No/limited thru traffic in newer subdivisions – one entrance and access point
- Location of Town
  - Convenience to highways and
  - Close to institutions of higher education
  - Close to Albany
  - Lark Street
    - Lots of young people
    - Able to meet new people there
    - Diversity
    - Would not like in Bethlehem – This is a conservative community

***Do you see yourself working /living in Bethlehem in the future? Why or Why not?***

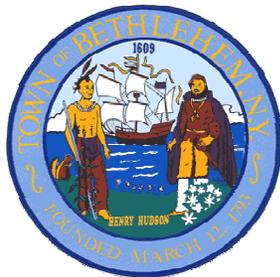
- No – too cold
- Difficult to come back and live because it is not affordable to live
- No - would like to see more of the world
- No- Bethlehem is too sheltered
  - However, this may be a place to raise family in the future

***How could Bethlehem be a better place for young people to live?***

- There is a need for more of a night life
  - Strip mall in Glenmont (Grand Union Plaza) might be a location for something
- Movie Theater
- Paved roads
  - Maintenance on local streets
    - Potholes, etc.
- Kenwood Avenue
  - Intersection traffic, especially during rush hour
- Place for students from different school districts to hang out
  - Pool tables
  - Open after 9:00 pm
  - Arcade
- Consider local businesses in Delmar Four-Corners area

- Type of business
  - Try to keep businesses there longer (many shops close)
- More/better music stores
  - Maybe a Best Buy
- Not enough parking/easy access to shops in Four-corners
- Green Space
  - Loosing quickly and should conserve
- Clarksville – not much going on
- ATV park/dirt bike riding
  - Development in open areas reducing number of areas to ride
  - A dedicated area might be nice
- Need for areas to skateboard
- Slingerlands
  - Need more services (restaurants)
  - Too much going to Glenmont
- Conventional subdivision
  - Seems to be safer for driving
  - More convenient to drive because there aren't as many stop signs
- Indoor turf field is needed
- Wireless infrastructure would be great
- Meetings with Town government
  - Should be more so that elected officials can hear from the youth directly
  - More education about government process in general for the youth
- Town should make a conscious effort to consider young adults

## **Appendix E – Town Board Update Information**



**Town of Bethlehem, New York**  
**Comprehensive Plan and Amended Zoning and Subdivision Regulations**

**Town Board Update – October 13, 2004**

**Status Report**

- BPAC Meetings – we have had seven (7) working meetings of the Bethlehem Planning Advisory Committee
- Issues Identification Workshop – April 22, 2004
- First Town Board Update – May 12, 2004
- Visioning Workshop – June 15, 2004
- Focus Group Meetings
  - Current Zoning and Development Review Processes – May 20, 2004
  - Slingerlands Bypass Extension and Vicinity – May 24, 2004
  - Bethlehem's Riverfront – September 2, 2004
  - [Trails, Greenways, and Recreation – September 23, 2004](#)
  - [Commercial District Design – September 29, 2004](#)
- [www.townofbethlehem.org/bpac](http://www.townofbethlehem.org/bpac)

Preliminary Zoning Analysis

Draft Inventory and Analysis

[Draft Vision Statement and Goals](#)

**Upcoming**

- Focus Group Meetings
  - Route 9W Corridor – October 14, 2004, 7:00 PM @ Town Hall
  - Agriculture and Rural Properties – October 21, 2004, 7:00 PM @ Town Hall
- Community Survey
  - Mailing on October 15, 2004
  - Responses due on October 29, 2004
  - Results – November 2004
- Farm and Rural Lands Survey – mailing after October 21<sup>st</sup>
- Townwide Public Meeting – November 18, 2004 – Emerging Plan Concepts

**Schedule to Completion**

Preliminary Draft Plan – End of December 2004

Final Draft Plan:

BPAC Public Hearing – January 2005

Forward to Town Board – February 2005

Preliminary Draft Zoning and Subdivision Amendments – End of January 2005

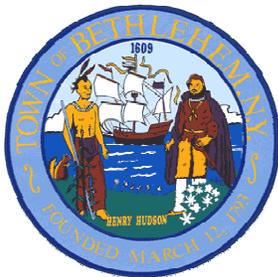
Final Draft Zoning and Subdivision Amendments:

Forward to Town Board – February 2005

Adopted Comprehensive Plan and Adopted Zoning and Subdivision Amendments:

Public Hearings – at least two (2)

Adoption – April 2005 (or as the Town Board deems appropriate)



**Town of Bethlehem, New York  
Comprehensive Plan and Amended Zoning and Subdivision Regulations**

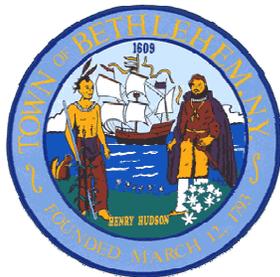
**Town Board Update – October 13, 2004**

**What is the Town Board's role?**

- Initiating the process and appointing the committee (BPAC)
- Continuing to be engaged in the process
- Receiving and reviewing the draft plan recommended by the BPAC
- Holding public hearings
- Adopting the plan
- Initiating the implementation of projects / programs
- Monitoring progress

Questions about this project should be directed to George Leveille (Commissioner of Public Works and Chairman of the Bethlehem Industrial Development Agency): 439-9032 or [GLEveille@townofbethlehem.org](mailto:GLEveille@townofbethlehem.org).

Comments for BPAC : [bpac@townofbethlehem.org](mailto:bpac@townofbethlehem.org)



Town of Bethlehem, New York

## Comprehensive Plan and Amended Zoning and Subdivision Regulations

Town Board Update – October 13, 2004

### Trails, Greenways and Recreation Focus Group Meeting

- Generally positive - addressed real concerns about this topic upfront (such as private property, programs that work with “willing” landowners)
- Clustering and Incentive Zoning – viewed as effective and fair
- Idea of creating a network of open lands viewed as positive
- Formalize use of linear corridors (trespassing now, opportunities for the future)
- More education needed (opportunities for land stewardship, respect for private property rights, etc.)
- More regional coordination needed – example of D&H rail line
- Enhance use of existing recreational facilities (for example: extend the seasons)
- Some additional recreational desires mentioned (for example: skateboard/roller blade facility, river access)
- Also encourage privately operated recreational opportunities – cross-country skiing? ATV's?

### Commercial District Design Focus Group Meeting

- Considerable agreement about the need for some level of design standards or guidelines
- Three (3) scales of commercial districts resonated with participants
  - Small scale hamlet commercial
  - Medium scale neighborhood commercial
  - Large scale or big box commercial
- A lot of interest in mixed use – but still some confusion about what this means
- A lot of interest in traditional urban design elements – enhanced connectivity, safe and attractive pedestrian environments, etc.
- Caution about requiring bland repetition of design elements everywhere
- Support for having standards but being clear about expectations – predictable project review process

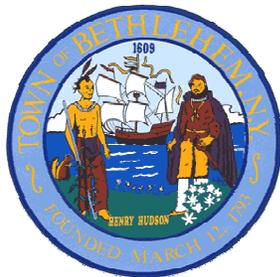
### Preliminary Draft Vision Statement and Community Goals

BPAC Discussion – October 4, 2004

**Note:** This is a work in progress. BPAC suggestions from October 4 have not yet been incorporated.

### **Vision Statement (Year 2020):**

The Town of Bethlehem is a community of attractive residential neighborhoods, vibrant hamlets, successful mixed-use commercial centers, modern industrial facilities, and productive rural lands. These are well connected by regional highways and local streets, adequately serviced by public transportation, and linked by a network of sidewalks and trails. Situated at the heart of the Capital District, Bethlehem offers convenient access to all that the region has to offer, and is recognized for the excellence of its schools, the quality of its community services, the abundance of its recreational opportunities, and the beauty and health of its natural environment. This exceptional quality of life contributes to the economic growth and prosperity of the town and the region, assuring that the community can continue to meet the diverse needs and expectations of its residents in a fiscally sustainable manner.



**Town of Bethlehem, New York**  
**Comprehensive Plan and Amended Zoning and Subdivision Regulations**

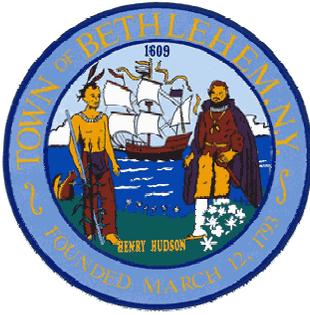
**Town Board Update – October 13, 2004**

## **Community Goals**

To achieve its vision, the Town has established a set of goals to guide decision-making. The recommendations in the comprehensive plan attempt to direct action toward achieving these goals. The goals, in no particular order, are to:

- Protect significant natural resources such as stream corridors and associated ravines, wetland systems, and in particular, the town's Hudson River waterfront. Enhance public access to, and understanding of, these resources.
- Utilize flexible land use regulations and creative land development techniques to retain the economic value of rural land. These techniques can also help conserve distinguishing features of the rural landscape and maintain rural lifestyles when development occurs.
- Work with willing landowners to conserve significant open spaces throughout the town and create a network of open lands to provide wildlife habitat and potential recreational trail corridors.
- Promote commercial and industrial growth in specifically designated locations. Encourage the reuse or redevelopment of existing sites and buildings as an alternative to development on "greenfield" locations. Create opportunities for increasing the value of underutilized commercial areas by focusing higher density development/redevelopment, and emphasizing higher quality design, in these areas.
- Encourage compact, mixed-use commercial and residential development/redevelopment in identified neighborhood commercial centers and hamlet centers throughout the town. Appropriate scale and design, attention to the pedestrian environment, and connections to adjacent neighborhoods are critical to the success of such centers.
- Maintain a balanced tax base. As the community continues to grow, the cost of providing services (such as schools, recreation, etc.) for new residential development will grow as well. From a fiscal perspective, new residential growth does not always pay for itself in property taxes. Therefore it is important to ensure that the community maintains a balance of residential development, commercial development, and open space.
- Expand the town's active and passive recreational resources to meet the growing and changing demand for these amenities.
- Improve mobility – the ability of people, regardless of age and status, to engage in desired activities at moderate cost to themselves and society - throughout the town. This includes strategic investments in needed highway infrastructure, improved access to public transportation and development that is supportive of public transportation, and significant enhancements to the safety and attractiveness of non-motorized modes of travel.
- Ensure the long-term provision of high quality public water and sewer services in areas of the town identified in this plan for continued residential, commercial, and industrial growth.
- Improve the development review process by establishing land use regulations that guide development in a manner that is consistent with the vision and goals contained in this plan. The regulations must result in a process that is clear and predictable.
- Recognize the town's significant cultural and historic resources and develop incentives for protecting and enhancing these for future generations.
- Provide opportunities for the development of a variety of housing options in the town to meet the needs of its increasingly diverse population.

## **Appendix F – Townwide Meeting Notes**



## **Town of Bethlehem**

### ***Townwide Public Meeting***

**November 18, 2004**

**Town Hall Auditorium**

***Note: The following are comments received from participants during a public workshop.***

As part of the comprehensive planning process, the Town of Bethlehem Planning Advisory Committee (BPAC) sponsored a Townwide Public Meeting on Thursday, November 18, 2004. Nearly one hundred thirty community residents, business owners, property owners and Town officials attended the meeting. The purpose of this meeting was to discuss highlights from the community survey, introduce the plan vision statement and goals, and discuss preliminary plan concepts.

Following a presentation by Saratoga Associates, participants were divided into four smaller breakout groups for further discussion. Participants were asked the following:

1. What do you like about the ideas / concepts that have been described? Why?
2. What concerns do you have about the ideas / concepts that have been described? Why?

The participants' responses for each are listed below.

#### **Group 1**

***What do you like about the ideas that have been discussed?***

- Emphasis on Framing
- Reuse of underutilized sites
- Pedestrian Connectivity
  - Walkable hamlets
  - Improved roads (9W)
  - Trails
- Recreational use of Hudson River
  - Entertainment/retail along water – nice amenity
- Public transportation
- Green corridors – open space and trails
- Desire to keep taxes down
- Mixed use hamlets
  - Mixed-use industrial/office/tech (good fiscally too)
- Planned residential growth
- Recognition that 9W retail needs to be carefully managed.

- Support for rights of individual land owners
  - Keep reinforcing
- Access to developed areas – rail trail, waterline
- Plan reflects best practices
  - Smart growth, new urbanism
- Natural resource
  - Stewardship – guiding principle
- Recognition of need for housing variety
- Promoting small, community retail (i.e. hamlets)

***What concerns you about the ideas that have been described?***

- 5 acre lots are too big to maintain
  - There is a question of fairness
- Still not sure if preserving waterfront areas is accomplished with the concepts
- Concern about public money spent on easements
  - Cost (taxes)
  - Long term maintenance of property
- Waterfront – concern about top down approach to idea
  - Ideas should start from ground up in LWRP
  - Waterfront community should have say in decisions
- More information about how conservation easements work (long-term) is needed
- Greenways – concern about crime & cost of maintenance
- Concern about support for small businesses in hamlets (no longer part of our culture)
- What type of industry – pollution?
- Concern about possible bypass
  - New traffic
  - Coeymans landfill and the impact on traffic in Bethlehem
- Waterfront/bottom part of the map – want more input in the future
  - More participation and representation from south part of town
  - Imposing views from northern part of town
- Loss of individual control over property
- Look at brownfield issues
  - Contamination of sites
- Look at how much more residence growth will result – impact on schools
- Need more emphasis on economic development
  - Tax base growth
- Worried about overall cost of doing all of this.
- Bypass study – don't be too narrow in possible range of solutions
- Water supply

## **Group 2**

### ***What do you like about the ideas that have been discussed?***

- Emphasis on improving existing areas
  - Roads
  - Trails/paths – older section of town
- Flexible design techniques
  - Cluster
    - good results
    - a way to incorporate senior housing into neighborhoods
- Housing diversity
  - Allow people to retire in town
- Traffic improvements along 9W (north end)
- Rural areas
  - New minimum lot size
  - 5 acre – country living
  - Flexibility for a variety lot sizes
  - Retain value of land
- Greenway
  - Highlight environment
  - Examine River greenway
- Land owner rights

### ***What concerns you about the ideas that have been described?***

- Growing school enrollment
  - How to control?
- Rural – 5 acre lot size is not right
  - Result on affordability?
- Dewatering facility site impact on town and plan implementation
- Liability issues with the greenway
- Right to farm compatible with neighborhoods
- Diverse community
  - Promote diversity and affordability (economic, etc.)
- D&H mainline
  - Trail – okay
  - Preserve now for a future motorized transportation corridor
  - Adjoining mixed use land use?
- D&H drainage
  - Del ace – to plaza
  - Storm water management
- Stream protection from development
  - Erosion control

- Preserve natural buffers/trees
- To much time for plan making
  - Need whole picture
- Harbor hamlet – what happened?
  - Detail needed
  - The hamlet concept is still on the IDA website – how does this fit within plan?
- Selkirk bypass
  - Why northern alignment?
  - Why pre-define?
    - Consider alternatives
- How does plan reconcile tax base issues?
- Large landowner survey results?
  - How do the results compare to the community survey
  - What does “control development” mean?
- Consider impacts on property value
- How will traffic improvements affect access?
  - Positive or negative
  - Nice to be limited
- No arbitrary minimum lot size. The carrying capacity of land should drive density
- New thruway interchange location – what drives this, is this needed and when will this happen?
- How to achieve a fiscal balance regarding transportation improvements versus taxes
- Encourage private solutions for open space
- Need sidewalks within and between hamlets
  - Glenmont
  - Who pays?
- The Local Waterfront Revitalization Program needs to protect river for environmental and recreational purposes
- What range of uses will be allowed in the mixed industrial districts
- Parking for train – costs and maintenance
- Hamlet commercial
  - Economically viable
  - Right mix

### **Group 3**

#### ***What do you like about the ideas that have been discussed?***

- Connecting hamlets with bike paths and pedestrian paths
- Protecting open space
  - Within new developments and in areas with no development
- The emphasis “willing” landowners
- Value of property rights
- Property owner has options

- Depth of goals
- The plan is looking at preferred alternatives
- Emphasis on maintaining existing infrastructure
- Developing light industry to increase tax base
- The scaled back approach on the waterfront plan. The idea of more study is positive.
- The focus on a cluster approach (if open land is to be developed)
- The Diversity of housing

***What concerns you about the ideas that have been described?***

- The goals will never be reached
- Selkirk bypass
  - Concern that thru traffic will take tax base out of town
  - Can we widen Route 9W?
- Lack of discussion of historic resources
  - Tourism opportunity
  - Connections
- Waterline trail is private property. Some property owners near the waterline may not support a trail.
- Trails may not be appropriate everywhere in town
- Lowering of property values along trails
- 5 acre lot size in rural areas
  - Leave the area as it is now
  - Makes it difficult for someone to subdivide a small parcel for a family member
- More knowledge for funding sources to get fair market value is needed and should be pursued
- Consider realistic funding sources
- Concern with school taxes
  - Relief for property owners?
- Concern regarding the stage of plan at this point without having results from the rural landowners
- Concerned with pressure on rural landowners to become “willing landowners”
- The overall plan is a dream and won’t happen
  
- Address rural residential
  - Rely on carrying capacity
  - Should be 1 acre zoning
- How do you address road frontage and subdivision of property?
- Drinking water supply should be considered as we develop
- Local Waterfront Revitalization Program
  - Leave natural areas along river in their current natural state
  - Focus development in heavy industrial areas
- Consider the impacts of development in adjacent communities

- Design standards okay
  - Make certain there is no economic hardship (for small businesses)
- Industrial development might not help school tax issue

#### **Group 4**

##### ***What do you like about the ideas that have been discussed?***

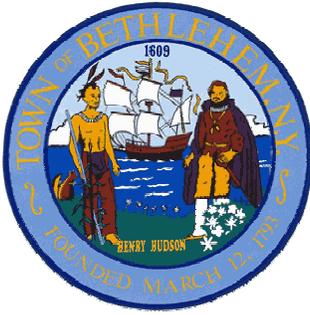
- Concepts mirror survey results
- Good mix of ideas, something for everyone
- Smaller waterfront development is better
- Vast opportunities for interpretation
- Hamlets mixed use is desirable
- Greenway is good
- Better public transit is good but also creates concerns
- Hudson River opportunities
- “Carrying Capacity” is a strong development criteria
- Industrial Areas are contained
- Inter-municipal cooperation is good

##### ***What concerns you about the ideas that have been described?***

- Diversity should be limited
- “Sustainability” should be better defined
- Define “Mixed Uses” and sizes of commercial uses
- Dislikes planned mixed uses at Hudson Waterfront
- Clearing, along River is bad
- Route 144 traffic is not addressed
- Concept does not adequately address road system – especially 9W & 144 and by-pass
- Dislikes arbitrary lot size in Rural area
- Open space preservation should be consistent in all areas
- Not enough emphasis on non-motorized transportation
- No population goal or limit!

#### **Public Comments**

- Bethlehem’s growth in comparison to other communities
  - Concern regarding the inability to increase the size of the gas station
  - Widen 9W
  - Berms in front of retail prevents clear view of businesses



## **Town of Bethlehem**

### ***Townwide Public Meeting Notes***

**February 3, 2005**

**Town Hall Auditorium**

***Note: The following are comments and questions received from participants during a public workshop.***

As part of the comprehensive planning process, the Town of Bethlehem Planning Advisory Committee (BPAC) sponsored a Townwide Public Meeting on Thursday, February 3, 2005. Over two hundred community residents, business owners, property owners and Town officials attended the meeting. The purpose of this meeting was to discuss the Draft Comprehensive Plan.

Saratoga Associates lead a presentation the focused around seven groups of topics including Hamlets & In-Town Residential; Residential; Rural & Riverfront Rural; Rural Light Industrial, Mixed Economic Development, Industrial, Commercial; Greenways & Agriculture; Townwide Recommendations; and Action Plan Priorities. The presentation described what the Draft Comprehensive Plan would like to achieve for each and noted key recommendations in the plan for each. After a brief discussion about each group of topics, participants engaged in a question and answer period. Index cards were provided to people who had additional comments and questions. These cards were collected at the end of the meeting. The written comments received at the meeting are attached separately.

**Questions and comments received by participants during the public meeting are listed below:**

#### **Hamlets and In-Town Residential**

- > There is some confusion with the colors on the plan recommendations map in the Delmar area.
- > The Plan is headed in the right direction. Is there an opportunity for a Town Center?
- > What is meant by traffic calming measures?
  - o State and Fed DOT guidelines already exist
- > Is there anything in the plan that is inconsistent with current zoning?
- > Can you elaborate on the Design concept
  - o Could it be described as urban village?
- > In-town Residential
  - o Difficult to actually walk now
  - o Hamlet concept should be more finely grained

- Encourage development of correct mix and scale
- > Confusion with term In-town vs. Residential
- > Traffic calming should consider impact on trucks and deliveries
  - Glenmont area – difficult truck turns into the Wal-mart area

### **Residential**

- > Good work so far
  - Builders in the region would like conservation subdivision option
  - Keep “flexibility” of lot size - important
  - Have a vehicle for Town to take over open space in the future, if desired - as a possible future park for example?
  - People looking for community areas for kids and the conservation subdivision can provide that
- > Will the frontage in regular/conventional lots change or stay at the current 50 ft.?
- > There have a been a number of new homes built – can you comment on the housing diversity described in the plan?
- > There is a concern with emergency vehicles and access with narrow street widths
- > Narrow streets should allow for school buses to access also
- > Density is reduced in areas without public sewer and water –why?

### **Rural and Riverfront Rural**

- > These are very different areas and should be treated differently (not grouped together)
  - Will there be a special use permit in Riverfront also?
- > Northern Rural Area
  - Concern with this area being identified as rural because it is already very residential
- > Concern about the percent of conserved land in conservation subdivision
- > Concern with the 2 acre density. Soils should dictate the density.
- > If sewer and water is available in the rural area, the density should be 1 acre
- > There should be the same density in Delmar as in the rural area
- > East Greenbush has a 1 acre density where there is no infrastructure
- > Does the Riverfront area preserve more of shoreline?
- > Riverfront – 1 DU/5 acres
  - If an existing property with less than 5 acres, but has two dwelling units already, can those lots be sold?
- > Density for rural too strict
  - Merging driveways is not a good idea
- > Conservation subdivision incentives
  - More incentives than density
  - If you choose not to open preserved area to the public, must you be accessed a parkland fee?

- > There should be a different night for each topic area to discuss comments and questions
- > There was a general questions about how conservation subdivision works

### **Rural Light Industrial, Mixed Economic Development, Industrial, and Commercial**

- > Access to Route 9W
  - o It would be helpful if there was access from Kenwood to Wal-mart – this would be more convenient for those along Feura Bush Road
- > When will we see a Zoning map? This individual would like to see more detail.
- > Tax base opportunities for commercial development in the plan are limited
- > Rural light industrial
  - o Allowing 1 acre for minor subdivision would be more reasonable
  - o Town’s growth has occurred where infrastructure already exists
  - o There should be no constraints placed on land
- > School district concerns need to be addressed
- > Riverfront (near exit 22)
  - o If more planning will be occurring for this area, why is this a mixed economic development area on the map?
- > When will we have new definitions of allowable uses?

### **Greenways and Agriculture**

- > We need to have a full understanding of natural assets before re-zoning
- > Discussion of additional parkland
  - o Linkages should be created between existing parks
    - 5 Rivers and Elm Avenue Park, for example
  - o Access to the Albany water line?
- > Concern with lands of conservation map
  - o Will this create a loss of land value
    - Once a map is created, people will think they can trespass
    - Concern with the Conservation Advisory Council

### **Townwide Recommendations**

- > Will the historic district be voluntary or mandatory?
- > Will the recreational trails described be for walking, hiking and biking?
  - o There is a concern with ATV and snowmobiles on these trails
- > The Greenways should be accessible to all, including motorized wheelchairs
- > How do you keep people off private property? This seems to be an enforcement issue
- > Regarding Regional coordination, has the plan gathered enough information? Are impacts of this plan related to other plans contemplated?
- > How will the coordination with fire departments work?

- > Private recreation for ATVs might be difficult in rural area, especially with the special use permit

**Action Plan Priorities**

- > Concern with the Conservation Advisory Council as a priority
- > Land conservation and open space planning is very important
  - o A Conservation Advisory Council would be an asset to community
- > What is the timing for the revised zoning?
- > Is there a plan already established for how to do the Local Waterfront Revitalization Program if grant money is received
- > An official map should be created as more of a priority action
- > If we don't like the plan, what can be done to change the plan?
  - o There is a concern about whether or not rural landowners are really being heard
- > People should offer to purchase land if they would like it preserved
- > Conservation plans have already been done – why do more?
- > The efforts to explain the plan are appreciated. However, this is the first public meeting after presentation of plan and more time is needed for clarification. How and when will the questions be answered?
- > How does the moratorium fit into the time-line?
- > Rural landowners have a different perspective and are upset that rights are being taken away
- > Will the concept of greenways go to a vote by the community?
  - o Aren't these things already being addressed in a responsible way?
- > There is a concern that the concept of eminent domain is weaved throughout the plan with all the discussion of conservation.

**Written Questions / Comments  
Received at the  
Comprehensive Plan Public Meeting  
February 3, 2005**

1. What is the logic behind choosing 2 acre lots over smaller lots in “soil challenged” areas outside of the sewer and water district? It seems that 1 acre lots are more suitable to sustain well and septic. Who wants to mow 2 acres when you can mow 1 acre?
2. Why when you are doing a conservation subdivision is the conservation set aside ½ of the buildable acreage without taking out the steep slopes as part of the acreage that is set aside?
3. The underlying tone of the comp plan is to step on rural landowners property rights for example...
  - a. we would like a new hamlet here
  - b. we would like to put some trails here
  - c. we would like only 1 home per 2 acres here

How long before these desires are forces upon us? How much pressure will you put on rural landowners to give you our land for the hamlet you want or the trails you want, etc? We are regulated enough by the Federal, State and County governments already. We don't need more regulation by our Town government. If I live in an ag. district, I should be able to in the future change what type of agriculture I pursue not just what exists now. The ag. district is already here.
4. The comprehensive plan...
  - a. is not for large land owners (over 50 acres)
  - b. is to make the Town a city not a town
  - c. doesn't consider original owners in Town only new owners
  - d. making nature trails for people who don't have land by using other people's land
  - e. you have went through all the process with meeting but you haven't listened you have just put together what you wanted
5. Have more aggressive diversity bonus in residential and rural areas to encourage conservation development more aggressively. Use bonuses to “even up” development density allowable. Provide design assistance to rural landowners to develop “Conservation Development” plans.
6. Federal wetlands protection and state conservation laws do an adequate job of \_\_\_ for conservation. Property owners should not have to address the wants and whims of a town conservation committee.
7. Proposal allow only 2 acceptable uses for “rural, not zoned” land. Typical uses such as forestry, home business, recreation (ATV's, hunting) should be allowed without a permit issued by a committee not answerable to the electorate.
8. I do not like to see rights taking away by zoning
9. I am a rural landowner and I believe that 1 DU per 2 acres is a great thing! It should be more (ie: 1 DU per 3 acres)- not less. Good Job.

10. lot density: tonight you stated that 2 acre lots are because of soil characteristics of entire area. You consider all rural the same? Very careless, reckless and unprofessional. Each site should be considered by its self by owner/developer with their engineer. Minimum lot size is a deal breaker! Access to Albany Water line is limited for safety and sabotage reasons.
11. Without sewer and water 1 house per acre would be fair for all areas not just rural.
12. Real attention paid no giving motorized recreational vehicles ATV, snowmobiles etc some corridor trails to take pressure off trespassing on lands.
13. Additional comment: Please remember the bicyclists! Bike paths are okay but often not really necessary-shoulders are far more important. For example, Elsmere Ave between Rt 32 and Feura Bush just had new development with nice sidewalk but the grass sown right up to white line edge of road-nowhere for bikes to be. And you can't ride on the sidewalk-you don't want to knock over little kids and strollers and then you can't navigate the intersection when you get to Feura Bush Rd.
14. More specifics on plans for sidewalks-bikeways, traffic calming measures. Include funding possibilities and logical "link" route between parks, schools and communities.
15. Good effort-unfortunate time and communication limitations. Deficiencies of Comprehensive Plan as presented:
  - a. lacking defined Town Center
  - b. not coordinated with Town Facilities Needs Assessment RFP
  - c. Conservation Design Subdivision should apply to MINOR subdivision
16. Reconsider reducing street widths even current streets are frequently difficult to Navigate.
17. "Traffic calming moves", e.g. pedestrian signs in the middle of the road, stop signs at every block, etc.-caused by citizen complaints-are generally violation of state transportation regulations. They cannot be determined by local committees nor should they be.
18. Historic designation should be voluntary on the part of the property owner. Town should help willing property owner assistance in protecting land or use eminent domain to acquire it.
19. Can a small market survive in a residential or in-town res. Area when we live in cars and big box or large sale-oriented grocery stores? And the town is eager to welcome more. When the dissatisfaction is from a whole group-not an individual you need to really consider that-not just say "too bad." Is there any effort to bring business into the Glenmont Ames/GU spaces? Fewer people own large pieces of land and have fewer wants for any referendum. Should we not consider rural questions on the basis of 1 vote/acre?
20. Explain the need to develop additional zoning that protects steep slopes and Stream corridors. The Town already has setback requirements in their engineering subdivision rules. Why does the Town need another layer when DEC already regulates this?
21. Land Conservation and open space protection are very important-once land is gone (developed) there's no going back? We should establish a Conservation

- Advisory Council! Recreational trail system is very desirable. More bicycle paths! Enhancing entryways definitely need to be addressed-median of Cherry Ave. Ext. needs to be beautified and traffic calmed! The Bethlehem Garden Club has begun working on beautifying entranceways. We've put in gardens at Cherry Ave and Kenwood and on Rt 9W near Rt 32. We are working on a new area on Delaware Ave by the old "yellow brick road." Lets get the rail/trail in place. We should do more regional cooperation with neighboring municipalities. The plan as a whole looks very impressive and action should take place to start implementing many of these ideas. We need planning and zoning in our Town!
22. Once you start mapping out the Town wish list for lands to conserve, even though the lands are legally able to be developed, you set a predetermination that devalues a particular property-in a de facto manner-not by law. Also, why would you need a Conservation Advisory Board-don't we have enough busybodies butting their nose into our business?
  23. Many areas currently prohibit "in-law" apartment additions. Our aging population requires that being eased. More families need to be able to add on to accommodate seniors.
  24. I do not want my property rezoned. I would like to keep it residential.
  25. Mr. Walsh made a comment about keeping common open areas under the town control. Will that increase the property taxes because of the increased liability? Also he made a comment about homeowners hot wanting their children playing in their own backyard and letting them go on trails and open areas. I would not want my child out of my site nor would I want them on someone elses property. We have put several adults with their children off of our property and people parking on our land.
  26. Permit appropriate scale and type commercial in Conservation developments to provide "walkable" services and establishment of people friendly "places"
  27. I support the comment made about allowing more shops-corner "Mom & Pop" cnvenience-type stores in the purely residential areas. Feura Bush Road is a great candidate for this-similarly you don't designate the area by Houghtalings (Rt 32) as a hamlet, but that's a nice convenient shopping area.
  28. Constitutional protections of eminent domain have been watered down by case law. It is critically important that the guiding principle of the plan be preserve to protect the rights of existing property owners.
  29. Can we put limits on excessive light? Light spilling in to neighbors. Light annoyance-all nite from lights on parking area. Lighting is objectional in residential areas.
  30. Zoning to allow home based businesses in upscale well established residential Areas should be restrictive and restricted. For example, approval of a home based business for a massage therapist at the intersection of Southwood and Thorndale created an uproar in the neighborhood and many protests to Town Hall.
  31. What specific plans are being included for a variety of senior housing options eg "institutional" settings-or where some services may be necessary?
  32. I am concerned about the wetlands in the Delmar area. I understand 22 acres

- are trying to be sold silently to a builder. Neighbors may be interested in purchasing to keep land wild. Are these future plans for Corrit Dr. to continue on?
33. How will the taxes be based on a residential use vs. a use permit to have a commercial use on the property? Since income is being made off the property!
  34. I have enjoyed the attempt at the transparency of this process before the plan was presented but the public comment period was cut off severely. After the recommendations were made. That is when this needs to be done.
  35. Why aren't separate meeting set up for each area? This was brought up at the meeting.
  36. How do we change what we don't like about this plan that we don't think represents us.
  37. The implementation and action plan presented tonight looks like a presentation on how Saratoga Associates can continue to have contracts with the Town.
  38. Please summarize the Q & A from tonight on the website. Thank you. This is a good start...there is a way to go.
  39. You are doing the people of this town a real injustice by not allowing more public comment at an open meeting and not simply these cards.
  40. Great Job!
  41. I think the plan is terrific. Keep pushing ahead.
  42. I would like to participate in development of LWRP (Riverfront Plan)
  43. Has the LWRP Committee been formed yet? I would like to be involved in this committee. I am a rural landowner but I mostly agree with your plan. If the rural landowners want their properties to be subdivided and regulated the same way as the in town properties then they should be willing to be taxed at the same rate as in town landowners.
  44. What exactly is the Local Waterfront Revitalization Program? We applied for the grant-how was the grant written-were areas specified?

**Appendix G – Bethlehem Planning Advisory Committee  
Public Hearing Minutes**

**Appendix H – Town Board Public Hearing Minutes  
And Response to Written Comments**

TOWN BOARD  
JUNE 22, 2005

A regular meeting of the Town Board of the Town of Bethlehem was held on the above date at the Town Hall, 445 Delaware Avenue, Delmar, NY. The meeting was called to order by the Supervisor at 5:30 p.m.

PRESENT: Theresa Egan, Supervisor  
Daniel Plummer, Councilman  
George Lenhardt, Councilman  
Thomas Marcelle, Councilman  
Tim Gordon, Councilman  
Kathleen A. Newkirk, Town Clerk  
James T. Potter, Esq., Town Attorney

- - -

Supervisor Egan welcomed everyone to a regular meeting of the Board and invited them to join in the pledge of allegiance.

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Public Hearings

Hearing began: 6:00 p.m.

SUPERVISOR EGAN: First of all before starting with the hearing I just wanted to remind people of how we are proceeding here. First there are zoning maps that are blown up that are out in the front hall so we are not dealing with zoning until after we finish the comp plan hearing so if anybody is interested those maps are posted out in the hall together with the current zoning map so you can compare.

Gonna talk about the rules for a little bit. Again, we are going to ask everybody first to be very respectful to all the attendees as well as the speakers. The process here is if you wish to speak please see our staff at the back of the room and fill out an index card. We need your name, address and phone number for the public record. We will be calling you in the order that you signed in. We are going to proceed with the comp plan hearing first. Zoning comments or environmental issue comments, we ask you to hold that... those comments until the appropriate hearing and we will get through this as quickly as we can. Again, just so there is no confusion in regard to the timing, at 7 o'clock does not mean we close the comp plan hearing. We have committed that we will hear all comments on that. The zoning hearing just will not start before 7 o'clock. As with the SEQR GEIS hearing will not start before 8, we will complete the zoning testimony before we move on to the next phase. We do ask that you keep your comments to 3 minutes. We have our time keeper, Mr. Mathusa at the end of the table. He will give a 30 second warning. We also ask that you do not pool your time. If you would like to speak please speak but we are going to ask that there is no pooling of time.

Also, looking around and seeing the number of people that are here and that wish to speak, we also ask that if you have a prepared statement or you are just reading from a prepared statement or substantially same statement that you might consider just handing the statement in with your name, address and phone number on it to allow time for someone else that doesn't necessarily have a statement to read but just wants to make comments.

Okay, think that was everything. With that being said, do I have a motion to enter the call of the hearing, the notice of public hearing and notice of publication into the minutes.

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem, Albany County, New York will hold a public hearing on June 22, 2005 at 6:00 p.m. at the Town Hall, 445 Delaware Avenue, Delmar, NY to consider Draft Comprehensive Plan.

All parties in interest and citizens will have an opportunity to be heard at the said hearing.

The Town of Bethlehem provides reasonable accommodations for the disabled. Disabled individuals who need assistance in order to participate should contact the Town Clerk's office at 439-4955, ext. 183. Advanced notice is requested.

BY ORDER OF THE TOWN BOARD

TOWN OF BETHLEHEM  
Kathleen A. Newkirk, CMC, RMC  
TOWN CLERK

- - -

State of New York)  
County of Albany )

JULI HEBERT of the Town of Bethlehem, being duly sworn, says that she is the RECEPTIONIST for THE SPOTLIGHT, a weekly newspaper published in the Town of Bethlehem, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said THE SPOTLIGHT ONCE A WEEK FOR 1 WEEK consecutively, commencing on the 8<sup>th</sup> day of June 2005.

/s/ Juli Hebert

Sworn to before me this 8<sup>th</sup> day of June 2005.

/s/ Sharon A. Doldo  
Notary Public, Albany County

- - -

STATE OF NEW YORK)  
COUNTY OF ALBANY) ss.:

KATHLEEN A. NEWKIRK, being duly sworn, deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on June 8, 2005, a Notice of Public Hearing, a copy of which is hereto attached, on the sign board of the Town maintained pursuant to subdivision six of Section thirty of the Town Law.

/s/ Kathleen A. Newkirk  
Town Clerk

Sworn to before me this  
17<sup>th</sup> day of June 2005.

/s/ Julie McNeil  
Notary Public

- - -

The motion was made by Mr. Marcelle and seconded by Mr. Gordon to indent the Notice of Public Hearing, Affidavit of Publication and Affidavit of Posting on the minutes of the meeting. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.  
Noes: None.  
Absent: None.

- - -

SUPERVISOR EGAN: Okay, we are going ot start first Michael DiPaolo.

MR. DI PAOLO: My name is Michael DiPaolo. I am co-chair of the Tri-Village Greenway Committee which is part of the Mohawk-Hudson Land Conservancy. I support the comprehensive plan, proposed zoning regulations as a way to protect our natural resources, encourage economic development and increase the quality of life in our Town. The preservation of green space is the mutual responsibility of landowners, government, the private sector and grass roots groups. It is clear we do not all agree on the issue but since reasonable people can have reasonable differences, I proposed that the comprehensive plan highlights that land to be protected and preservation would be carried out only in conjunction with willing

landowners. Further the plan should define what willing means that is only landowners who freely volunteer parcels of land. Other property owners should be free to manage their property as they see fit. Lastly the plan should make clear that zoning will not be used as a tool to force landowners to give up parcels of land against their will. Hopefully compromise language may pave the way for amicable relations regarding our effort to create a greenway of interconnected trails and preserves in the tri-village area. Thank you.

SUPERVISOR EGAN: Thank you. Before we have our next speaker, there's one other thing I just want to make note of. If you didn't pick up a handout when you came in, please see Nancy -- she's standing, Nancy please raise your hand for a second -- Nancy's got handouts. They are setting forth information having to do with the zoning hearing but it will give you an opportunity as we're going through this hearing to read it and we can go from there. So, if you did not pick up a handout from Nancy, please do. Next Dan Rain.

MR. RAIN: Hi, I'm a resident of Delmar, this is my son Cadao. I support the comprehensive plan as written. I admire all the intelligent thought and effort that went into it by the Members of the Board, the Bethlehem Tomorrow organization, all the residents who have gone to all the meetings and so I'd like to see passage of it for our future and our children. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Rain. Next Jeff Vadney.

MR. VADNEY: Good evening. My name is Jeff Vadney. I'm a 49 year resident of the Town of Bethlehem. I'm a graduate of Bethlehem Central Senior High School. I've lived for all of my 49 years on the Vadney farm which is the parcel immediately west of the Elm Avenue Town park.

My parents are John and Lois Vadney, they have similar credentials only they've been residents in Town for 75 years and have lived on that farm for 60 years. Four generations of Vadneys have farmed that piece of land which is in the ag district.

We attended all the meetings leading up to the plan. We've been active in a lot of discussions. There is a lot of good in this plan... a lot of good thoughts that should be carried forth but there are 2 major issues that I have agreement with. The first one is there is no need to spend any money on any type of conservation council that is going to map or study the open spaces and farmland in this Town. I'm sure you would feel uncomfortable if I was to take this clip board in your backyard and just stand around and say I was planning where you could put your barbeque grill, where you could put your patio furniture, etc. I pay taxes on my property, you pay taxes on yours. I leave you alone, you leave me alone. We are already regulated by the County, State and Federal governments. There is very little we can do that's going to disturb the ecology or the environment or the health and welfare of the rest of the residents of the Town. We have also been great stewards of the land up to this point.

Minor subdivision, it's admirable that you have a process in there where we can subdivide up to 4 lots every 10 years but the problem is, it's incredibly difficult to do. The process is just 1 step short of that required for a major subdivision. Development is a separate industry. Developers have the financial, the legal and the time resources to deal with the State and the Federal and the local government. We don't need another layer from you folks.

As it stands right now, the Town only averages 5 building permits a year in those areas which are not served by water and sewer. In the neighborhood of 200 those that are serviced by water and sewer. We're a drop in the bucket. On the Vadney farm there has been 3 new homes in 30 years. One home every 10 years, it just can't amount to very much environmental impact or disturbance to other Town residents.

And, any zoning as a result of this plan should be no more restrictive than it is now. I'm going to comment on that later in the zoning portion. Thank you very much.

SUPERVISOR EGAN: Thank you, Mr. Vadney. Sam Messina.

MR. MESSINA: Supervisor Egan, Members of the Town Board, my name is Sam

Messina. I live at 17 Egmont Court in Delmar. I am a 32 year resident, raised my family here and I'd like to keep this short. I'm sure you would like me to keep it short too.

But, I want to commend the Town Board, BPAC and also the residents and businesses in this Town for coming together and participating fully in the planning process. I've been involved in planning, one way or another, for 40 years and I've never seen it done better.

In terms of my involvement in this Town and the reason for my perspective here on planning is some 17 years ago I was either the first or one of the first people driving for planning in this Town with a group that was called Bethlehem Residents for Planning. Lasted about 2 years, our Planning Department was developed in this Town. After that LUMAC was formed, 17 residents, the Town Board and many others worked for 7 years and proposed a comprehensive plan. I thought that plan was a professional document, not perfect, nothing ever is but it was not adopted as a comprehensive plan. The 4 questions that I asked about whether or not I thought that was a good plan then, or whether or not the plan that you have before you from BPAC is good now, are the same.

The need, look what's happened with development or look what happens when you don't have a comprehensive plan and things develop in a more happenstance way. We didn't plan Delaware Avenue to be the way it is nor 9W to be the way it is and frankly, we can do a lot more when we have a plan to encourage economic development in the right places of Town.

Number 2, what do the residents and businesses want? 17 years ago, we had 1,000 petitions signed that they wanted a comprehensive plan. I think the feeling is even stronger now and you will see that tonight.

Third, is it a professional document? I read this plan. I feel that BPAC and Saratoga Associates did an outstanding job and it is a professional document particularly the public participation process. That was better and more extensive than when we did LUMAC years ago.

Fourth, flexibility. You have flexibility with this plan. If you adopt it as your comprehensive plan, to change it over time, you also have the strength of guiding the Town to development that should occur.

No plan's perfect. I heard a gentleman talk about the conservation advisory committee and the fact that he did not feel that was needed. I would prefer, if it was statutory so that you would have the opportunity for some grant activity through that, however, he can buy off on the current administrative committee because it is a way to get citizens involved in the process.

MR. MATHUSA: 30 seconds.

MR. MESSINA: I have 30 seconds?

MR. MATHUSA: Yes.

MR. MESSINA: 30 seconds if a long time for me. So, I would encourage you to have the courage as a Board to adopt this. It isn't perfect but it's darn good and you can change it as you go along. Thank you very much.

SUPERVISOR EGAN: Thanks, Mr. Messina. Bonnie Goldsmith.

MS. GOLDSMITH: Hi. I'm in favor of the plan in its entirety. Thanks.

SUPERVISOR EGAN: Thank you. Terry Rooney.

MR. ROONEY: I'm in favor of the comprehensive plan the way it stands in its entirety and I want to thank everyone who has worked for the past 2 years to bring it to this stage of development. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Rooney. Paul Tick.

MR. TICK: I'm Paul Tick from Berwick Road. A town plan is a guideline for our future and every nation, every state, every city and every family there is guidelines. Rules that set the parameter for our actions. The rules help us live harmoniously so that our actions don't hurt anybody else. In our democracy we are free to think anything we want. We're free to express anything we want, however, we are not free to do anything we want that would be anarchy.

We live by rules and the rules in combination with our spirit and concern for each other help unite us as families and as communities. The comprehensive town plan is not about control or taking away anybody's freedom, rather it's about our citizenship being expressed by creating a plan that will benefit everyone. Everyone who wants to be a part of the planning process was welcomed into it. Not one person was excluded and all points of view were equally respected. Appropriate compromises have been made along the way bringing in the best ideas from all sides.

There are things in the plan... there are things that aren't in the plan that I would like to see there but I, live everyone else, can live... can give up my own personal interests for the overall good of the community. I know the plan will help protect our schools from being further overcrowded. It will help keep taxes in check. It will keep the character of our town and thereby protect everyone's property values. This is not restricting freedom, this is the people of the Town using our freedom to create a vision that will work for the benefit of all.

With a plan in place, we as a town, create our future rather than leaving it for a random future or a future in the hands of developers. In our nation we hold dearly our individual freedoms, however, we also hold dearly our responsibility to our neighbors and our responsibility to our community. The comprehensive Town plan has managed to incorporate an excellent balance of both individual rights and our community responsibilities. And, that balance is essential for our future and I thank everyone who worked so hard on this plan.

SUPERVISOR EGAN: Thank you, Mr. Tick. Karen Beck.

MRS. BECK: I'm here tonight to register my support for the plan and want to thank you for the open process. I feel it is critical that you adopt this plan so that Bethlehem can move into the future. Thank you.

SUPERVISOR EGAN: Thank you, Mrs. Beck. Jim Booker.

MR. BOOKER: I want to thank you for the opportunity this evening to address the Board and the community as a whole. My name is Jim Booker, I'm a homeowner in the Town and I also own 85 acres of rural land in the southern tier.

The proposed Town plan has been developed following a rigorous process which sought the input of Town residents on numerous occasions. We confirmed that Bethlehem is a special and distinctive community and that we have dreams for an even better Bethlehem in the future. In this Town, we're not anywhere USA. We're instead hamlets with rich identities, rural landscapes which offer their owners a variety of life styles and we provide an essential grounding for the Town as a whole in these rural areas. We value what we have and now is the time to affirm what we want for the future.

Will we encourage growth and construction creating a landscape of leap frog development and faceless and soulless suburbs or instead do you want growth which develops and preserves our communities. Homes where you actually know your neighbors, more open space is something you walk to, not drive to. Then you want incentive zoning and conservation subdivisions.

Will your children come to learn that books come from Walmart or instead do you want your children to badger you at home to take you to I Love Books. Then you want hamlets. Do you insist that owning property provides rights and privileges without obligation and responsibility? Or do you want private property to work together to develop an even better Bethlehem, an attractive and desirable community which will, incidentally, cause local property to be more highly valued than it is today? Then you want meaningful zoning.

Does economic development mean celebrating any enterprise with a payroll or instead do you want a Town which supports its local businesses because we are spending our dollars here at home. A Town which stays home and spends its dollars at home because we have great hamlets; because we have great parks; because we have a great waterfront; because we have great paths and trails; because we have great people and a great community.

I love our Town and my dream is for an even better Town in the years to come. The Town plan and the zoning to put it in place are one step in our making that a reality. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Booker. Barbara Carkner.

MRS. CARKNER: Good evening. I'm Barbara Carkner and basically I am very satisfied with the comprehensive plan and I really want to thank each and everyone of you and everyone that put time and effort into the comprehensive plan. It's been a fantastic process to observe and contribute to.

I do, however, have 1 item, I believe, should be changed or amended in some way in the comprehensive plan and that's the recommendation that a committee be appointed for one specific reason with a contingency that in the future that they can consider a different concern or reason. What I am referring to is the CACC. Committee's charged with making decisions regarding property utilization and conservation of privately owned land whose taxes are paid by the owner gives the committee undo influence over the future valuation of the land. It sets up a disparity between the landowner and individuals or groups whose intent is to conserve, preserve and manage undeveloped open lands now privately owned. I recommend to the Town Board that this reference be changed to an appointed committee similar to the recent dredging committee set up for a specific assigned task to be disbanded when that task is completed. And, I strongly believe that appointed committees also need to have a public accountability by allowing for open meetings with access to the data they use and the recommendations they make to the Town Board. As we, the citizens of Bethlehem, do not elect them.

There are after all many not-for-profit and citizens groups within our Town who can assist any willing landowner who has expressed an interest in conservation and preservation. Citizens of Bethlehem should not have to be at the cost of open ended appointed committees. Thank you very much.

SUPERVISOR EGAN: Thank you, Mrs. Carkner. Diana Hernandez.

MRS. HERNANDEZ: Hello. My name is Diana Hernandez. I'm a resident of Delmar and I just wanted to say that I support the plan and it would serve as a blueprint to preserve our natural resources, encourage economic development and help to create a vibrant community life. Thank you.

SUPERVISOR EGAN: Thank you, Mrs. Hernandez. Chris Amato. (Mr. Amato did not come forward). Sheila Powers.

MRS. POWERS: Good evening. My name is Sheila Powers. I'm here as President of Albany County Farm Bureau and I want to talk about the plan. As everybody here knows, we have been paying close attention to this plan ever since it started. And, overall we are fairly pleased with its present shape and form. We know that there have been considerations on everybody's part, to and fro, and we appreciate that. I think it will work better for the whole community in the future.

I might say, by the way, that I have 36 years of planning myself in various communities serving as the person who was on a Planning Board at home, worked on a plan and then proceeded to help other communities. It isn't just from no where that I came from with this.

My one single reservation at this point, frankly, about this plan is – and I'm sure you don't need me to tell you this – the CAC or the CACC as it has been renamed. Let me tell you that because of the experiences that I have had all over New York, excluding the New York City area, I know that these committees are helpful, as Sam said, in terms of getting grants and so on. Those can also be written for other ways. What they are basically, however, is people who are very, very interested in

conserving open space and green space of various kinds. That's fine but they aren't reachable by the people that own the land or the rest of the citizens in the community. A Town Board that wasn't paying very close attention doesn't necessarily know what paths the CAC has trod in their efforts to get things done. Regardless of how the statute describes it, what it basically does is to give them a lot of opportunity within the law to seek greater arms than theirs in this project.

I will tell you that in my own town, we're finally – I was in the very unpleasant position of seeing one of my children be appointed to this committee and then heard her with absolute disgust report back to me for the 2 years she was on it that in tours over the properties where there had been a proposal for a building to be put, the CAC or the other members of the CAC took that opportunity to observe the neighbors and observe everything else on the property beyond the proposal and make many comments as to what should actually be happening to those people for their particular choices of use of that land. Sharon had to serve another year and then she got off the committee.

But, it certainly is because of that that I can't forget for 2 seconds that that's common. I heard it all over the Adirondacks, I've heard it coming up and down the Hudson River. It is not an unusual problem. So, I ask you, please, to consider an ad hoc committee such as the one you appointed for the Hudson River, even if you kept it forever. The fact of the matter is, you can outline its opportunities to do work and it can proceed just as well as it can any other way.

That's really the sum and substance of my remarks.

SUPERVISOR EGAN: Thank you, Mrs. Powers. George Waldenmaier.

MR. WALDENMAIER: My name is George Waldnmaier. Everybody's been taking the wind out of it... what I wanted to say about the CAC and like that so I will say I can live with the plan as it is except for the CAC. Okay. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Waldenmaier. Ernest Carkner.

MR. CARKNER: Hello. I'm Ernest Carkner at 83 Elsmere Avenue. I agree with the previous person that's the only thing in the whole plan that I have an objection to because there's no oversight by the community. The ad hoc community is set up for the judging seems to me to be a better and fairer way of going about it. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Carkner. Mr. VanVranken.

MR. VAN VRANKEN: I'm Michael VanVranken. I was here at the last Board meeting and the material that I have is the same material I presented at the last meeting. So, I may be a little bit out of step. I don't really know if this applies to the comprehensive plan or to the zoning plans. I was interested in addressing the idea of CIDS again or the Common Interest Development and the common interest communities as being part of or being considered in the master plan or the comprehensive plan which I support.

Since I am here, I would like to say that I am hoping that the CIDS will not tend to divide a community under the master plan since they consist of individual organizations with individual corporations. They tend to have their or mini or sub-governments. And, my only emphasis or my only concern is that these small governments or divisions do not tend to divide the community but with... through the supervision of the Board of Directors would help to unite the community. I feel the CIDS should be under the direct authorization and governance and supervision of the Board of Directors. And, that the Board of Directors should be the final arbiters in any of the problems that develop with CIDS and that we do not end up with gated communities and communities which tend to divide the whole of the Town. Thank you.

SUPERVISOR EGAN. Thank you, Mr. VanVranken. William Cook.

MR. COOK: Good evening. My name is William Cook. I appreciate the opportunity to speak before this body this evening. I want to start first by saying I'm not a resident of this fine community. I am a rural farmer. I am the Chairman

of the Albany County Water Quality Coordinating Committee and I am an environmental and political and media consultant.

I'm here to comment on the plan and my comments are offered as just a private citizen. I think it's a good plan. Is it perfect? No. I think it's a real good plan. I think it's an effort to balance both the future of the community with the needs of the current residents. You folks know better than I that every time you have a single family new structure and a family come in that the amount of tax they pay is not what it costs to care for that family. When you look at the schools; when you look at the hospitals; when you look at the policing; when you look at the services single family homes are tax losers. What happens is, it drives up the taxes of all of the residents that are here now.

Clearly there is going to be development in your community. Nobody disputes that. This plan is a real balanced effort to accommodate that future development and also accommodate the needs of the people who live here now and their families. Without open space, without a planned community what you will have in 20 years is Nassau, Long Island. Not a real pleasant place.

I think you're doing a good job. I think you have overwhelming support from the community. I applaud your efforts and I urge you to adopt the plan. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Cook. Peggy Sherman.

MRS. SHERMAN: I'm Peggy Sherman. My husband, John, and I have lived in Slingerlands for 21 years and we support the plan. By planning development we can preserve the Town's historic and natural resources. We can grow the tax base to support the schools and services that we cherish here. We can ensure that there is affordable housing for the future. We think this plan will strengthen our community and our quality of life.

SUPERVISOR EGAN: Thank you, Mrs. Sherman. Jessica Loy.

MS. LOY: Hi. I'm Jessica Loy and I support the plan wholeheartedly and I think that I am hoping that the plan will provide smart growth and strong design standards which will shape the future of our Town. I also support the CAC. I think it's a great idea. Thank you.

SUPERVISOR EGAN: Thank you. Karn Henrikson.

MRS. HENRIKSON: Hi. I'm Karn Henrickson and my husband, Craig, and I have lived in this community for 38 years. We've raised 3 children in the Town of Bethlehem and they have all opted to stay in the Town and raise their families. One of the major reasons we moved to this community was because of the schools and lack of air pollution and just the open spaces and that really nice sort of suburban/rural feel of the community. And, over the last 38 years we've seen an awful lot of far too much development and sort of piece meal development. And, I think we... we both totally support this plan and both read it and think that it's a really good guideline for the future. And, the comprehensive plan does indicate that it's an evolving document and there will be changes along the way but it's great to have something to work with for the future. And, thank you all for doing so much work on it.

SUPERVISOR EGAN: Thank you, Mrs. Henrikson. Libby Liebschultz. Libby, I am sorry.

MRS. LIEBSCHULTZ: Thank you and you did pronounce my name perfectly.

I've already written a letter to the Board and I don't need to repeat what I've said before but I just wanted to come in person and add my voice to all those supporting the plan and the zoning changes to implement it. They go hand-in-hand. And, I urge you to really take advantage of this opportunity to do something wonderful for our community. Thank you.

SUPERVISOR EGAN: Thank you. Dave Monroe.

MR. MONROE: Hi. I'm Dave Monroe. My wife, Eileen, and I have lived in

Delmar for 18 years. And, our 2 children are aged 19 and 17 and all 4 of us strongly support the plan. We think it is long overdue as many people have suggested. We urge you not to weaken it any further.

I would note that when Terri Egan ran for Supervisor, 2 years ago – probably seems like 10 years ago – a central piece of her platform was planned growth in Bethlehem. And, she promised she would work on developing and implementing a plan and she has and all of you have. And, I would urge you to now implement the plan. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Monroe. Giles Wagner.

MR. WAGNER: Giles Wagner. I'm a large rural landowner in Selkirk. Been a resident of the Town since 1948 excluding school in the military. I've traveled a lot. I've been to every continent. I've seen the good and the bad, the very bad and it's been my observation that the large rural landowners in our Town are pretty darn good stewards of their property. Having said that, if and when the time comes for this conservation advisory committee, be it called that or some other name. I would like to see the majority of the members appointed on that committee to consist of large rural landowners. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Wagner. Fred Richter.

MR. RICHTER: Fred Richter, Selkirk. I'll be very brief since I'm only commenting basically on a part of the plan that I don't like. That is the CACC which I feel is really not necessary for any implementation in this Town. The Board already has the authority to create a group to look into problems and why they should... the plan should have a permanent group is beyond me. It will only be a type of busy body approach which we don't really need. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Richter. Dan Lewis.

MR. LEWIS: Hi. My name is Dan Lewis. I live at 164 Orchard Street in Delmar. I've been a Town resident for 11 years. I am also the President of the Friends of Five Rivers, a group of approximately 1400 members who many of whom are Bethlehem residents who support the activities, the programs, etc. that occur at the Five Rivers Environmental Education Center. Our Board of Directors has asked me to come before you tonight and express our support for the final draft plan in its entirety as related to those areas of interest to us, primarily the open space and greenway preservation, the conservation subdivisions and the CACC – those areas regarding open space and preservation.

On a personal note, having been involved in this process for quite some time, I would like to say that I feel personally proud to be a resident of Bethlehem right now. I'm proud of Bethlehem Tomorrow for their activities in bringing the Town together in serious dialogue about what we saw as the future of our Town. I'm proud of Supervisor Egan for taking the election and the lessons from that election... the campaign promises made and realizing those and taking that seriously in bringing the moratorium, etc. I am also proud of the Board for taking this process seriously and feel that... I'm also going to say based on many of the comments I've heard tonight and I wasn't sure I would really say this. I'm proud of the rural landowners as well for engaging in the process because it is the process that has made this plan up until now something that all of us seem to be able to live with and that is something that we, as a community, should be proud of. And, I feel proud to be a resident of the Town right now. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Lewis. Mark Lewis.

MR. M. LEWIS: Thank you for the opportunity to speak in front of you today. As I read through the plan, there was an objective that really struck me and one of the objectives in the plan was to maintain diverse environments within Bethlehem but each portion of the community having a unique sense of place... a unique sense of place and that really struck me because as I moved to this area 16 years ago from Philadelphia, we purposely moved to the Capital District because of its access to the outdoors. And, when we first started looking for a homes, the real estate agent took us to places like Colonie and Guilderland and I was ready to move back because the unplanned sprawl, it really struck me that this is not a place that I

wanted to live. And, then luckily somebody took us to Bethlehem and it was like a breath of fresh air with its access to rural environments and also the hamlets. I really felt I had found my place, that this community had a sense of place.

People still love to visit us and they comment that this place is unique even among the Capital District. So, what I do, I really would urge you to support and accept the plan because I feel that the plan is a vehicle to maintain a unique sense of place in Bethlehem. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Lewis. Ken Hamm.

MR. HAMM: Good evening. My name is Ken Hamm. I live at 210 Waldenmaier Road and I want to speak tonight to oppose the proposed down-zoning of significant portions of Waldenmaier Road from its current residential status.

Currently under the residential zoning status there are 5 as-of-right uses in the Waldenmaier Road residential area that is proposed to be downsized. The down-zoning would allow 47 uses. That is an increase of 42 different types of new uses in this area each of which is potentially incompatible with the existing residential neighborhood. Even worse, the way I read the plan and the zoning regulations, 11 of these new uses could commence operation with no further substantive review or approval by the town. These 11 new, as-of-right uses include multi-family dwellings, business offices, home occupations, retail businesses, horseback riding businesses, and telecommunications facilities. Each of which can cause significant adverse impacts such as traffic congestion, noise, odors, aesthetics, water quality and public safety issues on the existing character of Waldenmaier Road.

With respect to the plan as a whole, I believe its adoption is preferable to the status quo and, I therefore, support its adoption with the deletion of the proposal to down-zone Waldenmaier Road and with the adoption of the draft DGEIS which meets applicable legal requirements.

Sorry, I'm not supposed to talk about the DGEIS in this portion. However, my support is qualified as I am disappointed by the relatively weak approach to open space protection and I urge you not to further weaken the plan. Open space is rapidly disappearing in this community. A mistake in favor of open space protection can be corrected in the future but a mistake in favor of development cannot be corrected.

I also have some comments kind of intertwining the draft GEIS, the zoning regulations and the draft plan and I tried to figure out which segment they should belong in and I had a lot of difficulty separating them out. So, with your indulgence, could I provide those comments?

SUPERVISOR EGAN: Sure.

MR. HAMM: The draft plan zoning amendments and GEIS collectively authorize the 11 uses I talked about before to occur right next to a residence on Waldenmaier Road with absolutely no environmental review. Page 81 of the GEIS indicated that environmental review is not necessary now because the adoption of the zoning plan and amendments will not themselves approve any development activity and individual projects will subsequently be provided site specific review. This statement is disingenuous with respect to the 11 as-of-right uses in the rural classification because no further substantive town approvals would be required for these uses.

Thus, these 11 uses would be authorized without any SEQR review either now or later. This is a clear violation of SEQR which requires the town to take a hard look at the potential environmental impacts of its actions. Furthermore, given the magnitude of the draft plan and zoning changes and the almost total lack of substantive analysis of impacts in the DGEIS which leaves any meaningful discussion of impacts until individual projects are proposed, environmental review of proposed projects throughout the town will be segmented. Again, in clear violation of SEQR's requirements.

But, there are also other numerous other serious deficiencies in the DGEIS and I will be submitting written comments on those at a subsequent time. Thank you for

your time.

SUPERVISOR EGAN: Thank you, Mr. Hamm. Connie Tilroe.

MRS. TILROE: Hi. I'm Connie Tilroe. I live on Salisbury Road which was my maiden name and my grandfather's Salisbury farm, Normanside Country Club you might know it as. So, I've been around for a while. I appreciate the plan. I believe planning is very important. I think you've done an excellent job. My only concern is to make sure that appointed committees or that you have to report and be authorized by the Board which is the elected committees. They, you know, the buck has to stop at you guys, not somebody else. Thanks.

SUPERVISOR EGAN: Thank you, Mrs. Tilroe. Geoge Kass.

MR. KASS: Yes, good evening. My name is George Kass. I'm a Delmar resident and have been for 74 years. I'm here this evening to represent the Trout and Limited Group. They are concerned about the Onesquethaw Creek. The Onesquethaw Creek is a habitat for natural brown trout and other species and without proper protection and consideration and caring, it will eventually go away and we won't have it any more. So, we would appreciate it if the Town would take into consideration under the new program the caring and protection of the Onesquethaw Creek. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Kass. Val Newell.

MRS. NEWELL: I'm Val Newell. I live at 25 Wemple Road, the Newell farm. My family and my husband's family have been here for many generations. I oppose the plan for the main reason of the CAC or whatever it is that you want to call it by any other name. I think we have enough groups and enough government layers that support and take care of those types of interests.

The one part that I would like to thank everybody here for is the hours and hours and hours that not only all of you have put in but a lot of these people that have put in the same amount of reading time, purchasing of these documents and their drafts over and over. And, I want to thank everybody for their community interest.

I really... I guess I'm disturbed when I hear people saying that this plan is not going to take anything away from anybody because it is. It's going to take away some economic benefits that the rest of us rural landowners, I guess you would say, would have. And, I guess I would ask you to consider that carefully because I've been talking to people. I've been trying to educate people about the good things in the plan but there are some bad things in the plan. And, I would just like to ask you to send it back and this time really listen and take into consideration the economic hardships that this plan and the resulting zoning are going to do to the people that have made this Town, really and truly, what it is today – the nice place that people want to live because if it wasn't for your rural landowners and people that brought business into this Town, and your grandfather being one of them, it wouldn't be the place that it is today. So, take us and our considerations into this and send it back and send the zoning back as well for some changes. Thank you.

SUPERVISOR EGAN: Thank you, Mrs. Newell. Shirley Brand.

MRS. BRAND: I'm Shirley Brand. I live in the... for 26 years I've lived in the great hamlet of Elsmere. I'm here to endorse the plan in its entirety. And, I am asking this Board not to weaken that plan in any way in your future actions.

I would like to refer you to the comments made by Paul Tick earlier tonight, I don't think I can express the views any better than he did earlier. I would like to say, down the street from me, there is a sign reminding me that I am a property owner and I have rights and I think this plan is the best way for you to protect my rights and particularly the quality of my life in Elsmere. Thank you.

SUPERVISOR EGAN: Thank you Mrs. Brand. Nancy Neff.

MS. NEFF: I'm here this evening to speak in opposition to including a committee, call it what you like – CAC, CACC, any other name – the plan recommends on page 6.4 that the CACC could assist the Town Board and Town staff in preparation

of plans and policies related to environmental protection and management, agriculture, natural areas and open space. Or, they could be asked to provide comments to the Town Board, the Planning Board or the Zoning Board of Appeals on development projects.

Well, what I want to do is give you 2 specific examples of what's going on in the Town now and show you the type of thing that could occur in the future by establishing this. The first is on Orchard Street where a property owner is looking to sell or develop 2 parcels which site between the Philippin Kill preserve and Five Rivers. There is a special interest group that has put pressure on for them to donate this land so that they can connect these 2 trails. The owner does not want to so they came to the Town and said instead of donating it... instead of taking the park set aside money, take the property instead. I don't know how that is helping a willing landowner. To me that is not willing.

The second example is on Elsmere Avenue. Now, this property has attracted a lot of attention. The owners came, got a dumping permit from the Town to restore the property back to agricultural property. Someone saw the clear cutting, the dumping, of course assumed something was going on, called and had the Army Corps of Engineers come in, declare some of it wetlands. Well, now the owner has this wetland delineated in the middle. If he had been able to restore it to agriculture it would have been much better for the environment now he has wetlands in the middle. If it were me, the expense to cover all the legal fees and stuff, I would want to develop the rest. So here, everybody thinks they are out to know best and the poor landowner is the one to suffer.

As you can see by giving influence to such a committee, there would be an unfair balance between those special interest groups that wish to conserve areas of the Town and those that own these lands. Whereas the equity to the property owner when these special interest groups start devaluing their land with their so called expertise in planning but no practicality in working the land. There is no reason that a committee can't be formed as an issue arises, assigned a task and then disbanded when complete, similar to the dredging committee. There's no reason for an unelected committee to go on in perpetuity whose express purpose is unsolicited regulation of other residents assets. Once there is reference to the controlling committee and its inventories and maps are removed there will be more support for the plan.

SUPERVISOR EGAN: Thank you, Ms. Kneff. Ken Kneff. Next up will be Bob Jasinski.

MR. KNEFF: Ken Kneff. I live at 342 Meads Lane. I'm going to say a lot of the same things. I'm very opposed to a CAC, CACC or any of these committees. Any group that is designated to map or inventory private property. The main reason I am opposed to that is I think that there are people in the Town and it was revealed during this process... I think there are a lot of people on the BPAC committee that really set out to do try to do good. And, I want to thank them but there were a couple that set out to take over and it was very obvious through the whole process. They kept rewording things and rewording things for the sake of their own personal gain and to sacrifice other people. These are people that are going to join that committee because the majority of people who are rural landowners and stuff don't have time. Hey, it's sunny this week, we got to work. Okay and that needs to be taken into account.

Most of the people who support this type of committee are interested in controlling not in assisting. And, to keep rural land you have to assist so that you can make it economically viable. I don't understand why that is so hard for people to understand. I have no problem with the committee being appointed by the Town but I have a problem with the committee not having an end because there are times things come up, you got to deal with it, no problem. But, anything that could just keep going, keep going, keep growing that is not elected are serious problems. Okay. There is a basic rule too, once you let the squeaky wheels start, they just keep going.

This is written from the plan and this sums up my concerns. It says in the future the Town Board could consider to restructure the CACC. Now, what happened was the CAC was discussed. There's a lot of problems raised, so they rewrote it to

be the CACC which didn't have as much power. But, now, it can be restructured as a formal CAC. If it is considered this option in the future, the Town Board should weigh the potential positive benefits of establishment of a CAC with any genuine negative impacts on landowners that such designation could create. Now, why is it that all of the positive things are just positive but all the negative have to be proven genuine? That's a direct cut at rural landowners and it's in the plan. And, that's put in intentionally to put down us. All right and therefore I have a problem with this type of committee. All right because supposedly everything positive is real but all the negatives have to be proven genuine. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Kneff. Mr. Jasinski. After Mr. Jasinski is Mary Judd.

MR. JASINSKI: Good evening. Bob Jasinski. I want to thank BPAC for doing a job on and I notice they spent lots of time. Saratoga Associates have charged this Town \$158,000 to do this plan. I find that this plan mirrors nearby town plans, the same words, same planning. There is no need to follow the other towns I feel. We are a unique town and we can lead, we don't have to follow.

The comprehensive plan was given to the Town by the Legislature and, I believe, the lawyers here might know that nothing says that we have to adopt this plan. There is no law that says we have to. We can put it forward and then we can have it as a guide. We've had LUMAC as a guide for years and we've used it. There is no sense in saying to somebody – oh, we never adopted it – because we've used it. I've been to many meetings where we've used LUMAC and it's a guide. It's not a Town law. I was very, very disappointed when I came and had changes, amendments that are going to go into effect on this comprehensive plan and the zoning that goes with it because one follows the other. I mean after 14 months, all of a sudden in a week we're going to have changes. Was there a BPAC meeting that addressed some of these changes or is it just something that come out of the air? I feel that... I mean, you're going to listen to the next which is the zoning and it just doesn't follow to... I mean there's questions and I question the plan itself. I think you ought to use it as a tool and not as a law.

This plan has really fractured the community. We started out... I think we were a pretty close community, now we have fractions that want a certain thing in the rural, semi-rural, urban. I mean it gets so you start losing tract of what is going on here. I mean everybody wants something. Can't we come together and as I say, I'm just very, very disappointed. I was so disappointed to be handed these changes after 14 months of work and what is it 1 month on zoning, 148 pages on zoning. How much on the comprehensive plan? Please give it some thought. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Jasinski. Mary Judd. Next up is Linda Jasinski.

MRS. JUDD: Hello. My name is Mary Judd. I've lived here for 5 years. I live on 11 Herber Avenue and first I'd just like to say how appreciative I am to all of you, to the BPAC committee, to Bethlehem Tomorrow, to the Chamber of Commerce. I feel like there's been an enormous amount of opportunities for all of us to be informed, to give our input to ask questions.

And the reason that this is so special to me is I lived in Austin, Texas and in 1993 I went to a town board meeting and I was speaker number 863. And, one reason I was 863 is there was a large out-of-state developer coming in who wanted to build right on top of Barton Springs which is a naturally fed beautiful pool in the middle of town. It's an aquifer and the town board looking at 900 people – they had to close the door and turn several hundred away – said where were you all 8 years ago. So, moving here and being a part of the process that got people up, motivated, I'm really very happy to live here.

There is so many comments I wish I could address. One man... or one woman saying her children still live here. I've never lived in a community where so many people were from here. I lived in Austin, Texas and Denver, Colorado and I have large landowners who live in Colorado still so I feel like I can straddle both worlds and appreciate the effort and the commitment that so many people have brought to this process.

I read Mr. Mead's article today in the paper and for 2 reasons I was happy. 1. I know he was not real encouraged when this first started at our first Bethlehem Tomorrow hearing and so for him to be on the BPAC, to write a letter that's to me so important. The open communication, I hoped that after the Town does adopt the comprehensive plan which I strongly support, I hope we'll continue an open dialogue. I would encourage people like Mr. Mead and several other rural landowners to stay involved and ideally keep educating the other residents in the Town as to how we can best support large landowners who want to hold on to their land and want to continue working it. I am sure there are some who would love to sell to developers but I would imagine there are several who would like to hold onto it. I would like to know better how we can support them. Thank you.

SUPERVISOR EGAN: Thank you Mrs. Judd. Linda Jasinski. And, John Smolinsky follows her.

MRS. JASINSKI: I just like to reassure everybody that the rural landowners are not going away. We have been here for many, many years working for the rural people and their life style. And, we'll still be here after you adopt the plan and we'll be working with that.

We've spent probably 12 months with this... working with this comprehensive plan trying to get the BPAC committee and the consultants to understand that rural living is very different than suburban living. We have different ways of doing things. We have different importances and I think finally that got through to them. But, there is still some concern and people don't understand that and I think this really has split the Town into the rural and the residential districts. I'm sorry to see that I thought maybe it would get everybody to work together and understand and tolerate each other's life styles.

I've come here today with over 100 signatures against the CACC, CAC, whatever you want to call it. We're happy if it would set up committees that deal a particular problem. You want sidewalks, you get a sidewalk committee to look into it, they'll figure it out, they will go away. You have trails you want, you get a committee to do that. That's all fine, we just don't want a committee that is going to inventory our lands, make recommendations on our lands that we are trying to take care of. And, yes, we would like to keep but we're also afraid that the taxes are going to get so high in this Town that we can't afford to do that. So, I'll just drop these off to you.

SUPERVISOR EGAN: Thank you. John Smolinsky and then Peter Frueh.

MR. SMOLINSKY: Thank you. Want to thank the Board for appointing me to BPAC and I commend the Board for the other excellent appointments that were made.

The process was open and inclusive, BPAC listened and learned from landowners, Town officials and concerned citizens. The comprehensive plan is truly a product of facts, diversity, discussion and balance. Today's testimony is yet another step in that open public process and we still need to listen to important facts and ideas while we are here. But, it's time to set a plan in place and move forward with its implementation. Having voted to forward this plan to you is my endorsement of its vision, its goals, its implementation strategies in their entirety. But, there are several that I would like to emphasize.

First, there are many aspects of the plan that address the Town's environmental and cultural resources such as streams, wetlands, flood plains, steep slopes, storm water runoff. All of these are critical elements to either be protected or protections to be implemented to preserve a high quality community. The CACC is an important tool that can help the Town achieve those environmental resource goals and I will only digress for a minute and not get into the tempest of the CACC but it's clear that a CACC or whatever you want to call it is up to you, Town Board. You can define it, you can limit it, you can give it its duties, you can call it to order, you can have it do whatever you want. I think the Town has a long standing reputation of welcoming and using volunteers to do a lot of valuable work for the Town. I think the CACC or whatever you want to call it can be another one of those groups.

A second important element to me is the Hudson River front area. As the plan lays

out and an LWRP is in the works or will be in the works and I think that is critical to guide development and define protections within that important riverfront area. It's too unique to deal with any other way.

Third, in many different ways the plan addresses our visual environment and the need to improve attention paid to design standards, plantings, land clearings, site planning and signs. The plan does not call for suburban or rural sameness or strict uniformity. It calls for coordination of visual elements and consideration of purpose, function and existing surroundings.

Lastly, the plan emphasizes more development of safe pedestrian and bicycle access. You know, what better way can we provide alternatives to vehicular traffic, reduced traffic congestion and give better access to shopping, recreation and connections between neighborhoods.

This plan is an excellent benchmark and a laudable milestone in the Town's history. It provides a bold vision, realistic goals, comprehensive implementation strategies that appropriately balance resource protection, economic development and landowner rights. This is a product of the community and a product of good government. I encourage you to adopt it. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Smolinsky. Peter Frueh and then Sally Peyrbrune.

MR. FRUEH: I am Peter Frueh. I oppose the comp plan as written. We in the rural area do not live the same as in the Town residents. We do not need the CACC or other groups mapping or telling us what to do with our properties. I believe the most... the most input to this plan has been from environmentalists. I have been in the Town since... for 65 years and our family has lived in here since the 1830s. We have seen the people come and go and we are left with their ideas and the extra cost that we have been left with we have to try to make up. I believe as Mr. Vadney said, we have worked these properties and the properties reflect that. All our lives are... our people have had to stay... all the rural people have to stay and look to our animals or.. I've got that wrong... the people that drive by our farms come out to see our animals and see our open space which we are the ones that are keeping clear and keeping our animals safe and I like last night was working in the fields til 9:30 last night bailing hay so it would not get wet. I didn't see anyone out there offering to help that want to keep this land open. So, that's where I'm coming from. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Frueh. Sally Peyrebrune. (did not come forward) Then Dr. Wilbur.

DR. WILBUR: I'm Harry Wilbur. I've lived in Glenmont for nearly 20 years. My wife would not permit me to divulge how many years she has lived in Bethlehem. We've raised 2 children here. I've seen changes in Glenmont that I think, perhaps, were not always for the better. My awareness of planning probably came to light with the Waste Management initiative to establish a facility on the River Road. I sense that a lot of the local residents, myself being nearly a local resident to that area, were opposed to that initiative but because there was no planning, the area was vulnerable. It was just a vulnerable situation. My sense too is that some of those residents, perhaps, were opposed to earlier efforts to institute a plan with regard to LUMAC. And, those 2 positions are in contradiction. Without planning you are going to have chaos. I don't believe the plan is perfect, no plan of this scope could be perfect but I've witnessed the process through the winter, many long hours, and I've come to believe that the planning committee was responsive and sensitive to the input of concerned citizens. I saw the plan go through a metamorphosis. It did respond to those needs and I feel that the plan, if enacted, would continue to be responsive and sensitive and evolve to meet the needs of all the people. So, I support it.

SUPERVISOR EGAN: Thank you, Dr. Wilbur. John Mead and then Ed Kleinke.

MR. MEAD: Good evening. Miss Judd alluded to my letter in the Spotlight so I'd like to read that letter into the record here tonight. For 14 months I served on the BPAC attempting to bring a more rural aspect to the comprehensive plan that will be the focus of the public hearing this evening. My family has lived and farmed in

this Town for 7 generations. I tried to balance BPAC with some insights into the rural life and what is important to the more rural property owners. When the final draft came to BPAC for its approval, I did not feel that I could, in good conscience, approve it while it still contained the language that allowed for a committee that would be mapping and inventorying open land with the intent to control that land while not having any monetary interest in the land. This committee that makes their wish list and are allowed to influence the Planning Board and the Zoning Board and the Town Board will have too much control over the future development of open lands in this Town at the expense of the owners of this property. With the removal of any reference to this committee and its related maps and inventories there will be more support from the rural property owners.

I feel it necessary to clarify some misinformation that has been circulating regarding the plan. There are many residents out there who would like to see no further growth in the Town. That is not a reasonable answer. There are still others who would like to control every minute detail of the future growth of this Town. That is not the answer either. The plan and related zoning must follow... must allow for flexibility for the future. The Town must not overreact to the development that has occurred in the parts of Town that are serviced by water and sewer by penalizing those residents that live outside the water and sewer districts. Let's just stick to the facts.

Approximately 200 building permits were issued annually in this Town. Of those, about 5 are issued for the areas of the Town that are outside the infrastructure. With this in mind, let's think about the proposed zoning. This zoning does not follow the goals set out in the plan. As these are the implementation tools for the future when they must follow the intent of the plan that currently do not. The proposed zoning must reflect this difference between rural and suburban life styles. When restrictions are put on the land that only allow for suburban type development, then you will get suburban development. When flexibility is allowed then the rural areas of this Town will be able to grow and change but still retain their rural character.

The Town acknowledges it is still making changes to the zoning and that additional changes need to be made. If this is the case, we urge the Town to give us a final copy, additional public hearings regarding the zoning to get it right, not rushed. Let's remember that we are not having a public hearing just on the plan but also on the zoning regulations that by law must follow the intent of the plan. They currently do not. Thank you.

SUPERVISOR EGAN: Thank you. Ed Kleinke and then Ellie Praaken.

MR. KLEINKE: Good evening. My name is Ed Kleinke. I live at 62 Maher Road, Slingerlands. I've prepared some comments that I've made copies for the Board that I will leave with you. But, for the purpose of tonight's hearing I would just like to paraphrase a few of those comments and particularly highlight a couple of issues that I think are important.

Certainly want to thank everybody for the opportunity to be here tonight to express some thoughts on the comprehensive plan. I also would like to preface my comments by saying that I'm both personally and professionally committed and supportive of comprehensive planning for our community. As a landscape architect my professional practice has included the preparation of comprehensive plans, zoning ordinances and subdivision regulations in the Hudson Valley area.

My perspective, however, at times is one of guarded acceptance of comprehensive plans and that's because I view the role of comprehensive plans in many cases as being protective measures from things that tend to cause a community to lose its sense of self. A loss of community identity, economic foundation, the loss of established life styles is far too often the result of poorly envisioned and prepared comprehensive plans rather than no plan at all.

When we started this process it seemed to me I heard lots and lots of things about we're building too many single family homes, the schools are overcrowded, the streets are overcrowded, too much run off of pollution in our streams and that our open space needed to be protected. Yet building permits for single family homes for the past 2 years are at lower numbers than the previous 5 years – it's 2003

before we started this process and 2004 whole this process was going. New construction of schools seems to be on hold a little bit. Two years ago the DEC implemented phase 2 storm water regulations to address small land disturbances and this past year the Albany County Farmland Protection Board adopted the farmland protection plan and agricultural districts also became accessible on an enrollment yearly basis.

So, the first question I would ask tonight is, why did we start this process in the first place? I'm sure we all have variations in answer to that question but suffice to say, is that we did start it. We did hire a consultant and we did set up an ambitious time schedule. And to that I would give much credit for all who were involved, particularly the Town Board. This process has been a very open and public process. I think a necessary part of it and an important part of it. And, I would say that in spite of all of the discussions pro and con it has been a productive process.

Now, a year and a half later we have a plan, it's been recommended by the BPAC committee. So, the question also that we have at hand is the comprehensive plan acceptable in its vision, its goals, its content and its recommendations. Well, again, we probably would all have variations in answer to that question as well. From my perspective, I think the process has come a long way from its beginnings.

As many of you know I grew up in a dairy farming family, I'm a member of the rural landowners and I live on a portion of the Mahar Road farm. Discussions about agriculture, farms, working landscapes, property rights, rural lands, recognition of the Hudson River and yes, open space are all important to me professionally, as well as personally. I'm encouraged that they are part... they were part of BPAC's discussions and much to the credit of Supervisor Egan, George Leveille and his staff and John Mead, in particular who is a BPAC and a rural landowners President, many of these issues are now addressed in the final draft of the comprehensive plan document. Language that references rural land, farms, farmland, agriculture has doubled from the first draft to the final draft. I think that is an important recognition that you, as Town Board, the BPAC committee and others have agreed that these are important aspects of our community that we must recognize.

So, to say the least, I'm encouraged that the proposed comprehensive plan is beginning to take on a meaning that is unique to the Town of Bethlehem. I had some comments regarding the citizen advisory council and the citizen advisory committee on conservation. Those I will let you read at your pleasure. I would like to just relate one specific area of them and that is among the tasks identified in the comprehensive plan for the CACC and maybe in the future a CAC, for the preparation of plans and policies related to environmental protection and management, agriculture, natural areas, and open space.

Since open space is a term often used in comprehensive plans, I refer you to a definition of open space from the New York State General Municipal Law, Section 247 titled Acquisition of Open Spaces and Areas. This is some of the basic legislation that allows public monies to purchase private lands for open space purposes. Definition for the purpose of this chapter an open space or open area is any space or area characterized by 1. natural scenic beauty; or 2. whose existing openness, natural conditions or present state of use if pertaining, would enhance the present or potential value of abutting or surrounding urban development or would maintain or enhance the conservation of natural or scenic resources. And, for the purpose of this section, natural resources shall include but not be limited to agricultural lands as defined as open lands actually used in bonafide agricultural production.

So, a proposed CACC and any future CAC is tasked or empowered to further pursue the plans and policies for open space among other things that potentially would enhance the present or potential value of abutting or surrounding urban development. And, we wonder why landowners in this Town are upset with much of the discussion about open space.

I would highly recommend that some modification with respect to these specific issues be made to the comprehensive plan prior to its adoption by the Town Board. Finally, as I have related on other occasions, the proposed comprehensive plan clearly acknowledges and embraces things like rural character, and farmland and

agriculture. Things we all, I think, take near and dear to our heart. I would like to remind everyone that these qualities of our community that we all embrace are that way because of the people that own the land. Their roles as caretakers with very little involvement by government is part of the formula and should be part of the formula to achieve an acceptable comprehensive plan. Thank you.

SUPERVISOR EGAN: Thank you. Ellie Praaken and then Steven Wiley.

MRS. PRAAKEN: I'll keep this brief. I just wanted to say I've lived in Town for 35 years and I'm so excited that we now have a government that's being pro-active in dealing with planning. In the comprehensive plan I especially like the part about the balance as it refers to the stewardship of finite land and environmental resources. Conserving our land and making the best possible use of it is of utmost importance because open land is irreplaceable once it is gone, it is gone.

I'd also like to say as President of the Bethlehem Garden Club that we are very happy that the plan addresses entrances and visual landscape in Town. And, we have been working with the Town... the Club has been trying to promote and making gardens and promoting this visual aspect of Town and I am very happy to see that it's going to be continuing. Thank you and I support the plan. Please adopt it.

SUPERVISOR EGAN: Thank you. Steven Wiley and then Bob Pettie.

MR. WILEY: Good evening and thanks for the opportunity to say a few words. I would like to speak on behalf of a group that I have not heard represented so far this evening and that is the taxpayers of the Town. I've heard pleas on behalf of environmentalists, farmers, landowners, rural landowners. I have not heard a plea on behalf of the taxpayers and so I would like to suggest one small change in the comprehensive plan on behalf of the taxpayers. There's a group of goals... a list of goals in the comprehensive plan. The plan says they're not listed in any particular order of priority but the first one which is mentioned is a fair and balanced tax plan. We don't have that in the Town of Bethlehem as we speak and what we need is significantly more commercial development in order to provide an appropriate tax base.

Let me see if I can make that case here. Let's talk about the school taxes, forget the Town taxes for the moment. Let's talk about the school taxes in particular because there are some recent objective studies from outside the Town that demonstrate 2 things. We have a problem with the school taxes in the Town of Bethlehem and it's not because of the Town Board. It's not because of the Superintendent of Schools or the Board of Education and certainly not because of the faculty or staff. We get a whale of a bang for the buck here in the Town of Bethlehem. The per pupil expenditure here in the Town is \$11,449 per student. That is the second from the bottom of the 13 member suburban council and yet in the recent business council study, Bethlehem ranked 3<sup>rd</sup> in terms of pupil achievement in that 13 member group of the suburban council. So, what is the problem, the problem is that there is not enough tax revenue to support the schools and the Town government and the only way that we can improve the situation with respect to tax revenue is to increase the commercial tax base with reasonable and sensible development.

That is not \$250,000 houses. There was a letter in the Times Union... not a letter but an article about this hearing in the Times Union today in which Mr. Hanifan said hey there's a real demand for houses between \$250,000 and \$350,000 in the Town of Bethlehem but as we all know, 5 or 8 years ago, when Sheila Fuller and Les Loomis did an article for the Spotlight, every single house that is built in this Town where the assessed valuation is less than – at that time it was \$310,000 or \$320,000 – I don't know what the number is now but I bet it's pretty close. It may be even a little higher than that. In fact, I called Les Loomis today and talked to him, he indicated that they had not done that survey recently and he declined to express an opinion. But, the fact remains that what I think we need to do in the Town is to push up the commercial development and establishment of the commercial tax basis to support the services that the Town has been and the school district have been provided on a very, very limited budget. Not because of expenditures but because of lack of revenue. And, so, I proposed that in the list of priorities or in a list of goal, that that first priority of balanced tax base be actually

designated as the number one priority.

SUPERVISOR EGAN: Thank you, Mr. Wiley. Bob Pettie and then it will be Jerod King.

MR. PETTIE: I speak for myself and my wife. The Town is growing apace, 29 percent between 1990 and 2000. And, if we are going to retain what is attractive about this Town, indeed enhance it, we're going to have to get a grip on growth. I support the draft plan and we thank... we support the draft plan and we thank the Board and all the others who have brought the plan to this stage.

SUPERVISOR EGAN: Thank you, Mr. Pettie. Jerod King.

MR. KING: Good evening. I'm wholly in favor of a comprehensive plan for the Town of Bethlehem. It's long overdue. I'm not in favor of this comprehensive plan and it is my hope that the Town Board, especially our Supervisor, will come to their senses and reject it and create a plan that is constructed as much as possible on consensus and addresses the repeatedly expressed opinions of the citizens of Bethlehem instead of the expressed opinion of Saratoga Associates. I was a facilitator for Bethlehem Tomorrow's conversation with Bethlehem program. I've attended many of the public hearings and I've read the letters to the Spotlight.

My strongest reaction to this debate has been that there has been too much talking and not enough listening. Too much can't and not enough reason. Too much articulated talking points, not enough thought. For this reason, I read the letters that have been submitted by Town residents to the Town Board regarding the comprehensive plan in order to determine whether there is a consensus of opinion between the voices of those in favor and those against. Along with several letters from Town Board member George Lenhardt, asking some very intelligent questions regarding some of the plans dubious proposals, there are some obvious consensus of opinion which has been ignored in the creation and attempt to implement this plan.

For example, members of Bethlehem Tomorrow and Members of Bethlehem Rural Landowners agree about many things including probably the most important the desire to preserve open space in the Town of Bethlehem. Those who doubt what I say, should know that rural landowners are those that have held onto their land and have not sold to developers even though in the last several years it probably was the perfect opportunity to do so. The disagreement stem from how best to do... how best... the disagreement between the 2 sides stems how best to preserve open space.

Unfortunately this process has been a top down process with many public hearings but with very little modification of the obvious short comings of this plan. The proposed comprehensive plan remains a bad plan. For example, I attended one hearing in which one of Bethlehem's fireman pointed out that the fire department find the roads too narrow to drive fire trucks as the roads are today let alone if they are narrowed. The plan calls for narrowing the streets. An EMS member mentioned how they would find it difficult to drive around curb cuts and that drivers find them confusing. Curb cuts are in the plan.

With the exception of discussion the desire for walking trails in Town parks, this plan avoids a genuine and difficult planning issues this Town faces that participants discussed and found consensus at the conversation with Bethlehem series. The lack of desirability of increased commercial growth and loss of the Town's rural character, increased traffic along the major thoroughfares, and the high level of local property taxes which all participants found burdensome and one in particular found scarily burdensome. I say scarily burdensome because the woman, a new resident, said she loved this Town but she was not sure she could afford to live here with the property tax increases in recent years. These concerns were echoed by some of the long-term residents I know in Town, both Republican and Democrat. And, indeed, I would add that I have found no one who I've spoken to about this plan once they've understood what the content of the plan who actually support this plan.

These are concerns that Dave Young encountered during his campaign for Town Board and I am sure these are the same concerns that Tim Gordon and Dan

Plummer encountered in their successful campaigns for the Town Board.

There are many specific reasons that I think that the plan is bad but I do not have the time to discuss them here tonight. I will submit this paperwork so you can all read it at your leisure. With that in mind, I ask the Town Board to reject this comprehensive plan and the obviously rushed zoning regulations that go along with it. Let's restart this process by doing officially what Bethlehem Tomorrow started. Let's get residents talking to one another. Let's adopt consensus and frame the issues where there is not consensus and let the Town Board make up or down votes step-by-step not all or nothing as this vote has, unfortunately, been framed. A comprehensive plan because of New York State Town Law either Section 272 or 274 is supposed to be an expression of the will of the community from which all zoning must be designed. It should be an expression of the will of the people. The fact that even Catherine Daniels one of BPACs own members opposes this plan speaks volumes. This plan is not a good plan, does not reflect the will of the people of Bethlehem. It should not be adopted. Thank you.

SUPERVISOR EGAN: Thank you, Mr. King. I apologize, Peter Meixner. I'm sorry, sir, could you give me your last name I can't read the card.

MR. MEIXNER: Meixner.

SUPERVISOR EGAN: Thank you.

MR. MEIXNER: I'll be very brief. I'm just here to express my support for the plan. I think it's got the potential to help us as a community manage the best economic forces that are going to impinge on us whether we want them to or not. We're all landowners big and small and anything that we do affects each other. I think the plan tries to address all of this. And, I think all of us stand to benefit from it.

One area that and I got an early copy – I think I bought the first draft – I realize maybe this has been revised and forgive me if I state a shortcoming from my perspective, which is access to the Hudson River. I would like to see more about that in the plan. Public access be a part of any development ideas that are... come to fruition. It's very important to me to visit the watery margins of my world. I know it is to a lot of other people and my ideal would be some sort of a linear park through from one end of the Town to the other that uses the riverside. That might be very idealistic but I would hope you'd keep that kind of thing in mind as you go along concerning the Hudson River. And, that's all, thank you.

SUPERVISOR EGAN: Thank you. William Reinhert and then Debbie Eberly.

MR. REINHERT: Hello. I'm Bill Reinhert. I've lived in Slingerlands for the last 16 years. Hi Parker. I'm going to kind of have 2 types of comments. One is a little bit, my education is City and Regional Planner. I grew up in California and I moved East to go to college. I've lived in several different communities before coming to Bethlehem. I think there are a few points that you can see over and over again. The Urban Land Institute and other research think tanks have documented this over and over without planning you get sprawl. When you get sprawl you get inefficient use of resources and you get higher taxes. Okay. That is the principle. Hat always seem to happen. I've seen it in California. I've seen it everywhere else I've lived.

Now, I'm an energy professional. I've worked for a utility. I've been an energy consultant. I now work for the New York State Energy Research and Development Authority. One of my jobs is to try to look at the future of energy. Where is our energy going to come from. What are the implications of oil depletion. The indications for suburbs are not good and one of the things that I think... I do support the plan but if I was going to be critical of it, I would be critical in the sense that we need to try to minimize the reliance of the automobile in the future. Oil shortages are coming, we don't know exactly when. You look at the prices of oil. You see what's going on at the gas pump. What I'm looking at says its going to get worse, it's not gong to get better. We need to plan our communities to minimize the use of the automobile. That means infill development, that means higher densities where we can – plan for it well. It means we don't want to have more development in the ex-urban areas and if I had any concern it's that the plan

is still going to allow some of that to happen. We all loose when that happens and when oil gets really expensive, the community struggles. Every suburban community in this country is going to be stressed when energy gets much more expensive if we have cut offs due to geo political reasons, whatever. We need to find alternatives, that means bicycles, it means walking, it means even mass transit in a community like this. The development in the already developed areas is right on point but we will have problems if we develop too far into the rural areas or the ex-urban areas.

I would like to say that I heard the comments tonight and at other meetings the rural property owners are concerned about their economic situation and control of their flexibility. I think as a community we need to remember they were here first and for those who want to stay in farming, we should do everything we can to allow that to happen. And, let me give you just a little bit of a vision of one of the things that I have looked at in the future is what will be implications of oil shortages in the future. One thing is there is going to be a revitalization of agriculture in the northeast. We're not going to be getting our vegetables from California and Mexico. We're going to be growing them here. Some of the research I am doing is supporting that effort. So, we need to preserve the open land. We need to preserve the rural land. It will come back, we will need it and there will be opportunity for the rural community to take advantage of these situations as they develop. I can't tell you exactly when but it's coming. Thank you.

SUPERVISOR EGAN: Thank you Mr. Reinhert. Debbie Eberle and then Ursula Bauer.

MS. EBERLE: Hi. My name is Debbie Eberle and I live at 69 Cherry Avenue. And, I would like to thank you for hearing my comments tonight. I am opposed to any organization which would inventory my property. I think you would be opposed to any organization that would inventory your bank account. It's the same thing.

You know, if you adopt this plan with a CAC or a CACC in it, you adversely affect me, my children, my parents, my siblings. That's what this plan, as it states, is doing. I also appreciate that I've heard comments that rural landowners should be able to farm their land if they want to. Well, we appreciate that. What if the rural landowners want to do something else with their land? What about the tax base you talked about and bringing in proper kind of industrial things? Where you going to get that property from?

I don't think it's right for any group to tell people what to do with their property. Planning is okay and that's why I thought we had a board. I don't think we need extra government for what, extra government isn't good. The government was made for the people, by the people to protect the people not to have more government and I strongly oppose that part of the plan. The plan in itself has lots of good parts to it. More government is not good because one day it will affect everyone who is sitting on this Board, as well as, myself. Thank you.

SUPERVISOR EGAN: Ursula Bauer and then Tom Evans.

MRS. BAUER: Hi. Good evening. My name is Ursula Bauer. I support the plan as it is written and I would caution against any changes to the plan. I believe that a conservative – and that's conservative as in conservation – approach to development is warranted. Given the huge cost that unplanned development will inflict on our community, poorly planned development will inflict on our community.

I'd like to point out too that land in Bethlehem has value in part because of the character of this community. That's the contribution that each one of us makes to the property values of everyone in this community whether we're rural, whether we're suburban, whether we're farmers, whether we're elderly landowners in the suburban community. That's why planning is a community responsibility. And, land use decisions which affects everyone of us need to be made by a community and not by individual property owners. Poorly planned development hurts my property values whether I am a rural landowner or a suburban landowner. Thank you.

SUPERVISOR EGAN: Thank you, Mrs. Bauer. Thomas Evans.

MR. EVANS: Hello. My name is Tom Evans. I live at 177 Barent-Winne Road. I'd like to thank BPAC for all their efforts. It's been a long 14+ months and I think for a lot of us. I'm here to support the plan. I do have 2 concerns which I'd like to read.

First, we request that the mixed economic development east of Route 144 be removed from the plan. As we have stated before and support our request from 200 residents in the river area, any planning for the riverfront must be done with the LWRP. We ask the entire riverfront from Wheeler Road south to the Town line and east of Route 144 be designated rural riverfront.

Secondly, we ask the mixed economic development designated area along Route 144 be in keeping with the rural nature of the area. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Evans. Joe Gardner and after Mr. Gardner, Jeffrey Anzevino.

MR. GARDNER: Howdy. We're residents of the Town of Bethlehem for over 30 years. I'm here for the Bethlehem Tomorrow and the Appalachian Mountain Club. Want to take this opportunity to thank particularly the Bethlehem Planning Advisory Committee for all the work they've done over the past year and the Board of Bethlehem all the work and time you've put into this to help make Bethlehem a better place to live. Let's go with the majority. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Gardner. Jeffrey Anzevino and then Chris Frueh.

MR. ANZEVINO: Good evening. My name is Jeffrey Anzevino. I'm a senior regional planner at Scenic Hudson Inc., a 41 year old non-profit environmental organization and separately incorporated land trust dedicated to protecting and enhancing the scenic natural, historic, agricultural, and recreational treasures of the Hudson River and its valley. On behalf of Scenic Hudson supporters residing in Bethlehem, we offer our comments on the proposed plan.

I think what I brought was the comments on the zoning law so what I would like to say, I will speak a little bit off the cuff and save everyone a lot of time. The Town Board and BPAC has done a tremendous job in seeking a balance and compromising to try to make everyone happy. I don't think either side is exactly happy. There are a lot of things in the plan that we think could have been done a little bit better from our perspective but in the interest of moving the process forward and providing some planning for the community, we urge you to pass the plan as it is. We too would like to see – we've asked on several occasions for those economic mixed used development areas along Route 144 to be redesignated as riverfront rural. We'd love to see that. I know you guys have compromised time and time again on both sides. We want to see Bethlehem have some good planning. The lack of planning has been stated before will cause property taxes to rise and if you can keep the development closer in to the parts of Town that have public infrastructure – water and sewer – that would help keep sprawl out of the Town. We urge you to adopt the plan as it is without making further changes. Thank you.

SUPERVISOR EGAN: Thank you very much. Chris Frueh and then John Madden.

MR. FRUEH: Hi. I'm here because our family owns land in the rural district and I am opposed to a CAC or a CACC. I'd just like to express some of my concerns the way State and local government has been going for the past 20 years. I think a lot of these policies strip people of their possessions through the green lobby that's been evident in the State for a while now and I know that a lot of rural land owners buy land and that's their retirement. Concerned about how these groups can affect the cost of... or the value of our lands and... let's see I had another thought here. No, I guess I lost it. Should have wrote it down. I won't take any more of your time.

SUPERVISOR EGAN: If you think of it, let me know Chris. John Madden and

after Mr. Madden we have Mr. Collins.

MR. MADDEN: I'll keep it short because I know you guys are going to have a long night. I'm here to say I support the comprehensive plan. I've read it, it's not perfect but it's pretty good and you do have an opportunity... you know, I would say in 5 years you need to take a review of it and see if... little process check and see if you're going in the right direction.

Now, I've lived in Glenmont for 13 years. I worked here for 4 years before that but more importantly is I lived in 7 other states and I've owned 6 homes. So, most of my fellow citizens here appear to have been a long time here. I spent a long time elsewhere and I got to tell you -- you got a good Town here but you got some problems because of the fact that we are consuming land much faster for housing than the population is growing. You know, I am a registered professional engineer. I got a Master of Science in Transportation and I'm working on my Master in Regional Urban Planning. You know, I see myself as a hard nose realist here. I'm not some kind of a tree hugger but you know, this plan is something that is going to be good for the Town and again, nothing is carved in stone. We have a... at a 5 year review, we can make a process check.

The plan and associated zoning will give residents and potential developers alike some certainty. They'll know what the rules are for developing and that will be a good thing.

As far as the rural landowners, I can throw a baseball from my front door and hit a cornfield. I hear cows in the morning. Doesn't bother me, you know, living there and farmers who want to farm should be able to farm. And, from what I have read in the plan there's no, you know.... There should not be any fear on the part of the rural landowners that some how they are going to be denied the opportunity to do what they want with their land. And, so in conclusion, I say again I support the comprehensive plan and Parker, Glenmont is not the same as Delmar. I know you were quoted as saying Delmar isn't Glenmont. Well, Glenmont isn't Delmar. Thanks a lot.

SUPERVISOR EGAN: Thank you, Mr. Madden. Shawn Collins. And, if there is anyone else who would like to speak in regard to the comp plan please see our staff in the back of the room and fill out a card. Otherwise, this may be the last one.

MR. COLLINS: Thank you. Shawn Collins, Waldenmaier Road, Feura Bush. There is an old saying that we plan and God laughs. It's been a misperception among the public that the rural landowners are against planning and restriction. I recently witnessed on a property right next to mine, 2 rural landowners who shall remain nameless, furiously planting until 1 a.m. under the threat of rain. We didn't see rain for 6 straight days. As recently as last night, there was the familiar mad scramble of rural landowners rushing to cover or unload hundreds of bails of hay cut 2 or 3 days previously under the promise of sunny skies.

Rural people and farmers are quite accustomed to planning. As a farmer and thoroughbred breeder I've just planned for the future Saratoga stakes winners of 2008. A little dreaming as well. Now, that's planning.

I've appreciated the open forum that's produced this plan that could be... and could be more supportive with it with modification. And, that is, that we just need to be flexible and fair. That's all I ask. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Collins. Mike, do we have anything else back there? Okay. I will note for the record we received certain statements this evening. There are certain statements that have come in through the email, the mail, that will be included in the record. At this time, I think there is a request by the Board which the Supervisor concurs with to take a 10 minute recess before starting the next hearing that will be on zoning.

Now, before anybody moves, just a quick couple of things. Again, the zoning maps are out in the hallway. They are blown up, hopefully to a degree that people can more easily read them. Secondly, just to clarify there was a handout, I don't know if there's any left back there. We can make some more, if not, the handout has to do with the zoning ordinance. Has nothing to do with the comprehensive

plan. And, if you still need handouts, please let me know on that. We'll get you copies of those.

We're going to take a 10 minute recess here again and then we'll come back and start zoning. So, do I have a motion to recess.

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to close the public hearing at 7:55 p.m. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.

Noes: None.

Absent: None.

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Town Clerk

Hearing began: 8:15 p.m.

The following resolution was offered by Mr. and seconded by Mrs. :

WHEREAS, the Town desires to advertise for bids for the purchase of one boom mower attachment, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the th day of , 2005 and that bids be received up to 3:00 p.m. on the th day of , 2005 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.

Noes: None.

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The motion was made by and seconded by to adjourn the regular Town Board meeting at p.m. The motion was carried by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.

Noes: None.

Absent: None.

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Town Clerk

## SUMMARY OF PUBLIC COMMENTS

Town Board Public Hearing Held

**June 22, 2005**

Town of Bethlehem – Comprehensive Plan, Zoning & Subdivision & SEQRA

Person / Affiliation	Comment Code	Summary of Comments	Response
<b>Public Hearing for the Comprehensive Plan</b>			
<b>Michael DiPaolo, Tri-Valley Greenway Committee</b>	A1	Supports comprehensive plan as a way to protect natural resources, encourage economic development and increase quality of life.	Comment noted.
	A2	The Plan should further define what willing landowners means with regard to land preservation.	Willing landowners are those landowners that wish to preserve their property. For example, the Plan states on page 4.28 “In all cases, it has been understood that participation in such initiatives by landowners must be strictly voluntary.”
<b>Dan Rain</b>	B1	Supports the Plan as written. Admires the intelligent thought and effort that went in the Plan.	Comment noted.
<b>Jeff Vadney, Vadney Farm</b>	C1	The Plan contains a lot of good thoughts that should be carried forth.	Comment noted.
	C2	No need to spend money on a conservation council. There is enough regulation by the County, State and Federal governments. Property owners are great stewards of the land.	Comment noted.
	C3	Minor subdivisions are incredibly difficult to do. The process is one step short of what is required for a major subdivision.	Comment noted.
	C4	Zoning should be no more restrictive than it is now.	Comment noted.
<b>Sam Messina, Egmont Court, Delmar</b>	D1	Commends the Town, BPAC, residents and businesses for participating. The process was well done, particularly the public participation process. The document is professional and flexible.	Comment noted.
<b>Bonnie Goldsmith</b>	E1	In favor of the Plan in its entirety.	Comment noted.

<b>Person / Affiliation</b>	<b>Comment Code</b>	<b>Summary of Comments</b>	<b>Response</b>
<b>Terry Rooney</b>	F1	Thank you to all who have worked on the development of the Plan. In favor of the Plan in its entirety.	Comment noted.
<b>Paul Tick</b>	G1	The Plan incorporates a balance of individual rights and community responsibilities. Everyone that wanted to participate in the process was welcomed and appropriate compromises have been made to bring the best ideas from all sides. Thank you to all who worked so hard on the Plan.	Comment noted.
<b>Karen Beck</b>	H1	Support for Plan and feels it is critical to adopt. Thank you for an open process.	Comment noted.
<b>Jim Booker, homeowner &amp; landowner in southern tier</b>	I1	Loves the Town and desires and even better Town in the future. The Plan and zoning are important to that. Also supports incentive zoning, conservation subdivision, hamlets, and local businesses.	Comment noted.
<b>Barbara Carkner</b>	J1	Satisfied with the Plan – thank you for all the time and effort. This has been a fantastic process to observe and contribute to.	Comment noted.
	J2	Feels the CACC should be changed in some way. It should be an appointed committee that has public meetings. There are already not-for profit groups in the community that can help a landowner that wants to preserve land.	The Plan states on page 4.30 that the Town Board would be responsible for appointing the CACC, if it chooses to establish such a committee.
<b>Diana Hernandez, Delmar</b>	K1	Support for Plan that would serve to protect natural resources, encourage economic development and create a vibrant community life.	Comment noted.
<b>Sheila Powers, Albany County Farm Bureau</b>	L1	Fairly pleased with the Plan. There have been considerations on everybody's part and that is appreciated. It will work better for the whole community in the future.	Comment noted.
	L2	One reservation is about the CACC. Concern that such a committee might not remain focused on their specific mission. Speaking from personal experience.	Comment noted.

<b>Person / Affiliation</b>	<b>Comment Code</b>	<b>Summary of Comments</b>	<b>Response</b>
<b>George Waldenmaier</b>	M1	Can live with the Plan as it is except for the CAC.	Comment noted.
<b>Ernest Carkner, Elsmere Avenue</b>	N1	Plan is okay except for the CAC. There needs to be oversight by the community of such an ad hoc group.	Comment noted.
<b>Michael VanVranken</b>	O1	Suggests the use of Common Interest Development (CIDS)	Comment noted.
<b>William Cook, non-resident; farmer; Albany County Water Quality Committee</b>	P1	A real good plan that balances future and current needs. Applauds efforts and urge plan adoption	Comment noted.
<b>Peggy Sherman, Slingerlands</b>	Q1	Support for Plan	Comment noted.
<b>Jessica Loy</b>	R1	Support the Plan wholeheartedly, including the CAC.	Comment noted.
<b>Karn Henrikson, resident for 38 years</b>	S1	Support for Plan – a good guideline for the future. Thank you.	Comment noted.
<b>Libby Liebschultz</b>	T1	Support for Plan and zoning.	Comment noted.
<b>Dave Monroe, Delmar</b>	U1	Strongly support the Plan.	Comment noted.
<b>Giles Wagner, Selkirk</b>	V1	If the CAC is established, the majority of members appointed should be large rural landowners.	Comment noted.
<b>Fred Richter, Selkirk</b>	W1	The part of the Plan that is not liked is the CACC. It is not needed.	Comment noted.
<b>Dan Lewis, Delmar, Friends of Five Rivers</b>	X1	Support for Plan in its entirety from Friends of Five Rivers Board of Directors.	Comment noted.
<b>Mark Lewis</b>	Y1	Support and adopt Plan because it is a vehicle to maintain the unique sense of place in Bethlehem.	Comment noted.
<b>Ken Hamm, Waldenmaier Rd.</b>	Z1	Concern over the increase of uses proposed on Waldenmaier Rd.	Comment noted.
	Z2	Believes adoption of the Plan is preferable to the status quo.	Comment noted.

<b>Person / Affiliation</b>	<b>Comment Code</b>	<b>Summary of Comments</b>	<b>Response</b>
	Z3	Disappointed by the weak approach to open space protection in the Plan.	Comment noted.
	Z4	Concern with deficiencies of the DGEIS.	The DGEIS complies with SEQRA regulations.
<b>Connie Tilroe, Salisbury Rd</b>	AA1	Appreciates the Plan. Please make certain any committees are authorized by the Town Board.	Comment noted.
<b>George Kass, Delmar; Trout and Limited Group</b>	BB1	Please take into consideration the caring and protection of the Onesquethaw Creek	The Plan recommends the protection of stream corridors in the Town.
<b>Val Newell, Wemple Rd.</b>	CC1	Thank you for the time and community interest, but oppose the Plan because of the CAC.	Comment noted.
<b>Shirley Brand, Elsmere</b>	DD1	Endorse the Plan in its entirety. Do not weaken the Plan in any way with future actions	Comment noted.
<b>Nancy Neff</b>	EE1	Opposition to the CACC.	Comment noted.
<b>Ken Neff, Meads Lane</b>	FF1	Opposed to the CACC.	Comment noted.
<b>Bob Jasinski</b>	GG1	Thank you to BPAC for their time.	Comment noted.
	GG2	There is no reason to adopt the Plan. LUMAC was used as a guide; why not use the Plan as a guide.	
	GG3	Plan has fractured the community. Very disappointed.	
	GG4	Not enough time to review zoning.	Comment noted.
<b>Mary Judd, Herber Avenue</b>	HH1	Support adoption of the Plan and encourage rural landowners to stay involved.	Comment noted.
<b>Linda Jasinski</b>	II1	The Plan has split the community.	Comment noted.
	II2	Submitted signatures against the CACC.	Comment noted.
<b>John Smolinsky, BPAC</b>	JJ1	Open and inclusive process that involved listening. The Plan is a product of facts, diversity and concerned citizens. Time to set the Plan in place. Endorse its vision, goals and implementation strategies	Comment noted.

Person / Affiliation	Comment Code	Summary of Comments	Response
		in their entirety.	
<b>Peter Frueh</b>	KK1	Oppose Plan as written. The Town does not need a CACC to map properties and tell us what to do.	Comment noted.
<b>Harry Wilbur, Glenmont</b>	LL1	Planning committee responsive and sensitive to citizen input. The Plan went through a metamorphosis and responds to those needs. Support for the Plan.	Comment noted.
<b>John Mead, BPAC</b>	MM1	Read letter submitted to the <i>Spotlight</i> . Could not support the Plan with language referring to the CACC.	Comment noted.
	MM2	Urge Town to provide a final copy of the zoning and have an additional public hearing to get it right.	Comment noted.
<b>Ed Kleinke, Maher Road</b>	NN1	Supportive of comprehensive planning in general. The process has been open and public and has come a long way.	Comment noted.
	NN2	The proposed Plan is beginning to take on a meaning that is unique to Bethlehem. For example, language regarding rural land, farms, farmland, and agriculture has increased in this final draft – thank you.	Comment noted.
	NN3	Recommends modification regarding the CACC prior to Plan adoption.	Comment noted.
<b>Ellie Praaken, resident and President of Garden Club</b>	OO1	Support for Plan. Excited to have a pro-active government regarding planning and happy the Plan addresses visual landscapes and entrances to Town.	Comment noted.
<b>Steven Wiley</b>	PP1	A balanced tax base should be the first priority in the list of goals.	Comment noted.
<b>Bob Pettie, resident</b>	QQ1	Support for Plan - Need to get a grip on growth to retain what is attractive in Town. Thank you those involved.	Comment noted.
<b>Jerod King</b>	RR1	Support a plan, but not this Plan. There has not been enough listening and the Plan does not reflect the will of the people. This has been a top down process. Urge Town Board to reject Plan and Zoning.	Comment noted.

<b>Person / Affiliation</b>	<b>Comment Code</b>	<b>Summary of Comments</b>	<b>Response</b>
<b>Peter Meixner</b>	SS1	Support for Plan. However, would like to see more on access to the Hudson River.	Comment noted. The Town has applied for and will be receiving grant funding through the New York State Department of State to conduct an LWRP of the riverfront area.
<b>William Reinhart, Slingerlands</b>	TT1	Need to plan community to minimize the auto to conserve energy. Supports infill development and higher density in the already developed areas.	Comment noted.
	TT2	Need to support farmers, preserve rural land and open space.	Comment noted.
<b>Debbie Eberle, Cherry Ave.</b>	UU1	Adopting the Plan with the CACC in it would adversely affect children, parents and siblings. The Planning Board is okay, but there is no need for extra government.	Comment noted.
<b>Ursula Bauer</b>	VV1	Support Plan as written and caution against any changes. A conservation approach to development is warranted due to the cost that unplanned development will inflict on the community.	Comment noted.
<b>Thomas Evans, Barent-Winne Rd.</b>	WW1	Support for Plan.	Comment noted.
	WW2	Request that the mixed economic development east of Route 144 be removed from Plan. Any planning should be done with an LWRP. And the mixed economic development area along Rte. 144 should be rural in nature.	Comment noted. The Town has applied for and will be receiving grant funding through the New York State Department of State to conduct an LWRP of the riverfront area.
<b>Joe Garner, Bethlehem Tomorrow; Appalachian Mountain Club</b>	XX1	Thank you to BPAC and the Town Board for the work into the Plan. This makes Bethlehem a better place to live – let’s go with the majority.	Comment noted.
<b>Jeffrey Anzevino, Scenic Hudson</b>	YY1	Town Board and BPAC have done a tremendous job of seeking a balance to try and make everyone happy. We would have liked to see certain items done better, but urge the Board to pass the Plan as is.	Comment noted.

<b>Person / Affiliation</b>	<b>Comment Code</b>	<b>Summary of Comments</b>	<b>Response</b>
	YY2	Would like to see the mixed use development areas on Route 144 be riverfront rural.	Comment noted.
<b>Chris Frueh, landowner</b>	ZZ1	Opposed to a CACC and such a group will impact the value of land.	Comment noted.
<b>John Madden</b>	AAA1	Support for the Plan. It's not perfect, but pretty good. The Plan and zoning will give developers some certainty.	Comment noted.
<b>Shawn Collins, Feura Bush</b>	BBB1	Appreciate the open forum and could be more supportive of the Plan with modifications. It needs to be flexible and fair.	Comment noted.
<b>Public Hearing on Zoning and Subdivision Amendments</b>			
<b>Jeff Vadney, resident</b>	A1	Proposed zoning too restrictive for rural areas and there is no need to rush the zoning. Especially a concern with special use permits.	Comment noted.
<b>Barbara Carkner</b>	B1	Pleased with the zoning recommendations.	Comment noted.
	B2	Concern with minor subdivisions. Consider a simple lot split instead. All splits should adhere to NYS DOH regulations for sewer and water.	Comment noted.
	B3	Concern over definition of a family. It should not be limited to just kids.	Comment noted.
<b>Christine Duchek, resident</b>	C1	Minor subdivision too complex.	Comment noted.
	C2	Concern with liability and paying taxes on land that is under conservation easement	Comment noted.
<b>George Waldenmaier</b>	D1	Concern with regulations about private garages and the ability to only put one truck with a commercial plate in the garage at one time. Other than that, good job.	Comment noted. A private residential garage is defined in the proposed zoning as "a building or structure used for the storage of not more than 3 privately owned passenger vehicles owned and used by the occupants of the lot upon which it is erected..." A private non-

Person / Affiliation	Comment Code	Summary of Comments	Response
			residential garage is defined as a building or structure used for the storage of non-passenger motorized vehicles and equipment where such vehicles and equipment are owned by and maintained for the personal, non-commercial, non-agricultural use..."
<b>Ernest Carkner</b>	E1	Concern with independent commercial truckers not being able to park their trucks in the South Bethlehem area when they are home for the night. Please find a way to allow this to occur.	Comment noted.
<b>Lynn Jerabek</b>	F1	Concerns with the kind of gatherings that she can host in her home and also with regulation on the holiday lights.	Comment noted.
<b>Giles Wagner</b>	G1	It may be possible for large rural areas to not need a permit for just a 1/4 acre of disturbance. (reference to the erosion and sediment control measures.) The amount of activity that occurs should be tied to how large a parcel is.	Comment noted.
<b>Katherine Daniels, BPAC</b>	H1	We should feel good about the multiple opportunities for the public to participate.	Comment noted.
	H2	Concern over vague and discretionary language in area where more clarity is needed. Too much flexibility means less predictability	Comment noted.
	H3	Design and architectural standards limited to the hamlet and commercial zones. Would like to see more included.	Comment noted.
	H4	There has not been enough time to review the draft subdivision ordinance	Comment noted.
	H5	No growth management strategy and essentially no zoning in the southern end. As a result the need to reexamine the Plan and updating the ordinances on a regular basis is important.	Comment noted.

<b>Person / Affiliation</b>	<b>Comment Code</b>	<b>Summary of Comments</b>	<b>Response</b>
<b>Connie Tilroe, Salisbury Rd.</b>	I1	Different is beautiful in the Town. Happy with the suggestions the Town has made.	Comment noted.
<b>Ken Kneff</b>	J1	Concern regarding special permits. They will only hurt the small businesses.	Comment noted.
	J2	Signage has a function – to attract business.	Comment noted.
<b>Nancy Kneff</b>	K1	Will there be another public hearing to discuss the changes to the zoning?	There will be another public hearing.
	K2	Minor subdivision process may not be designed the way it was intended.	Comment noted.
	K3	Discrepancy between the Plan and zoning regarding what is allowed in the Rural Light Industrial.	Comment noted.
	K4	18 feet is too short for accessory buildings.	Comment noted.
<b>Val Newell</b>	L1	Glad to have another opportunity to review a revised draft of the zoning.	Comment noted.
	L2	Concern with keyhole lots no being addressed.	Comment noted.
<b>Linda Jasinski</b>	M1	Not every farm is in an agricultural district and not all rural land is farmed. Must keep in mind.	Comment noted.
	M2	Appalled the zoning was released the way it was. Important to have another public hearing	Comment noted.
	M3	Concerned with the “pretty police”. Diversity is important and everything shouldn’t look the same.	Comment noted.
	M4	Problem with special permits. Let rural property owners use their land as they see fit.	Comment noted.
	M5	Concern with home businesses. We should make it easier for people to start a small business, not harder.	Comment noted.
<b>John Smolinsky Orchard St</b>	N1	Special use permit is appropriate given the potential conflict between uses in the rural area.	Comment noted.
	N2	The Health Department approval for minor subdivision is appropriate. However the term no minimum lot size should not be interpreted as a blank check- environmental constraints, set back and area	Comment noted.

<b>Person / Affiliation</b>	<b>Comment Code</b>	<b>Summary of Comments</b>	<b>Response</b>
		requirements and health standards are all considered.	
	N3	Developers should seek opinions and concerns of adjacent landowners. Public outreach should be required for major projects.	Comment noted.
<b>Peter Frueh</b>	O1	Thank you to George, Theresa, John Mead and rural landowners for the time and effort.	Comment noted.
<b>John Mead</b>	P1	Submitted over 100 signatures stated that the zoning does not follow the intent of the Plan. Specific items mentioned include minor subdivision and special use permit. The proposed zoning need significant revision and should be available for public review.	Petition accepted and Comments noted.
<b>Ed Kleinke, Mahar Rd</b>	Q1	The zoning should be customized to Bethlehem and differentiate between the more developed and less developed areas of Town.	Comment noted.
	Q2	It would be appropriate for the Town to revise the zoning and provide the public more time to review. Another public hearing should also be held.	Comment noted.
<b>Christine Neal, Waldenmaier Rd</b>	R1	The proposed zoning would negatively impact those of us on Waldenmaier Rd. The biggest impact is a change from residential to rural zoning.	Comment noted.
<b>Bob Jasinski, Bender Lane</b>	S1	Question about the timing of when a revised draft will be available.	The next public hearing will likely happen on July 27 <sup>th</sup> .
	S2	Would the Town vote to accept or reject at that time?	The Board can decide to vote any time after that.
	S3	Question on whether building can occur in 100-year flood plains or within 100 ft of a stream.	Section 128-62 states that “No building permit shall be issued for the construction...of any permitted use...in any district within one hindered feet of the bank of the following streams <i>or</i> within the one-hundred year flood zone of said streams: Normans Kill, Vloman Kill, Onesquethaw Creek, Phillipin Kill, Dowers Kill south of

<b>Person / Affiliation</b>	<b>Comment Code</b>	<b>Summary of Comments</b>	<b>Response</b>
			Route 32.”
<b>Mr. King</b>	T1	Thank you to the Board for extending this process.	Comment noted.
	T2	The zoning should regulate the use of a property and not designate certain properties for certain types of uses.	Comment noted.
	T3	Does not like the grandfathering clause. People should be able to use their property as they see fit. Specific concern with Verstandig’s Florist not being allowed in the Plan.	Section 128-58 – non-conforming uses states “except as other provided in this article, any lawfully permitted uses of land or structure existing as of the effective date of this Chapter that do not comply with the requirements of this Chapter shall be deemed non-conforming uses and may be continued as provided herein.”
<b>Shawn Collins</b>	U1	Most agree that the Plan is acceptable, even good. However, the zoning lacks the flexibility that showed such great promise in the Plan. The zoning does not follow the Plan and more time needs to be devoted to the zoning.	Comment noted.
	U2	The minor subdivision process should be simplified.	Comment noted.
<b>Bill Gregory, Waldermaier Rd.</b>	V1	Thank you for all the work. This is quite a process. While I see the need for the Plan, the residents of Waldenmaier Rd. would like to see the area remain residential, as it currently is.	Comment noted.
	V2	Town does need additional tax base. The large area off 32 make sense.	Comment noted.
<b>Jeff Anzevino, Scenic Hudson</b>	W1	The zoning does not reflect enough difference between the developed and less developed areas.	Comment noted.
	W2	Concern with the no minimum lot size in the southern end of Town.	Comment noted.
	W3	Commends Town for prohibition of building in the 100 year floodplain. This protects downstream property owners from flooding.	Comment noted.

<b>Person / Affiliation</b>	<b>Comment Code</b>	<b>Summary of Comments</b>	<b>Response</b>
	W4	Sign regulations are not inherently bad. Many vibrant business communities have good sign regulation. Encourage the Town to have good sign regulations.	Comment noted. Section 128-54 addresses signs.
<b>Chris Frueh</b>	X1	Concerns with the erosion control measures.	The Town has had erosion control measures in place for quite some time. In addition, the Town must comply with upcoming Phase 2 Stormwater management regulations. Reference Section 128-51.
	X2	All these extra rules and regulations burden the middle class and makes it easier for the big business or developers to take the land.	Comment noted.
<b>Paula Szelest, Van Wies Point</b>	Y1	Caution about low income apartments on Wemple Road. Let's maintain the integrity of the area and take care of our own community and not let Albany cross in the borders.	Comment noted.
<b>Joe Gardner, Appalachian Mountain Club</b>	Z1	Thanks for all the effort.	Comment noted.
<b>Karen Burrows</b>	AA1	Need clarification of minimum lot size for minor subdivisions. There is none, correct?	According to Section 128-100 Note 12 Area and Bulk Regulations the minimum lot size for a minor subdivision must "provide minimum separation distances and meet design standards for on-site water supply and sewage disposal systems as establish by the County Department of Health.
<b>Brian Lyda</b>	BB1	Concerned with the special use permit and streamlining the process.	Comment noted.
	BB2	More time should be spent on the zoning.	There will be another public hearing.
<b>Public Hearing on the DGEIS</b>			
<b>Mr. Gardner</b>	A1	Expressed thanks.	Commented noted.

Person / Affiliation	Comment Code	Summary of Comments	Response
Mrs. Nancy Heinzen	A2	<p>Supports Comprehensive Plan. Seeks explanation of environmental benefit of compact mixed-use hamlets. If conservation subdivision design is optional, water resources could be threatened. Strongly recommends slope threshold be lowered (&lt;15%) to reflect State standards. Town should consider adopting New York City watershed standards for septic systems. GEIS fails to mention increases in impervious cover, caused by new development, will negatively impact water quality. Developers should be required to use a certain percentage of pervious materials, such as pavers and coarse asphalt, in parking lots. Encourage buyer retention facilities.</p>	<p>Compact development reduces the amount of infrastructure (sewer/water lines; and roads) that are needed to support the development. This ultimately reduces the overall amount of impervious surfaces in the Town.</p> <p>Comments noted.</p>
Mr. Ed Kleinke	A3	<p>Supports non-residential development, but feels Comp plan and attachments do not adequately address economic specifics, such as tax surpluses achieved, effect of IDA involvement, and detailed growth scenario.</p> <p>EIS does not include assessment of the costs of providing Town sewer and water to the site, or whether the Town is covering these costs.</p> <p>Page 7.40 of the Comp plan does not include reference to physical impact methodology in determining the associated values assigned to the different uses.</p>	<p>Costs and impacts of specific projects would be subject to SEQRA on a project-by-project basis.</p> <p>The net fiscal impact of residential and non-residential development was developed using 2002 Town of Bethlehem assessment data from the NYS Office of Real Property. First, the share of residential and non-residential-associated costs and revenues was determined by land use classification. Costs were then determined using the 2002 Town of Bethlehem Municipal Budget and applying expenditures on a per acre basis by land use classification. An average assessment per acre per land use classification was determined based on the total assessment and total acreage of that specific land use. Real property taxes, non-property taxes (i.e. sales tax); intergovernmental revenue and interest on investments were</p>

Person / Affiliation	Comment Code	Summary of Comments	Response
			used to determine revenues based on land use classification.
<b>Mr. King</b>	A4	GEIS is dependent on the goals of the Comp plan. The choice between maintaining rural character and welcoming commercial development is exclusively dependent on the decision to construct sewers.	Comment noted. The Plan recommends the Town conduct a study to determine the future capacity of the public sewer system (Page 4.43: Recommendations for Infrastructure). The Plan also recommends the development of an Official Map to identify the location of future infrastructure.

TOWN BOARD  
JULY 20, 2005

A Special Meeting of the Town Board of the Town of Bethlehem was held on the above date at the Town Hall, 445 Delaware Avenue, Delmar, NY. The meeting was called to order by the Supervisor at 6:00 p.m.

PRESENT: Theresa Egan, Supervisor  
Daniel Plummer, Councilman  
George Lenhardt, Councilman  
Thomas Marcelle, Councilman  
Tim Gordon, Councilman  
Kathleen A. Newkirk, Town Clerk  
James T. Potter, Esq., Town Attorney

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Supervisor Egan asked everyone to join in the pledge of allegiance. She asked for a moment of silence in Memory of Thomas Corrigan, former Supervisor of the Town of Bethlehem. She said he served the Town of Bethlehem for 19 years as Sewer Commissioner, Councilman, and Supervisor.

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The Supervisor said on the agenda before the hearings is a request from the Building Inspector for approval of a dumping permit for 814 Delaware Avenue.

The motion was made by Mr. Plummer and seconded by Mr. Marcelle to approve the issuance of a dumping permit for 814 Delaware Avenue, Delmar for Howard C. Loucks as requested by Acting Building Inspector, Mark Platel. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.  
Noes: None.  
Absent: None.

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Hearing began: 6:07 p.m.

SUPERVISOR EGAN: Okay, let's move on to really why I think everybody is here this evening. And, we're going to clarify a couple of things. Unfortunately, the public notice that was posted was somewhat in error. It indicated that there was a reopening, if you will, of the comprehensive plan hearing, as well as, the Zoning and Subdivision Rules and Reg hearing and the SEQR hearing. It is really just the Zoning and Subdivision, as well as, the SEQR. The comp plan hearing was closed back on June 22<sup>nd</sup>. So, we are here this evening, start at 6:00 p.m. with the Zoning Law and Subdivision Rules and Reg hearing. Again, as we did the last time, we ask that everybody that wishes to speak to please fill out a card with Nancy, woman in the back with pink shirt, just so that we can get everybody in order. We are going to do the format a tad bit differently. We're going to ask that everybody again, try to contain their comments to 3 minutes. What we do have is we have staff available this evening, however, in an attempt to try to clarify any misunderstandings, correct anything, reaffirm a conclusion. It is not here for a debate, again it is a public hearing but we want to clarify any issues this evening for the Town Board because, again, we're getting toward the end of the process. So, along with the Town Board Members we have – George Leveille, Director of Economic Development and Planning; Mike Morelli, Assistant Director of Economic Development and Planning; Terry Ritz, I don't even know your title now, but jack of all trades, does everything we ask of him; Oliver Holmes our Commissioner of Public Works; Mark Platel our Acting Building Inspector; and Jeff Lipnicky, the Town Planner.

MRS. CAPONE: Is there any reason why the Library is not there?

SUPERVISOR EGAN: I don't know the answer to that, Mrs. Capone.

Okay. We will again, as we have talked about in the past, we will do the zoning and subdivision regs. We will close that hearing and then we will move on to the SEQR hearing after that. Do I have a motion to wave the notices of the public

hearing?

The motion was made by Mr. Lenhardt and seconded by Mr. Plummer to waive the reading of the public hearing notices. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.

Noes: None.

Absent: None.

Great. All right. Nancy, cards, I just realized I don't have any. Okay, we have David Galletly and then Albert Penk.

MR. PENK: I'm going to defer mine until later on. Okay?

SUPERVISOR EGAN: Okay.

MR. GALLETLY: Thank you. My name is David Galletly. I live at 71 Mohawk Trail, Slingerlands and I would like to comment primarily on one of the sections of the proposed new zoning law specifically section 128-57, amateur radio communications towers.

I'm a Federally Communications Commissioner, licensed extra class radio amateur. I'm a registered member of the Albany County Radio Amateur Communication Emergency Services, a program of the Albany County Office of Emergency Management. This program provides communications support to local government agencies in emergencies. It has participated in mass vaccination exercises with the Albany County Health Department. It has provided support for essential services in major telephone and power outages. We've assisted the National Weather Service Sky Warn Program in times of storm and flooding. We were activated on September 11, 2001 to provide support for possible mass casualties transfers to this area hospitals.

I want to commend the Town and those involved for redrafting our Town zoning laws and the comprehensive plan. As noted in the section, the Town is recognizing principals embodied in the FCC's 1985 opinioned order on Federal preemption of State and local regulations pertaining to amateur radio facilities known as PRB1. The proposed new section finally recognizes the presence of amateur radio operators in Bethlehem Zoning Law as distinct from other telecommunications facilities. I think this proposal is sincere and attempt to accommodate amateur radio under PRB1 but, I believe, it still could use some modification before final approval.

The proposal is a very good start. The tower limits mentioned are reasonable. Placement to the rear lots is also reasonable. The presumption stated in the section that approval will be given so long as requirements is very positive. The modifications I suggest are mainly for simplification. Although we are trained and licensed communicators, we are not commercial operators with deep pockets. We do not wish to construct large telecommunications facilities. Our avocation in voluntary public service is pursued at our own expense. Our Federal rules include safety requirements and adherence to good engineering practice and the National Electrical Code. We don't think the complications that add significantly to cost and complexity are in the public interest or the spirit of PRB1. Self prepared exhibits by the applicant that include data from the manufacturer and accurate plot distance measurements made by the applicant which could be verified by the Building Department, if desired, should be sufficient for making any determinations. This should also take into account the experimental nature of our service and the need to periodically change or modify antennae systems.

Clarification in the section of what data constitutes satisfactory construction is needed. Certification by the owner that conditions of any building permit have been met with verification, if needed by the Building Department should suffice. The distance separation requirement for 1 and ¼ times the height of tower is excessive. Tower failure of this nature would require an uprooting of a foundation to fall 100 percent of the tower distance. In practice, structural failure occurs in the middle of a tower with bending or falling in an arc and failure historically of amateur towers is extremely rare.

While the new zoning proposals include satellite dishes in another section, they fail to take into account other antennas.

A rooftop mast of up to 15 feet is commonly used for television receiving antennas, as well as, satellite dishes. Many amateurs use the same mast and similar antennas or whip style antennas. These masts or short whips should be categorically excluded from regulation or governed by the same safety standards as satellite dishes. Namely that they be secure in wind loads and otherwise not subject to further approval. This would also benefit residents who will continue to receive local digital television and radio broadcasts over the air, as well as, present and future users of GMRS, hi wi computer networking and citizens band equipment.

Even with what's just been mentioned, this will not likely spur any proliferation of aluminum R collective horizons. The number of amateur operators who will desire to erect towers especially of the maximum height is limited. This should not cause undue problems for residents or Town officials in granting permits in the spirit of PRB1. We also live in this Town because we value the quality of life. We wish to be good neighbors, free to enjoy the use of our property, have fun with our leisure time pursuits and serve our fellow residents in time of need.

And, I'd just like to add that Tom Corrigan was also an amateur radio operator and facilitated many safe installations. Thank you.

SUPERVISOR EGAN: Thank you, David. Mr. Penk you want to defer?

MR. PENK: Yes.

SUPERVISOR EGAN: Victor Rodriquez and then Sam Messina.

MR. RODRIQUEZ: Hi. I'm Victor Rodriquez. I notice that there are at least 24 changes to the zoning laws and I'd like to know why rather than giving the public more time to review these changes, the meeting was moved up. And, also how come I got this Memorandum at the last meeting but it is not up there today. It shows all the revisions.

SUPERVISOR EGAN: Those, I believe, were the revisions before we posted the last draft. So, those revisions were included in the last draft.

MR. RODRIQUEZ: Okay.

SUPERVISOR EGAN: Thank you. Sam Messina and then Christine Neal.

MR. MESSINA: I would just like to do something that is not done often enough and that is to commend Supervisor Egan and the Town Board Members for, what I believe, is a job well done. As I've mentioned in the past with respect to the comp plan and the same goes for the zoning ordinance, I have seen many public outreach programs but I've never seen one carried out so industriously for the benefit of the public. And, beyond that the communications that have been going on, including informal meetings to deal with concerns of particular folks in our community has been commendable.

Regarding the passage of the zoning ordinance, if you kept the book open another 6 months, you would not yet have something that everyone would believe is perfect. Zoning is not the nature of going that way. Regulations and laws need to be implemented the best they can and changed and revised over time. And, with that regard, I would make 2 specific recommendations.

Town Boards often say we're going to review the document. I think you should really go down by adoption or in some other formal way to say there'll be regular review of the zoning ordinance and how it's being implemented and how it meets the needs of our citizens both for what they want of the Town – protection of open space, community character, clean industrial development and does it need to be changed. So, I think you ought to formally schedule to do that and involve the public in that concept.

So, thank you for a job well done.

SUPERVISOR EGAN: Christine Neal and then Ted Jennings.

MS. NEAL: Hi. I'm Christine Neal and I live at 77 Waldenmaier Road. The residents of Waldenmaier Road have been respectively requesting Members of the Town Board and Theresa Egan to vote against the downsizing of Waldenmaier Road from residential to rural. To date, the Town has not addressed complaints made by the residents of Waldenmaier Road. The Town continues to allow people to live in a barn without water or septic, operate a commercial business currently zoned as residential and receiving an agricultural tax exemption on 35 acres. This impacts all of us as taxpayers. Construction of apartments, an indoor arena, renovations without a benefit of a building permit, public and safety issues occur such as there is no off street parking and loose horses on the roadway.

We, as taxpayers, pay for the Town of Bethlehem patrol car that had hit a horse. No manure removal. We're concerned about contaminating the creek that runs into the Hudson River and our water supply since we utilize private wells. There are 40-50 horses kept on less than 2 acres.

For these reasons, we feel the proposed down-zoning in the middle of Waldenmaier Road appears to basically benefit 3 property owners. Two of these 3 owners are daughters of one of the members of BPAC. The other is a boyfriend of one of the sisters. A Town official had informed me last year that the Town was not applying the zoning or code because of the BPAC Member.

Please vote against this proposed down-zoning of Waldenmaier Road. It will negatively impact all of us who have homes and have lived there for several years. Thank you.

SUPERVISOR EGAN: Thank you.

COUNCILMAN PLUMMER: Can I... can we just, maybe this is where we can call on our staff here. If you wouldn't mind, George, just to kind of give a history of where we started at Waldenmaier because I mean, out of this whole plan, this is one of the areas where there's just been so many comments and I think it would be good just to... for us to understand where we started there. And, I know there were some changes in the zoning since the last hearing and maybe an update there would be very helpful.

MR. LEVEILLE: Thank you. Originally, with the BOAC committee working with the plan recommendations, identified that the Selkirk yards are very heavy industrial zone and adjacent to that zone it would be appropriate to have light industrial buffer recognizing that water and sewer are the key drivers of residential development in our community. Didn't see water and sewer being brought to his area in the reasonable future, so again, without being specific to looking at individual existing uses, the plan recommendations map generally looked at the area around the Selkirk yards as a rural light industrial buffer that would then buffer again to rural areas of Town and then the residential areas of Town.

Obviously, that was a concern of residents of Waldenmaier Road. We met with them a number of occasions to understand their concerns and we found that, in fact, there was a real residential neighborhood at the center of Waldenmaier Road. The zoning for that area has not been changed. It remains residential. In fact, we in recent weeks based on testimony that we've received there has been an extension of that residential A district, again, westerly along Waldenmaier Road. The lands on the southern side of the road have a combination of a 500 foot residential set back which is in front of either rural or rural light industrial property and then going further west where clearly it is a more rural setting, less a neighborhood setting, the front 500 feet are rural in nature and the rear is rural light industrial.

We've also put into the Code, again this was a good opportunity for us to look at where we have uses that are not necessarily compatible or different and we have built buffers into the proposed zoning law where industrial use is adjacent to a residential use. For example, it would be required to have an additional buffer set-in to separate those uses. We've also required that if a residential development builds next to a rural or light industrial zone would be required to build a buffer into their project to separate the 2 uses. And, we've also looked at the potential for

certain by-right uses in non-residential district adjoining the residential to be subject to site plan review if a project is proposed within 100 feet of that residential district.

So, we think we've tried to find a balance between the variety of issues that exist there. We clearly have rural situation, we have industrial, we also have residential uses and we think that what is proposed now reflects a balance among those different uses with appropriate set-backs and buffers to ensure that one use did not encroach on the adjacent use.

So, it's come a long way from the original plan which was to make most of the road rural light industrial. We really retained the central residential area which is contiguous all the way up to Meads Lane and Van Dyke Road. It's a continuous swath of residential property. It's to the areas to the west and to the east that are in a light industrial... on the east or primarily rural and a little light industrial on the west.

COUNCILMAN PLUMMER: Thanks.

SUPERVISOR EGAN: Mr. Jennings and then John Smolinsky.

MR. JENNINGS: Ted Jennings, River Road, Selkirk. I speak for a group of people from the historic district along the Hudson River to thank the BPAC Committee, that's redundant, Ms. Egan, Mr. Leveille for having heeded so carefully and closely the desires and interests of those of us in that district and the way it has worked out over many conversations and discussions in the course of the whole process has been commendable and we're very grateful for it and we thank you. I echo Mr. Messina's comments about the responsiveness of the Town and the committee all the way through and I hope everything proceeds as smoothly as it has gone up to this point.

SUPERVISOR EGAN: Thank you, Mr. Jennings. We have John Smolinsky and then Fred Richter.

MR. SMOLINSKY: John Smolinsky, 202 Orchard Street. Thanks again for another opportunity to comment on zoning and subdivision codes. Most of the latest revisions seem appropriate but there are a few that warrant some comments and let me mention them.

Special use permits in the rural zone have been reduced from... the uses that require special use permits have been reduced from 72 to 26. And, I can appreciate that there is some economies to be had by reducing that number but the rural zone provides some flexibility in the number of land uses but it's equally important to maintain compatibility and the ability to consider buffering and mitigation especially between residential and non-residential uses. When I look at the list that only requires site plan review in contrast to their previous requirement of a special use permit, there are many uses that can generate large amounts of traffic, lighting and various other problems where I think the site plan review process is better or the special use permit process is more comprehensive than a site plan review. And, I do understand that the rural areas have not been hot beds of development activity in the past but I think that is a caution we should be very cautious about looking at history of building permits. Much of what we're trying to do with the comprehensive plan and the new zoning ordinance is to create opportunities for new kinds of development in areas. So, I think we need to be cautious about what our goals are in contrast to making or making an assumption that there won't be that much development in the rural area.

A second area that got my attention has to do with public notice. With regard to site plans and special use permits, the previous version of the code required notification of adjacent land owners. And, I notice that is now deleted from the requirement of notice and only notice is going to be published in the paper. And, I think it is more than a courtesy to notify adjacent land owners of a new project and new development. It seems extremely beneficial to the decision maker to make sure they are hearing more sides of the coin than just the advocates proposal and the advocates view of what other impacts on others around the project. So, I would restore that requirement to provide public notice by mail to adjacent landowners.

The development planning committee has been more or less created by the comp plan and the zoning code to take over some of the duties that might have been accomplished by the Planning Board, however, there is no... no indication that those meetings are public. There's no indication that the agendas and meetings, themselves, will be open to the public. So, I would suggest that some appropriate language be added that agendas and meeting schedules will be published on the website or wherever you choose but at least there be public notice of them and that the meetings be open to the public.

SUPERVISOR EGAN: John, try to finish up please. Finish up.

MR. SMOLINSKY: Okay. The last one and I don't mean this to be too funny but the mobile sign section of the ordinance had been deleted in this version and just coincident with that for the last 10 days has been the largest mobile sign I've ever seen at the Blue Cross/Blue Shield building. And, under the code that you're now considering it's hard to figure whether that one be regulated by the sign ordinance. And, I think it would be appropriate to maybe take another look at the mobile signs section relative to that huge billboard type sign and see if some kind of regulation isn't appropriate. Thank you very much.

SUPERVISOR EGAN: Thank you.

MR. LEVEILLE: First, I'm not sure the reference on notice, where that was in the code you were speaking about... John indicated.

SUPERVISOR EGAN: John, did you tell us... do you know what section of the code it was on the notice... it was on the special permit meeting notice... is that what you were talking about?

MR. SMOLINSKY: Special permits and the site plan review. Let me find it and I'll jot it on the copy that I leave for you.

SUPERVISOR EGAN: Thank you.

MR. LEVEILLE: We'll look into that. The public... the development planning committee meetings are published on the Town's master schedule and there's probably no reason at all that we couldn't put that in the zoning code to be more directive that they will be published but they are currently publishing them and the minutes are also published. So, that's an easy fix.

SUPERVISOR EGAN: Okay and they're published on the Town's website?

MR. LEVEILLE: Yes. I think the issue on... I think with regard to the special use permits. As we've mentioned earlier... at an earlier meeting, the initial code introduced a significant amount of uses into the... certain districts of Town being consistent with the comprehensive plan recommendations to do so. The initial reaction, of course for the staff was that introducing that many uses would give us some concern that uses would clash or compete so the initial reaction was to look at very conservatively, at requiring a very extensive review. Special use permits are warranted where there are major impacts on people and individuals. We looked more carefully at the types of special permits that were being suggested and really tried to make the list more consistent with our existing code... we have about 30 plus right now that require special exemptions, Mark. Around 30 uses or so, we got down about 26, coupled with the addition of buffers and other types of additional looks that would be required where we had uses like these in rural and rural light industrial districts. So, we felt that the burden could be placed on Planning Board having to make findings unnecessarily of many, many cases would be more appropriately dealt with at the site plan level where the Planning Board does have discretion to add additional buffers and other types of configurations to mitigate noise and damage. When we look at the amount of special permits that have been issued in the Town the last 20 years. Our fear is that we're over regulating when it is not it's not necessary. If there is a specific need that arises to experience that a use should be regulated by special permit, we have the ability to add regulations later. We think that's a consistent with the spirit of the comp plan. So, we looked hard at those and really felt that we should reduce the amount of circumstances where we presume the special use permit would be required.

Mark, do you want to add anything with the mobile sign?

MR. PLATEL: Well, we just are trying to get that removed. It's over.

MR. LEVEILLE: Tournament is over, right?

MR. PLATEL: Yes, but it's falling on deaf ears.

MR. LEVEILLE: You have anything to add on the new code on what we're doing on signs like that in the new code? Would that be under the billboard prohibition?

MR. PLATEL: That would not be permitted.

MR. LEVEILLE: So, under the new code it will not be permitted for what it's worth.

SUPERVISOR EGAN: Right. Thank you. Mr. Richter and then Nancy Tielking.

MR. RICHTER: He certainly gives a short answer to a long problem. My name is Richter, Fred Richter. I live in the last house on Elm Avenue. I have a... I don't wish to be facetious but I do have a simple question concerning the definition of accessory use. Now, I know that it's supposed to be incidental and subservient to the principal use of the building and then you go on to indicate a satellite dish are allowed because they are an accessory use only. Well, that would depend upon, apparently only if they are securely attached to the building. My question to Mr. Leveille is, suppose they're not securely attached to the building then what?

MR. LEVEILLE: It would still remain an accessory use.

MR. RICHTER: No change at all?

MR. LEVEILLE: I am not clear what the question is.

MR. RICHTER: By definition.

MR. LEVEILLE: I'm looking for the definition. I just want to look at the definition and make sure I understand what you are asking.

MR. RICHTER: To me, this is just one of the many problems occurring when you try to restrict uses according to the plan.

MR. LEVEILLE: I'm sorry, I don't understand the question.

MR. RICHTER: What happens if it is not securely attached to the building because that is what your section says. It...

MR. LEVEILLE: So, what would be the... what would occur in terms of enforcement?

MR. RICHTER: Would it be an accessory use if it's not attached to the building? You can't have it both ways.

MR. LEVEILLE: Well, yes, if it's existing you mean? You're talking about like an existing dish that's in a yard.

MR. RICHTER: Existing or put up whatever.

MR. LEVEILLE: Up in a tree?

MR. RICHTER: Put it on a tree, I don't care.

MR. LEVEILLE: It would remain an accessory use, it's on the same lot. Accessory use is defined as being on the same lot.

MR. RICHTER: That's all that occur. Just if it's on the same lot it's accessory, doesn't matter whether it is attached or not.

MR. LEVEILLE: The satellite dish matters however...

MR. RICHTER: Then, why have it specified attached? You are quibbling.

MR. LEVEILLE: Because we are contemplating the permitting of home satellite entertainment type dishes versus the old large yard satellite dishes that existed.

MR. RICHTER: Then you could simply say why not say you can't have a huge one? I don't know.

COUNCILMAN MARCELLE: Part of this may be for public comment rather than questions, is that....?

SUPERVISOR EGAN: You can do anything you want, Councilman Marcelle.

COUNCILMAN MARCELLE: Okay. Madame Supervisor, I defer.

SUPERVISOR EGAN: Thanks. That's Ms. Tielking and then we have Barbara Leonard Carkner.

MS. TIELKING: Hi, my name is Nancy Tielking. My husband, Ron, and myself own 249 Schoolhouse Road, which is a 3 family home; 251 Schoolhouse Road which is an automotive garage; 20 Reineman Street which is my residence; and a vacant lot on Reineman Street. I'm here concerning section 128-58 and 59 of Non-conforming use lot size and structures.

I just found out yesterday about this new zoning law... just yesterday. I downloaded the whole thing off your internet and I feel there is no communication in the form of a letter to inform the property owners. I hear you have a list of non-conforming use businesses that this law will affect yet you did not let us know that you are even talking about this. From what I gather there has been 14 planning sessions and like 2 written sessions. Knew nothing about it.

I've been living here for 16 years and I knew nothing about it. We have been working with Mark Platel, Acting Building Supervisor, concerning the sale of my property. I sat down in his office on April 2005. In his office, he quoted the law of 25 percent expansion for non-conforming use 4 times. I asked him to explain what it meant to a lay person and he did. And, little less than a month ago, he quoted the law again to my real estate broker when she called him when an interested party wanted to buy my properties. He was very happy, the buyer who wanted to buy my properties with the 25 percent. In fact, as of July 10<sup>th</sup>, 2005 I have a contract for the sale of all my properties. The problem is that one of my contingencies in my contract of sale is that he could have the 25 percent expansion because it was already quoted in our law here in this Town. I didn't think that was a problem because it was quoted several times by Mark.

So, I need to know how this new law will affect the sale of my property. My closing date is September 15, 2005. When does this new law go into effect? If he purchases the property before the effective date, is the new owner grandfathered under the old law? If he purchases the property after, is there any way for him to expand the property if he can show that it is okay to do so? I would like it noted that the timing of this new law is imposing a great financial hardship on my family. We've already lost one buyer through Mark who misquoted my grandfather use of property to him and the gentleman went out and went to Glenville Scotia and bought a garage there. I'm very concerned for I feel the citizens of this Town are not being governed with representation. There's no communication. A little tiny paper that I don't receive is not enough. A letter when you guys were going to do the sidewalks, a letter went to all the residents. A letter should have been sent out to the property owners.

When the Hudson River dredging issue came up, the Town would not have liked it to find out after it already had been decided that this would have been the dredging area, would have been Bethlehem. That's how I feel that this is what's happening with this law.

25 percent is not much growth and the original lawmakers of Bethlehem must have felt it was a good thing. So, why don't you?

SUPERVISOR EGAN: Thank you.

MR. MORELLI: In response to a non-conforming use just so people are familiar with what that is, that is a use that is in a zoning district that is grandfathered in. It is not a permitted use. It is not a use that is permitted under the current code but it is grandfathered in. It was previously established. The code for the Town of Bethlehem... the proposed code says if you have a non-conforming use, you are allowed to continue that use. If you have a non-conforming use and you're... let's say for example, in the case of the speaker, a repair garage or a 3 unit apartment house – and you are in a single family zone, if that house burns to the ground the new code will allow you to rebuild that non-conforming use. Many communities, once you've lost... once more than 50 percent of your building is damaged... a non-conforming use is damaged or destroyed, you've lost your non-conforming use. The Town of Bethlehem is saying, if you have a non-conforming use you can continue that use. If that building is destroyed, you can rebuild the same square footage.

But, BPAC Members had a concern that under the old code if you have a non-conforming use... i.e. something that's not now permitted in that zone... why would allow a use not permitted to expand by 25 percent. The BPAC Members felt that if you have a non-conforming use you can continue that use but you should... you can do your normal maintenance and repairs, obviously, but you should not be allowed to expand a non-conforming use. And, that's how it's in the code right now. And, I understand that what Mark Platel was doing was quoting from the old code and then he contacted the real estate agent to advise them that the new code was not going to allow for that expansion. You can continue it. You can do your normal maintenance and repair. If it burns to the ground, you can rebuild the same size square footage but you would not be allowed to take a non-conforming use and expand it.

MRS. TIELKING: Right, the 25 percent is like putting 2 dormers on a house, you know. It's not much and I think the original people that wrote this law here in this Town thought that 25 percent was not much. It's not asking for the world. You are not expanding into your neighbor's yard.

MR. LEVEILLE: Excuse me, we're really not going to try to debate issues. We just want to clarify the issue for the Town Board. The issue is whether or not an existing non-conforming use can expand. That's the issue. The code as written indicates it cannot expand. It does... the former code did provide for up to a 25 percent expansion so the Town Board needs to be directive on what the preference would be. I just want to add, since we're on non-conforming uses, there are also changes in area and bulk requirements, yard sizes, things of that nature. The code does provide that if your lot today... the lot that existed at the time of the adoption of the code becomes non-conforming through the adoption of the code, that you are not required to obtain a variance to use the property. So, there is a provision in there that if lots... there's been some changes in the lot requirements to try to create more conformance, however, if there is a non-conforming lot created by the zoning... the new zoning law, there's a provision in there to make it an eligible non-conforming lot that can... it's not subject to variance. So, that is an important clarification I wanted to make as well.

SUPERVISOR EGAN: Thank you. Mrs. Carkner and then Robert Jasinski.

MRS. CARKNER: I'm Barbara Leonard Carkner, 83 Elsmere Avenue, Delmar. Actually it's Elsmere, we get our mail through Delmar. I'd like to just bring to your attention just some things in the definition code. There's lots of things within the revised zoning that I feel need correction. There's a lot of grammatical errors and there's some duplications which I... we've already let George know about some of those.

The first thing is a bed and breakfast. It doesn't qualify as a home occupation use. I just wanted to kind of make a statement that I've been to some bridal party... just the bridal party receptions at a bed and breakfast, like 10 or 15 people. I think that would be a wonderful, allowable use for a bed and breakfast and I just put that out there for your consideration.

There's a duplication of the definition buildable area on page 13 and page 24.

Okay, the definition of family seems to be excessive and kind of convoluted and I don't see any reason why the previous zoning definition of family couldn't be used which is much shorter and much more to the point and doesn't go into a lot of wordage.

The private garage, I'd like to mention that again that I believe that should be amended to include passenger pickup trucks that families own and my family being one of them. Not being allowed in a private garage.

Page 19, historic site building or district, I think it should be eliminated that it should be included as having been proposed or deemed eligible for the listing on the National Register or State Register. I thought we were going to put things in historic districts that were already on the register and anything else would be up to the willing landowner. Speaking of historic districts, I don't see on the map a Hudson River Historic District as Mr. Jennings mentioned. So, maybe that needs to be looked at too.

And, finally the definition of a junk yard. While I have no problem with having more than 2 vehicles unlicensed and unworthy for road travel being addressed as a junk yard, I do have a problem with a one week residential district allowance. I was just in a situation this spring where I took 1 vehicle off the road which I was going to sell privately that had no plates – it was not road worthy without license plates and purchased another newer used car. It took me about 2 1/2 to 3 weeks to find the appropriate buyer for my old used car. And, so I would ask that you kind of relook at that one.

And, I will stop there. Thank you.

SUPERVISOR EGAN: Thank you, Mrs. Carkner. Robert Jasinski and then Ed Kleinke.

MR. JASINSKI: Robert Jasinski, Bender Lane. I'm not going to point out different things on this and ask you questions on this because there's so many questions that are coming up that this actually reminds me of a young child that sees a ball on one end of the room and starts running for it to get the ball, yet it trips over 20 toys on the way. He doesn't see the other toys. I mean, we got so many changes in this thing, it's getting to be ridiculous to adopt this as far as zoning goes. Comprehensive plan -- I like the idea but I think it should only be used as a guide.

All right, eminent domain... over a year ago I mentioned eminent domain on this floor in front of this Town Board. I stated to Theresa that she was probably going to have to use it to get some of this. In this comprehensive plan in this zoning, you talk about hamlets, you talk about 144, the land east of 144 as green space and everything, the only way you're going to bring this up and have it happen is by eminent domain use. These people don't realize that they have the possibility of having this happen and they will lose their land.

All right, seems like Albany is moving into this Town, I don't know. Instead of keeping this community a nice place to live in, you are going to change all our lives and I'm talking about all our lives – not just the rural... not just the North Bethlehem, South Bethlehem, Glenmont, you're changing everybody. The center of Delmar is going to change. Who's going to police all these things that you're going to enact? Or, are you only going to do a couple and let the rest go? That's a nice law – you know, only do something and not all of it.

This is a joke. Constant changes on these dates going to appear here for the comprehensive plan on this date, oh wait a minute we're going to have the zoning on this date, no, we're going to move it back... we're going to move it forward... you know, I got a calendar home that's filled. I used to only have a couple dates on the month, now I got almost a complete sentences and a paragraph.

This is a form of socialism. Don't kid yourself, you're taking a step toward socialism and this Town Board and the Members on it, if this goes into effect, will be noted for this. I am talking about noted in the future.

Revisions, you said you had 24 or 26 changes, Mr. Leveille were all these enacted or were only some of them enacted?

MR. LEVEILLE: In the draft?

MR. JASINSKI: Right.

MR. LEVEILLE: No, the memo that identifies the changes are all the changes. That's all of them.

MR. JASINSKI: All right.

MR. LEVEILLE: That's all I was trying to do is make it easier for folks to find the changes.

MR. JASINSKI: Now, these special permits. Have you come up with a fee? I've spoken about this quite a number of times.

MR. LEVEILLE: The existing fee is \$300 and \$50 and I think there is another proposal to change that... \$150. So, that would be the same.

MR. JASINSKI: \$150 for a special permit.

MR. LEVEILLE: Special Exception today.

MR. JASINSKI: Special Exception. All right, special exception, special permit...

MR. LEVEILLE: Same thing.

MR. JASINSKI: Same thing. So, any time they got to go to for a special permit/special exception...

MR. LEVEILLE: No, no, no. We shouldn't be interacting... you should ask me the questions and I'll answer them all.

MR. JASINSKI: Oh bull, come on. I asked questions at the last meeting and you told me you weren't going to answer any questions.

SUPERVISOR EGAN: Mr. Jasinski, let's finish up, you're 3 minutes are almost done and then the staff will respond.

MR. JASINSKI: That's normal. What about trucks in a driveway?

MR. LEVEILLE: There's one in mine.

MR. JASINSKI: I mean what have you listed as gross vehicle weight?

SUPERVISOR EGAN: Are we done with your comments?

MR. LEVEILLE: I'll answer the question when...

MR. JASINSKI: Thank you. I know when to walk.

SUPERVISOR EGAN: Staff?

MRS. CAPONE: You're right, Mr. Jasinski. You're right.

MR. LEVEILLE: The existing zoning law provides for special exemptions which are processed through the Zoning Board of Appeals. The proposed code transfers that responsibility to the Planning Board and all of the special use. It's the same ... type of review of a project. In terms of the gross weight, I think 10,000 pounds or 14 foot bed is the requirement for a commercial vehicle.

SUPERVISOR EGAN: Thank you. Ed Kleinke and then Robert Laraway.

MR. PENK: Could I ask one thing? On that truck business, gross weight, is that going to affect us if we go to RA?

SUPERVISOR EGAN: Mr. Penk, we'll deal with that at the end. Let's try to get through the comments, please.

MR. KLEINKE: Hi. My name is Ed Kleinke. I live at 62 Mahar Road, Slingerlands and I thank you for the opportunity to be here and ask some questions and offer some comments. I have seven or eight items I would like to bring to the Board's attention. I know it's going to take more than 3 minutes.

SUPERVISOR EGAN: Talk quick.

MR. KLEINKE: I'll talk quick. I have a relative or 2 here who will probably give me their 3 minutes. But, let me just start. I want to thank you for the opportunity to have in the past couple weeks sit down with George and his staff and talk about a number of issues that have related to the proposed zoning code.

Several things though, I think, are still pertinent – I would like to bring to the Board's attention. The first one is flag lots and I would refer to page 4.19... 4.18-4.19 of the comp plan which talks about recommendations in the rural district and just to briefly summarize, it says because small subdivisions are typically created along the frontage of existing roads, such subdivisions can quickly have negative, cumulative impact on safety and efficiency of the road (due to curb cuts). Later on in the recommendation it says to counter negative impact of frontage development for minor subdivisions, the Town could allow well designed flag lots with shared driveways (cross easements) as an alternative option to frontage lot development. And, then I would refer you to page 103 of the proposed zoning where the requirements for flag lots are that there needs to be a 100 foot dimension distance between the flag stems of the lots. In other words, we cannot share driveways in the design of flag lots. And, then secondly, there's a limit to the length of the flag section of the lot, the flag pole, it has to be greater than 200 feet but less than 500 feet. Which, means, we really can't perhaps properly design flag lots in the rural and rural light industrial areas (a) because we maybe cannot get to the appropriate portion of the property which would be more than 500 feet in depth and then secondly I think inherently by having a separate between the flags which serve as the driveways, we create by default a parcel in between. That parcel then becomes more vulnerable to, I think, development which would be frontage development which is what we don't want to do and the comp plan does not recommend. So, I think we should revisit that particularly as it relates to the rural, rural light industrial districts.

Second issue, special permits. I would just like to make reference to page 107 of the proposed code. 107 has to do with the nature of uses in special permits. I would just like to read one section – it says, this is part b of 128-69 on page 107 – all uses allowed subject to special permit... special use permit approval are hereby declared to possess characteristics of such unique and special forms that each specific use shall be considered as an individual case. I think that's excellent, excellent language in there. And, what it says to me at least in my experience is that special use permits are recognized as uses having a unique characteristic about them. And, I think in general, when we think about special permits, whether there are 25 or 30 each of those should have a special unique characteristic that is identifiable or associated with it that kicks in the requirement of a special permit. We have specifically for 5 uses those include mining, kennels, adult uses and junkyards. Those have specific requirements that are directly related to them as uses that require them to have special permits. Things that the Planning Board has to look at. The other 20 or 25, whatever the number is, do not and fall into category of general kinds of considerations. I think from my viewpoint as a practitioner for a long time, boards really need some direction. In order to give them direction we've set the stage that special permits have unique characteristics and the rule of thumb really should be unless we can identify those characteristics list them, then we shouldn't have them as special permit uses.

SUPERVISOR EGAN: Okay. Ed, let's try to finish up okay, please.

MR. KLEINKE: I really have a number of things that I would like to bring to the Board's attention.

SUPERVISOR EGAN: Well, you certainly can provide them in written form and

we'll get them to the Board but we'd like to try and get to the other speakers.

MR. KLEINKE: Okay, let me just quickly – I have issues that I would like to relate to the Board having to do with housing diversity; land divisions, mining and mineral extraction; buffers; home occupations; and access to properties through residential districts.

Let me just conclude then on land divisions. I think it is important that we recognize we have agricultural land in use that are not particularly or not necessarily in the rural... proposed rural districts. Many of those lands have municipal water and some as well have municipal sewer. Those lands, I think, really should be allowed to participate in the land division process much like or as comparable to the rural district. In other words, allowing 4 divisions in a period of 10 years even though they have access to water and/or sewer. And, I think those would be appropriate to put in there. I also think and perhaps this is thinking a little bit as we move into actual use and experience with the code, there are other concerns related to agricultural uses that aren't in rural districts and I think they have to do, not only with uses but some of the area bulk requirements. And I would see that particularly relate to my family's farms and properties on Kenwood Avenue as an example. There is considerable acreage, several hundred acres, a small number of property owners. It is all in agricultural use. It's in a proposed residence A designation. There's sewer and water. The intent of the family is to continue operating as agricultural uses yet I think it is important that they have the ability to sustain those agricultural uses by virtue of things they can't do in the residence A district, could do for example in the rural district. And, I think we have an opportunity there to address that be it in an ag overlay or a rural ag district or some other form. So, I'd like to ask that that be given a high priority on the list of things to look at as we go into the future. And, I will provide documentation on the other elements.

SUPERVISOR EGAN: Thank you.

COUNCILMAN MARCELLE: Can I just ask one quick question? I don't want to extend... Can you just in one sentence or 2 sentences just identify what you see the problem with housing diversity is. I mean I don't need the whole program, I'm just curious on that issue.

MR. KLEINKE: Sure. Our comp plan page 410... starting with 410 in the residential and in-town residential descriptions make specific... specific reference to allowing greater housing diversity. And, it's clearly stated throughout the comp plan that housing diversity is an important goal of the plan and what I found though is that if you look at the maps... the land use map, whole center of the land use map is designated residential and in-town and the whole center of our proposed zoning map is residence A, residence B and core residential. Those are the areas that are comparable to in-town and residential from our comp plan. In our bulk regulations, the only residential uses permitted in those districts is a single family or an accessory apartment. So, the issue I wanted to raise is, how do we accomplish housing diversity when in the biggest area of the community, we don't allow anything but single family homes and accessory apartments. Okay.

SUPERVISOR EGAN: Thank you.

MR. LEVEILLE: The housing diversity goal, I think is embodied in the planned development district, in the conservation subdivision which permits the Planning Board to relieve the area bulk requirements to allow for cluster housing. The intent of BPAC in our interpretation was that new housing development, we should be encouraging diversity as growth occurs instead of the same old traditional subdivision. So, by encouraging planned development districts with flexibility, mixed economic developments districts that allow for 30 percent... up to 30 percent of the total development to be housing, which would encourage multi-family type housing and otherwise commercial and economic development areas, the use of conservation subdivision are all tools that will encourage diversity in new housing constructed. I do not believe that the intent interpreted in the zoning code was that we were looking to change the fundamental nature of the neighborhoods that existed.

MR. KLEINKE: Thank you.

SUPERVISOR EGAN: Thank you. We have Mr. Laraway... Robert Laraway and then Linda Jasinski.

MR. LARAWAY: Hi. My name is Bob Laraway. I live on Waldenmaier Road and I had a prepared statement but since Mr. Leveille made his statement about Waldenmaier Road, I'm more confused than ever. You all started zoning us rural light industrial, then you changed it to rural, and now house by house as people complained, you've given back to our residential which has been residential for 35 years or more. Why you chose to do all that in the first place is beyond me and everybody else on our road. It is a residential neighborhood. Now, the line seems to end at my property and I am next to Mr. Mead's daughters, illegal business that no one does anything about. And, you want to leave them rural now so that they can... so their business will be legitimized and we will just have more of the same... more junk cars, more trash, more manure. You know, they are very uncooperative. And, the Town doesn't seem to do anything about it. And, we on Waldenmaier Road don't want any of it changed. We want the whole thing left alone as residential like it has been for 35 years. And, this special interest spot zoning shouldn't be allowed. Thank you.

SUPERVISOR EGAN: Thank you, Mr. Laraway.

MR. LEVEILLE: I just want to clarify... the interpretation of BPAC with regard to the difference between rural areas in Town and residential areas in Town has a great deal to do with infrastructure. If there was a determination that either infrastructure existed in general terms, the comp plan interpreted that to mean it was a residential area. It also looked at areas where it would be logical to extend utilities, to bring water and sewer. And, so certain areas on the map that do not currently have water and sewer but are logical places for the extension of such, have been zoned for residential development. These are appropriate areas where infrastructure can be extended at reasonable cost to the taxpayer providing system improvements. By virtue of that interpretation, areas that were not seen as being in the path of water and sewer are generally considered to be rural areas. So, that is really the backdrop for what led to the initial plan recommendations. The availability or existence of water and sewer or the potential for it to be there in the foreseeable future.

SUPERVISOR EGAN: Thank you. We have Linda Jasinski and then Jarod King.

MS. JASINSKI: I have some questions about where the comp plan and the zoning disagree with one another because I know the zoning has to follow the comp plan. In the rural... in the comp plan it says the rural light industrial will contain all the uses that the rural contains plus some traditional light industrial. There are 7 uses that are missing right now.

I question... the comp plan says that they want to make the process clear and predictable and I'm not sure the zoning does that by requiring you to... and compliment the existing neighborhood. It.. that alone just leaves a lot open for interpretation.

I have some questions about definitions. The new zoning regulations has almost a whole page devoted to defining a family. I think that's a little excessive. I asked about it yesterday and was told by the Supervisor that it was taken from the old zoning which, in fact, the old zoning...

SUPERVISOR EGAN: Let's correct that right now, Ms. Jasinski, we had this conversation, it was Mr. Leveille that you talked to.

MS. JASINSKI: Whatever, one of the Town officials who should know about this said it was taken from the old zoning and I looked it up in the old zoning and the definition of a family is one nice little sentence in the old zoning that says any number of individuals related by blood/marriage or adoption living together in a single house keeping unit data, data da... I think a simple definition of family is what we need. We don't need to get into people's privacy and I don't think the government needs to be defining family here.

I question the definition of excavation because if you read that it looks like any

kind of disturbing of the soil becomes excavation whereas, I've always thought that excavation requires digging or removing the soil.

I also wonder about the permitted uses of the conservancy which is allowed in every zoning district in the Town. The conservancy can also have a conference center, diffused outdoor recreational activities. The conference center can be with or without sleeping and eating accommodations. Yet, if a private individual wants to do a conference center they can only do it in a couple of zones. So, for somebody who wants to pay taxes and have a conference center they can't... they are very limited on where they can do yet the conservancy can come in and not pay taxes because they are not for profit and do it anywhere they want to.

Also, in the beginning of the grading and erosion and sediment control, I feel the first statement there – which is the only place in the zoning that there is a statement – is more of a political statement than it is an actual statement of intent or statement of purpose. And, I think that this should be removed.

Thank you.

SUPERVISOR EGAN: Thank you. We have Jarod King and then...

MR. LEVEILLE: Just to try to respond. Couple of those with regard to the inconsistency of the plan recommendation regarding uses permitted in rural, rural light industrial, Ms. Jasinski is correct, there was... the code as drafted did not pick up those additional uses. With regard to... the issue of the conservancy, the language did say conference center but we feel that clearly it is indicated that the purpose of the conservancy is to promote protection of natural resources or environmental or historical cultural facilities and that really the intent there was to provide space where meetings might be held so that's certainly something that could be reviewed.

And the notion of excavation also is something where the way... as it is written, it could be interpreted as Ms. Jasinski indicated. So, I would agree that those are issues.

SUPERVISOR EGAN: Thank you. Mr. King.

MR. KING: Jarod King. I first wanted to say that I find this process to be highly rushed. My first opportunity to take a look at the amended zoning code was actually today. I also find, highly offensive, the notion of in a State statute mandated public hearing that people are being restricted to 3 minutes. I understand the fact that nobody wants to be here forever, however, it seems to me that the appropriate recourse would be to have another hearing and I am more interested in hearing what people like Ed Kleinke have to say, who are generally very well thought – well reasoned ideas, than to hear necessary the response of George Leveille as obviously he has a forum for making those... that input to the Town Board at another time.

With respect to the zoning, the things that I caught fairly quickly were a couple of things. First of all, in Section 128-17, there are restrictions to fences being 4 feet high and that... I can't read my handwriting but... the section, that whole section involves very specific design elements. Oh, I do know what that is, that's about porches and porticos, that they can only be 6 feet wide and 8 feet high, as if Monticello would be an unattractive building.

It's this kind of focus on minutia which I think really is one of the real problems with the zoning code as it is being structured. I really think that zoning code should be more philosophical in nature and focusing on big ideas as opposed to the small ideas. For example, or let me give you another example – the 128-24, this is the non... accessory buildings have been raised now from 18 feet to 25 feet if they're non-agricultural. Well, obviously when it was agricultural we had a problem with silos and things like that. I mean, but even here, did anyone ask the question as to what... how high is the right height as to what... of the existing uses. This gentleman who spoke first I thought brought up a wonderful idea about the ham radios. Nobody gave it any thought. These seem to be arbitrary numbers and I'm not here saying that it should be 24 ½ feet or 25 ½ feet. What I'm asking the Tow Board and you know, its planning mechanism is to really think about what the

height should be. The structure should not exceed the height of the principal structure – why? I mean, again, I just ask the question. I don't see the rational for it.

I do feel philosophically there are 2 very important things that I would like to see in zoning. The first is, I don't like the section on non-conforming use. It seems to me we talk about a lot about Bethlehem as having a unique sense of place. To me, structures that have now or will be arbitrarily designated as being non-conforming because it doesn't conform with the existing zoning code are part of that. There are a number of examples in Town, I can give you Verstandig's Florist being one, Meyers Funeral Home being another and Hewitt's Garden Center being a third. What bothers me is that something like... in the case of Meyers Funeral Home, that's been modified to a zoning which will accommodate the existing use as it is and there may be similar non-intrusive commercial use. I would say the same thing is appropriate for Verstandig's Florist. It's being arbitrarily designated as multi-family and I don't see why other than the fact that the Town wants to build more multi-family housing there. I have spoken to Mr. Verstandig and he said any designation he would like that would be consistent with the existing use because he may not want... or may not be able to continue it as a florist but anything that is non-intrusive commercial, I think, is wholly appropriate. And, I don't like that. I think its an arbitrary taking and unnecessary.

The other thing is that... when I did discuss this with Mr. Leveille, is that existing landowners if they're going to be... have takings should be compensated for that taking. A great example is on New Scotland Road, that is... as it's going to be developed in a commercial way is going to be... I think, it's almost in tenable as a residential area. By changing the zoning to commercial or commercial hamlet, that will allow those people to be able to sell their properties at a higher value. So, that I think is being addressed but that's something, I think, always has to be of concern.

Okay, couple other very specifics and cut me off.

SUPERVISOR EGAN: Please start to finish up.

MR. KING: Okay. Let me just finish by asking one last question. How... when is the deadline for putting in written comments because I'm not going to be able to cover everything I have to say tonight. When is the deadline?

SUPERVISOR EGAN: Do the 22... next week for written comments on this? Friday. We'd like to get everything in by Friday because we're trying to get everything finished up. So, written comments...

MR. KING: By this Friday which is tomorrow?

SUPERVISOR EGAN: No, day after tomorrow.

MR. KING: Okay. All right, well okay. Then I would just make the last comment here as my glue which is basically what Mr. Messina said about zoning versus the plan. I don't see there is any problem why we can't adopt the zoning code because I don't think there's much to be clinging to with the existing zoning code. But, with the plan you are talking about philosophical issues which I think there is simply not consensus. It's obvious from the comments that have been written. It's in the articles in the paper and I would be more interested in seeing a zoning code implemented and if you want to lift the building moratorium at that time fine and work on the plan and really get it more of a consensus document which I don't think it is at this time.

MRS. CAPONE: We came here to hear the comments, not for you to read it.

SUPERVISOR EGAN: Debbie Kitchen, please.

MRS. KITCHEN: My name is Deb Kitchen. I'm the daughter of Ann and Paul Kleinke and we own and operate Kleinke's farm in Glenmont. My grandfather purchased this land almost 100 years ago and my family continues to farm it today. Over the years we have seen a lot of development on the surrounding properties and I would just like to go on record as saying that I am in favor of the Board

taking a closer look at either adopting a rural district overlay or introducing a separate zoning designation for rural residential properties such as ours.

I believe a rural designation or rural district overlay would offer us greater flexibility in terms of land uses and area requirements. This flexibility would encourage creativity and uniqueness while enhancing the special characteristics of our property. We believe the land located on lower Kenwood Avenue are valued for the beautiful and natural settings and are distinguished from the Town's more urbanized area. We would like nothing more than to keep our land as rural as possible and would like to ask the Town to develop ways in which we can afford to do just that. At present our beautiful open space has been zoned residential A which greatly restricts the types of uses unless a property owner can afford to attain the required number of acres which meet the Albany County ag district requirements. I appreciate that you would take that into consideration. Thank you.

SUPERVISOR EGAN: Thank you, Deb.

MR. LEVEILLE: I just want to clarify how the zoning treats agricultural uses in residential areas. There is, obviously a residential A district, for example, permits single family homes on 15,000 square foot lots. There is... in the use chart, there is under agriculture in all the residential zones, you will notice a footnote that indicates that agriculture that is... properties that are in agricultural use or in ag district are permitted by right in residential zone. New agricultural uses require, I believe, site plan approval for their implementation. But, existing uses, agricultural uses as defined in the code, relatively lengthy definition, or if they were within the ag district are permitted by right in all the residential districts.

SUPERVISOR EGAN: Thank you. We have James Bohl.

MR. BOHL: I'm James Bohl. I live on Jericho Road, Selkirk and last week I wrote a letter and it was in the Spotlight. That's not why I came up here but I wanted to bring up about this woman just getting notified... just finding out and don't rush it. There's time. You know, not everybody gets the Spotlight. You know, I think... like moving this meeting up. It shouldn't have happened. More people should have time, you know, to get more input and more information. It's summertime, a lot of people are on vacation, they're here, they're there. You know, people have their own lives, their kids. They're doing this and that. The Town should send out notice everybody.

That's not what I came up here... I came up to ask about the issue with commercial vehicles over 12,000 pounds. Now, what about a man that... say he stocks the shelves in Price Chopper. They have a bread truck. These guys are private contractors – I'm just using this as an example. They're private contractors. They drive home, they park their truck. According to what you have, you want to put that man out of business. You don't want him to park his truck. You write in there that you want to take and hide it in the backyard. You have ordinances on fences, you can't have more than a 4 foot fence. I want to see you hide a mini-van behind a 4 foot fence, let alone a truck.

Who's going to plow the backyard out in the wintertime when there's this much snow. The guy has to go try to hide his truck. There's people, myself, have worked as a heavy equipment mechanic over the years. Part of your job is... you have a truck... a service truck, you have thousands and thousands dollars worth of tools, you aren't going to leave that truck somewhere. That truck comes with you, that's part of your job. That truck, 9 times out of 10, is over 12,000 pounds. Are you going to try and take that man's livelihood away? And, people with dump trucks – that's their livelihood. Why because they... you know, they have their trucks, they have to park it somewhere. Why should they have to go and rent a lot or something somewhere to park their truck, their livelihood and cost them more money because you don't want them to park their truck in their driveway. That's my main concern.

You know, I think this should be thrown out. Who are you to say what somebody can drive and what they can't drive. That's their livelihood. Thank you.

SUPERVISOR EGAN: Thank you.

MRS. CAPONE: You're good.

MR. LEVEILLE: Just let me try to clarify what is proposed in here. We distinguish in here between trucking businesses and home occupations that might be trucking related saying that a home occupation... a trucking operation cannot be a home occupation, however, trucking businesses are permitted in many districts in Town. Currently I believe, Mark, in a residential district what does the code tell us about trucks, heavy trucks?

MR. PLATEL: Currently in residential districts you couldn't be able to operate a business, a trucking business or towing business or such out of your house. That is not a permitted use. You can park a commercial vehicle in your driveway. You just can't run a business out of the house.

COUNCILMAN MARCELLE: Mark, just so I'm clear, so currently you can park... if you drove a dump truck you can park that in your driveway now in a residential?

MR. PLATEL: No, you couldn't park a dump truck... a larger dump truck. If you have a small truck that's let say a contractor in business brings his truck home like Jim was saying to bring your tools home with you, that's not the intent. Commercial vehicles, what they are talking about is a big dump truck, excavating stuff in residential zones. There are districts in the Town that you can do this in.

MR. JASINSKI: Who's going to make this decision whether this is in the Town.. I mean whether this is allowable or not? I mean, are we going to go for a special permit to park my dump truck in my driveway? Or do I have to rely upon you to decide whether I am violating the law and ticketing me?

MR. LEVEILLE: The code needs to be clear in each zone as to what is permitted in terms of commercial vehicles being able to be parked in that zone. The way it is written, again, I think it's 10,000 pounds or 12,000 pounds.

STAFF: 12,000 pounds.

MR. LEVEILLE: 12,000 pounds is currently what is in there and it really relates to... I believe it is prohibited in the residential districts but not in the rural districts where if it's a trucking... as long as the business is permitted, the trucking business is permitted in the rural zone, you may park that vehicle in your driveway.

MR. BOHL: Back to my question on say dump trucks, now say the man lives – and I know there are people in residential areas in this Town – that their dump trucks at their house, are you going... are they going to be grandfathered in or are you going to throw them out?

MR. LEVEILLE: Jim, again, I think again our purpose here was to try to identify with the issue is and I think that's precisely what the issue is.

MR. BOHL: That's part of it. You know, if you have to clarify what are you going to do?

SUPERVISOR EGAN: That's something, Mr. Bohl, that the Board has to do. What we're here tonight to do is just make the determination what the issue is and in the next week or two the Board will make that determination and direct the staff to draft the final document with the answer to that.

MR. BOHL: But, you know, there's a lot of things...

MR. LEVEILLE: For example, tractors...

MR. BOHL: Right, landscapers have their lawn mowers... You know, they're small businessmen. Like I said they can't afford to go and buy another lot or... you know, you have to let people make a living.

SUPERVISOR EGAN: Thank you.

MRS. CAPONE: The screaming in the hall was a town employee who couldn't go

upstairs.

SUPERVISOR EGAN: Yes. Right now I have no further cards. Is there anybody else that wishes to... Mr. Penk do you want to...?

MR. WALDENMAIER: Excuse me, I put a card in and I don't know where it went. I'd like to turn my time over to Mr. Kleinke.

SUPERVISOR EGAN: Nancy?

MS. MOQUIN: It was in the first hearing.

MR. WALDENMAIER: It was, all right. I apologize.

MR. PENK: Well, you kind of got me confused because...

SUPERVISOR EGAN: Yes, please come to the mike.

MR. PENK: My name is Al Penk. I live on Clapper Road in Selkirk, New York and I've had several issues happening. One of them is we're talking about parking cars or trucks in a driveway. As far as I knew in Delmar, you couldn't park a commercial vehicle in a driveway that affected your neighbor or has that change?

Secondly, I was told there is no noise limits within the Town of Delmar. Construction company can't start building on houses, I don't believe, until 7-7:30 in the morning. That has to be a noise regulation of some type and it seems that all these things have been forgotten and what we're looking at now is changing everything.

I've never been in one situation where you've had your comprehensive plan meetings, you divided and conquered an old corporate structure. It's taken all the people and dividing them into groups, taking just some individual feelings of those people and then muster them or working them with an outside agency that knows nothing about our area and come up with some kind of a comprehensive plan. Now we're taking and we're zoning.

I have no representation from my area of the Town on this Board whatsoever. The answer is that we should vote in our member. There's no way that our side of the Town is going to be able to vote in a member to this Board, I don't believe, without help on this side of Town. I'm told I live in the Town of Bethlehem. I find out that Delmar is number 22 on some great list where you want to live. I live in the Town of Bethlehem, why wasn't the Town of Bethlehem number 22 because Delmar is only a hamlet that pays none of the taxes for the services they get that I'm providing the taxes for. My school taxes, I used to pay school taxes to the Town of Bethlehem. Town of Bethlehem paid so much per student to Ravena-Coeymans-Selkirk School District for the education of that person. They found out in the Ravena-Coeymans-Selkirk School District that the Town of Bethlehem was collecting excessive money with the school tax because of the assessments in the Town of Bethlehem versus the Town of Coeymans and they now have it that my school tax automatically goes to the Town of Coeymans. We have 2 separate towns that nobody in the previous administration or this administration wants to admit. There should be 2 types of assessments in the Town on property. There should be one in the Ravena-Coeymans-Selkirk School District and there should be one in the Bethlehem Central School District or bring us into the Bethlehem Central School District under no child left behind. I've got the third generation being left behind by this administration in this Town and none of this is into any of your comprehensive plan first off and we're rezoning the property on my side of Town to the way that the people on this Board want it, I believe that don't even live on my side of Town and don't even know what the traffic flow problems are on my side of Town.

So, God bless, I will sit back and watch it and happiness is, you can't affect my living. Thank you.

MRS. CAPONE: You're good and that's why we couldn't have the television her tonight so that people would know.

SUPERVISOR EGAN: Thank you, Mr. Penk. Mr. Waldenmaier. Mrs. Capone, please.

MR. WALDENMAIER: Would the Board allow me to give my time to Ed Kleinke?

SUPERVISOR EGAN: We had a rule of no pooling, Mr. Waldenmaier. Is there anybody else that wanted to speak this evening?

COUNCILMAN MARCELLE: I would move to waive that rule.

SUPERVISOR EGAN: I was going to say, Ed can you keep to 3 minutes this time?

MR. KLEINKE: Probably not.

MRS. CAPONE: This is why we couldn't have the television here tonight so that the people that are at home tonight don't know what's happening in here.

SUPERVISOR EGAN: Okay, let's finish up. Mrs. Capone, Mr. Kleinke can... Mr. Kleinke please come to the mike.

MR. WALDENMAIER: Thank you.

SUPERVISOR EGAN: You are welcome, George.

MR. KLEINKE: Thank you, I appreciate it very much. I'll try and be expeditious here. Under special permits I had spoken about that earlier. I have a second item on that, page 111 of the proposed zoning item p-3. Talks about renewal of special permits and granted there may be occasion where the Planning Board may want to address a special permit that has been issued on a renewal basis. However, I think most interest are well served by allowing special permits once they are granted if there continuing to operate in a manner that is consistent with the permit, they should be allowed to continue to operate without having to come back for renewal purposes.

Under our mining and mineral extraction, part of the proposed zoning code, page 122, item d-111 – there are thresholds for exemptions to the application of a special permit for mining and mineral extraction by the Town of Bethlehem Planning Board. I think those thresholds should be consistent with the New York State DEC mine reclamation law and in terms of quantity, both in terms of tons and cubic yards, of material extracted before a permit is required.

Under buffers, this discussion I've had with George Leveille a little bit. There needs to be a consistency of the requirements for buffering. Whether it is 100 feet, 100 feet plus the set back, there needs to be consistency. I would, however, throw in from a design sense whether it is 100 feet or more than 100 feet, the 100 feet is kind of irrelevant depending upon what goes in that hundred feet. It's not the distance that is important, it's what goes in that buffer that's really important.

With that in mind, I would suggest that, perhaps, we need some design guidelines that say if you put a substantial buffering plan together like having an earthen berm, perhaps that distance should be reduced. If you have extensive planting, evergreens for example, the higher density or a larger height when installed, perhaps, that dimension should be reduced. So, I think design guidelines could address that a little bit better, give the Planning Board some flexibility. Give the landowner who is going to invest a lot of dollars into creating these buffers some flexibility as well.

Under home occupations, and this would be section 128-63 page 104, the code... we have throughout our comp plan and through our zoning code encourage home occupations and I think that's a good element to encourage. In the proposed code, however, if I can find it, page 105 -- I'm sorry – Item h and I, we say that the building construction classification and fire separations for the structures shall comply with applicable fire and building safety requirements of the Town for mixed use residential and applicable non-residential use classification and such home occupation and shall be certified by the Building Inspector. To me that rings like our home occupation has to meet some code requirements that may not be

existing in a home that's constructed originally as a home. And, then follow-up on I, the home occupation shall require no exterior alteration, addition or change to the structure that would require a building permit in order to accommodate such use within the structure. And, I'm not sure that we can make alterations to meet fire code and safety, building code issues for separation of uses and still not make alterations to the structure and have the home occupation. So, we need to clarify that or in some way allow home occupations to move forward on a free basis.

Then finally, there is a provision for access to non-residential lands through residential districts. Section 128-41, page 54, and item A2, access to non-residential use or district across a property designated for residential use is prohibited. We have examples throughout the Town of land that the front part of the land is zoned residential but the rear part is zoned for non-residential uses. This would not allow access to the non-residential land through that residential district. And, I think that in not all cases but in a lot of cases would prohibit development of that non-residential use land. So, I think that, as well needs to be addressed further.

I thank you for the extra time.

SUPERVISOR EGAN: Not a problem. Okay, that's what I have for the end of speakers.

COUNCILMAN LENHARDT: Are you going to provide your written comments?

MR. KLEINKE: I'll provide a document, yes, copies of all these materials for the Board by Friday.

COUNCILMAN MARCELLE: Could you also provide us that by email too, Ed.

SUPERVISOR EGAN: If you get it to us, we'll get it to you.

COUNCILMAN MARCELLE: Okay.

MR. LEVEILLE: Let me just clarify on the renewal of special permits. The prior draft of the code gave authority to the Planning Board to require periodic renewal. This draft has removed that and simply now indicates that a special permit when the use has ceased for more than 1 year may expire. So, it simply acknowledges that a special use may expire if the use doesn't continue and the ability of the Planning Board to establish renewal requirements is no longer in the code.

That was an earlier version, Ed, I'm not sure...

MR. KLEINKE: Well, my copy reads and this is page 111 part p-3. The special use permit has... this is expiration, special use permit has expired and has not been renewed. Kind of kicks in my mind that there is a renewal process and requirement that is being imposed here.

MR. LEVEILLE: The renewal would be a subsequent reapplication for special use permit. I can see where that language is probably left over from when renewals could be permitted.

MR. KLEINKE: Okay, thank you.

MR. LEVEILLE: But, the reality is, it's only now expiration. We'll need to clean that up.

SUPERVISOR EGAN: Thanks, Ed. Tim did you have any questions?

COUNCILMAN GORDON: No.

COUNCILMAN MARCELLE: No, further.

SUPERVISOR EGAN: Okay. Is there anybody else that would like to speak at this point?

MR. PENK: I have one important thing, very important.

SUPERVISOR EGAN: Can we stick to zoning?

MR. PENK: Well, we're going to stick to zoning, yes.

SUPERVISOR EGAN: Okay, please come to the mike.

MR. PENK: Okay. I forgot, I'm sorry. I apologize for that. Al Penk from Selkirk. Adjacent to my property there is a forest preserve, dedicated forever wild. You have it on your plan as R for rural. Is that correct?

MR. LEVEILLE: Yes.

MR. PENK: So, we're making that rural and that opens it up to any kind of development or bypass or anything else that could go on there? Or, should we designate that as historical property or whatever you want to call it but it's not rural? And, the cemetery isn't rural, I don't believe but maybe a cemetery is going to be rural but there is a cemetery adjacent to that piece of property.

COUNCILMAN MARCELLE: Let me clarify this. This is a forest preserve that has been dedicated as forever wild.

MR. PENK: Yes, for years.

COUNCILMAN MARCELLE: Zoning at that point, is irrelevant. Once it has that deed restriction on the property, zoning cannot alter what that property was preserved forever wild.

MR. PENK: The reason I'm asking this is, the Town made no acknowledgement that that was forever wild and tried to put a bypass in and a double bottom tractor trailer area within a ¼ mile of that section. I think that property should be zoned differently from rural because that property, if you go back and you look, it will tell you deed forever wild given to the church. It was a doctor's property originally and it is not rural. Rural under your definition as I see in the paper I have you can do anything you want with a rural piece of property as long as it is within the guidelines of building code or whatever you want to use it for.

SUPERVISOR EGAN: Mr. Penk, I think what Mr. Marcelle just said.

MR. PENK: Okay.

SUPERVISOR EGAN: It is irrelevant what we do because Constitution allows otherwise. So...

MR. PENK: So, that doesn't have to be designated as...

MR. LEVEILLE: We actually do not have a zoning classification for conservation or forever wild.

MR. PENK: You can give me that ruling, that's okay. It's classified as rural, correct?

MR. LEVEILLE: Yes. It needs to have some zoning classification.

MR. PENK: Okay.

COUNCILMAN MARCELLE: But, you can't touch it. Now, if...

MR. PENK: You're the guy that got to give me the answer, right here I believe.

TOWN ATTORNEY POTTER: I'll echo what Mr. Marcelle is saying. Mr. Marcelle is absolutely correct.

MR. PENK: I know he's a lawyer.

TOWN ATTORNEY POTTER: This is...

MR. PENK: I wish he was still down in South Bethlehem, we'd have

representative from my side of Town. But, he isn't.

TOWN ATTORNEY POTTER: Well we'll give you 3 legal opinions for the price of one tonight on this. If you have a private deed restriction on land, zoning will not trump that.

MR. PENK: Yes.

TOWN ATTORNEY POTTER: If the private deed restriction says you cannot use it for a specific purpose, the people who benefit from that private deed restriction have the right to enforce that regardless of what the zoning says you can use that property for.

MR. PENK: Okay, so then the New York State Thruway and the State of New York could not change any use of that property.

TOWN ATTORNEY POTTER: No, I can't speak to the New York State Thruway and the State of New York because that... there are condemnation powers and I'm not sure.

MR. PENK: That's okay.

TOWN ATTORNEY POTTER: But, the property owner cannot change the use voluntarily if there's a deed restriction on the property unless they go to the Supreme Court to get the deed restriction removed.

MR. PENK: And, now we all know about it because it's a matter of record now.

SUPERVISOR EGAN: Okay, thank you.

COUNCILMAN LENHARDT: Absolutely.

MR. PENK: Okay, thank you.

SUPERVISOR EGAN: Dave, did you have something?

MR. CARPENTER: Yes. I didn't put a card in. Yea, I'll make this brief. My name is Dave Carpenter. I'm an attorney with LeBoeuf, Lamb, Green and McRae. You guys have all seen me before. This is with regard... we represent Gladstone Development, the owner of the potential Meadowbrook Subdivision.

Just like to make a couple quick comments. First I'd just like to thank everybody on staff who I've talked to, George and Jeff and Theresa, they've all been extremely helpful, Terry Ritz as well in trying to work through the changes in the PDD and the PRD designated section in the zoning ordinance. It's not a particularly exciting section of the ordinance. One thing that is interesting about it is that it's changing very rapidly and very significantly in each one of the iterations that come up.

In the first zoning ordinance, it was written one way and in the most recent version, it's completely and totally different. So, we're trying to wrap our arms around that and trying to understand exactly what it is. So, I appreciate the opportunity to make additional written comments. The only other comment that I would have with regard to written comments is I understand you guys are swamped and busy but I'm hoping that when written comments are submitted to staff and to the Town Board that they do get considered because my understanding is that my last round of comments even though a lot of people think lawyers like to hear themselves talk, I don't want to write them just so I can write them. So, I'm hoping that those get incorporated.

This significant problem that I have at this point with the way the PRD section is written is not from necessarily a substantive standpoint but procedurally it's kind of a mess because what we've done is with the current zoning ordinance is taken both site plan and subdivision which typically have 2 very different approval tracks – 2 very different applications of SEQR and grafted them onto a single process. So, we have this sort of Frankenstein's monster in terms of procedure. I don't think that it is out of line to require some of the site plan approval requirements, as well as,

some of the subdivision approval requirements in a PRD approval process, however, merely by grafting the subdivision review process on which requires first a preliminary plat approval and in subdivision that is where your SEQR approval occurs onto a site plan approval where your SEQR approval occurs at the end is inconsistent with the way SEQR should work before a process like this.

So, again, I just want to reiterate that when... I will submit a set of written comments... I just encourage the Board, I'd encourage staff to continue to look at this issue in terms of how to make the procedure for PRD adoption work once the PRD zoning has been implemented and once that has been approved. In terms of how the particular development occurs. So, I would just encourage you all to keep a close watch at that. And, I had a fantastic conversation with Jeff Lipnicky today which was very productive and I've spoken with George in the past. And, so I hope that we can get to a point where it's not quite so difficult and then workable. Thank you all very much.

SUPERVISOR EGAN: Great, thanks, Dave. Okay, any other questions by the Board? I would just note that I have 3 with me and I think, George, you received 2 written comments before so we will obviously include those in the record as well as anything else we receive between now and Friday. And, Dave, we will read them.

Anything else? Do I have a motion to close?

MRS. DUSEK: I believe you said, if I understood you correctly, that the meeting tonight was to make determinations on, hopefully, what the public is saying tonight. Will there be another public hearing after this based on changes that might be made?

SUPERVISOR EGAN: The Board will have to make that decision at the conclusion of the hearings this evening. But I believe, that's what I was about to ask, if the Board was ready to close the zoning hearing?

MRS. DUSEK: If you make changes, shouldn't there be another hearing so the public can comment?

SUPERVISOR EGAN: No, not necessarily.

MRS. DUSEK: So, you can change it any way you want to then..

SUPERVISOR EGAN: Okay, let's just try to get... Ma'am your name for the record?

MRS. DUSEK: Mary Dusek.

SUPERVISOR EGAN: Okay, back to the Board.

COUNCILKMAN LENHARDT: I believe the only requirement for an additional hearing is if the changes are deemed substantial. Substantial is a term I've yet to be able to embrace but...

COUNCILMAN PLUMMER: Just so everyone knows where I'm coming from, I am in support of a closing the hearing and moving on. We've had 2 hearings. This issue has been addressed over and over. We have been countless hours spent on it. I think tonight was very productive. We're going to address certain issues that were resolved, at least I intend to and I'll be working with Terri and George and the Board Members. But, I think that as far as I'm concerned, I think it's time to close the hearing. It's time to move forward and have to take a vote up or down. I'm telling you my opinion. That's where I'm coming from.

SUPERVISOR EGAN: Tom, Tim.

COUNCILMAN GORDON: Yea, I think it's been very protective what's come out tonight and I anticipate that will reflect in the ultimate document. But I do think we're getting very close. We also need to see what comes in written in the next couple days. People can still make comments to their Town Board Members and still can come to Town Board meetings. There's an open microphone so there's still more time to respond and react and our ears will be open to that. But,

as far as the process of continuing the public hearing, I think it is important that we conclude that.

COUNCILMAN MARCELLE: Yea, I'm gong to concur. We've had tons of input and it's been good. And, it... I think as some Members have already said, it's the next step... is we'll have a vote on it. There will probably be... certainly I have some ideas after the hearing. I am sure we all do and we may amend the document. Now, I think George Lenhardt said, if it's a substantial amendments, to me the easiest thing to do and subject to correction from learned counsel, is if there is some significant amendment we can vote on the zoning law and then have a public hearing on the amendment so we don't hold up the process and to lift the moratorium. I suspect some of these will be insignificant amendments, some may be deemed substantial and we may want to defer that.

There are... you know, just a couple quick comments. It's great that everyone could come out to the public hearing but its been my experience over 4 years between phone calls, knocking on the door, emails, talking to me at Little League games that traditionally this community expresses their views to their representatives even in the absence of a formal public hearing and certainly between now and when we vote, I would suspect I'm going to have more input than just a written comments. And, that's fine, that's what we do.

The only other comment I'd like to make because I just find it a little... I've always found it a little humorous, every meeting we have, depending on the issue, if it affects someone in a different hamlet of Town, we get people – well, I'm from Glenmont and none of you care about Glenmont – I'm from Slingerlands but if I were from Delmar you would care about this and people from Delmar say oh, you're in the back pockets of the rural landowners. And, as everyone sees from their perspective and again having gotten to know everyone on the Board, I think we all take our obligation to represent everyone to heart. And, there are special issues, I think we all realize, that affect in this zoning the rural landowners more than someone with a lot in Delmar. The truth is when you have a large acre that is undeveloped, as we've said, that deeply impacts your personal economy and you have a stake. And, that's why we heard tonight... I'm guessing... from people who are not from the heart of Delmar. But, I think to a person on this Board and I will compliment the Supervisor even in an election year, and our Director that I think they've really taken seriously their duty to accommodate the needs.

Now, this is not going to be a perfect document, no legislation is ever perfect. But here's the beautiful thing, any time 3 of the Members of this Board believe the imperfection is warrant to change the law, it will change. And, I mean, you know where we live, you know our phone numbers and it is not impossible... you see us. It is still a small... much bigger than when I grew up but still... I mean it's probably a common experience we all get a talking to in and out of Town hall. So, but, and I think it's time now to move forward whatever revisions we have so I support it. And, I'd like to thank all the staff for working... I mean I just only can imagine the hours you've put in on this and you have my deep appreciation and thanks.

SUPERVISOR EGAN: And, very quickly just as a reminder again, one of the provisions that we are looking at recognizing that these are not perfect documents and although we're getting there, there is a commitment and a direction will be coming from the Board that we will review these documents in 6 months. Again, a reminder, this zoning code that we've been working with is over 40 years old and there's been 40 years of modifications and corrections and revisions to it. So, the document that we will be voting on on August 24<sup>th</sup> certainly doesn't have the benefit of that 40 years of experience but it will have, you know, complete and thorough look throughs every time something comes before any one of the boards. Any time any one of us gets approached with anything and that there will be a formal review within 6 months with a report back to the Town Board. And, a commitment by myself, the rest of the Board Members and the staff that if there is something that needs to be revised, we will make that revision or the request for the revision or the request for the revision.

The one thing, and I will be very complimentary to the staff especially at this point, it has been a very long process. It has been open. I don't think we have denied anybody a meeting. We've been all over the Town from both the north to the south end and I would agree with Councilman Marcelle, I do take it very personally when

somebody tries to accuse us of representing one part of the Town and not another. We are here because we want to do the best for the entire Town of Bethlehem. And, it brings us right back to when you have 32,000 plus people in Town, there is no way when you are making changes like we are proposing that everyone is going to be happy and we recognize that.

But with that being said, we have to make the hard decisions so the issues that were outlined this evening will be considered. They will be outlined. There will be a further discussion of this at the Town Board meeting next Wednesday at which time there will be direction from the Town Board to the staff to complete the final draft of the documents. Obviously considering the testimony, not only that we've heard today but the written comments that we will get between now and Friday. And, then the process will move on from there. But, we have to make a determination so at this point, I would entertain a motion to close the hearing on the zoning and subdivision regs.

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to close the public hearing at 8:00 p.m. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.  
Noes: None.  
Absent: None.

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Town Clerk

Hearing began: 8:05 p.m.

SUPERVISOR EGAN: Okay. We're going to go to the second hearing for this evening. Do I have a motion to waive the reading and the indentation?

The motion was made by Mr. Lenhardt and seconded by Mr. Plummer to waive the reading of the Notice of Public Hearing, Affidavit of Publication and Affidavit of Posting. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.  
Noes: None.  
Absent: None.

Okay. We have Ed Kleinke and then Jarod King.

MR. KLEINKE: Thank you. My name is Ed Kleinke. I live at 62 Mahar Road, Slingerlands. I have a couple of items that I would like to offer to the Board with respect to the draft generic EIS. And, the reason I am bringing those to your attention is because I think the comp plan and the follow up with the draft generic EIS and then the implementing regulations of zoning and subdivision are important to be consistent throughout. And, 2 areas that I'm concerned about that I think should be addressed a little bit – one I had mentioned at our last hearing and that has to do with economic impact of proposed development of the proposed plan and just trying to relate a little bit specifically examples.

We have in our proposed plan a mixed economic development area, Slingerlands to be known as Vista Technology Park and we've got mixed economic development areas between Wemple Road and Clapper Road adjacent to the Thruway. And, our goal really is to broaden our tax base by having non-residential uses be developed and yet in both of those instances I find that we really don't have infrastructure there to make that happen. One of the concerns that I have with respect to that goal of broadening our tax base is how we're going to do it if we don't in fact have a plan for bringing infrastructure to those areas. A) expanding the water districts and bringing actual water lines and then sewer lines to those sites so that they then become not shovel ready but at least a step forward in terms of their development so that perspective developers can and would be interested in them. My experience has been that unless there is infrastructure to sites, they're really not interested no matter what their location is. So, it's an important issue. It

seems like it's not addressed at all in the comp plan. It's certainly that our draft generic EIS is silent on it and I think we really need to be focused on that in order to have a complete plan.

The second has to do with this housing diversity issue that I raised a little bit earlier tonight and the reason I think that's important is because housing really was an important issue why we got involved in this whole process to begin with. And, if I put my landscape architecture hat on, to say that I think the goal of diversified housing is a great goal. I think housing within the older parts of our community and the opportunity to have diverse housing that's the place for it and that's what we need to encourage. And, our comp plan does that.

And, just a couple of citations, page 4.10 and this is recommendation for the in-town residential. Now the in-town residential if you look in the zoning map on the wall, there is sort of the bullseye of the Town in the northern half. It's the darker of the yellows or tans, that area one of our goals and recommendations is to allow greater housing diversity. Talks about population and aging and need to have housing where people may no longer drive but be able to walk to doctor's offices and services and retail and things like that. And, it talks about in addition to low/moderate income, housing options are needed in the Town, it cites accessory apartments, carriage houses and well designed duplexes. Our options that would be appropriate for at least some portions of the in-town residential area.

That language is duplicated, mimicked in the residential area which is the darker yellow around the bullseye. So, a significant portion of the Town is focused on having greater housing diversity yet and just to add to that there is a nice photo in our comp plan that says example of 2 family dwellings that are indistinguishable from single family homes in this affordable housing subdivision. Okay and then it talks about later the special permit requirements could assure that such units are designed to be indistinguishable from the single family homes in the neighborhood. And, I read that and I take that to mean that these are kinds of uses are intended to be at least in some portions of the in-town and the residential areas to be part of neighborhoods that exist. Not new sites, necessarily and then that carries over into our draft generic EIS where on page 8.3 under impact on land, we talk about impact on land – we talk about residential A, B, C – these are districts – and it says the purpose of these districts is to encourage diversity in residential development to address the need for low to moderate income housing. It goes on to say while encouraging the use of conservation subdivision design to preserve open space and viable agricultural lands.

I don't see that as being one dependent on the other. It seems to me there are 2 goals in there. One is housing diversity to address the needs for low to moderate income housing which is only a portion of what our comp plan says our diversified housing is really intended for and then the second, the conservation subdivision design to preserve for open space and viable agricultural lands. Now, I understand that conservation subdivision designs can have alternative housing types but these are new developments. These aren't developments that necessarily are on bus lines or close to retail or professional offices where the needs of seniors, for example, to be able to walk or be escorted to those exists. So, there is a real disparity in what our comp plan says followed up by our draft generic EIS... what that reiterates of the comp plan and says that the impact is that and then in our proposed zoning which is our implementing regulation in the residence A district, B district and the core residential area again, single family and accessory apartments are really the only permitted uses in those areas. And, if you look at our zoning map, all that yellow in the whole central part of Town are the residence A, residence B and the core residence areas. So, in fact, our diversified housing is not where our comp plan says. Our diversified housing is proposed for areas outside of that. To me that's the... that's backwards, it should be just the other way around.

So, I think we need to have a consistency of both the comp plan, our draft generic EIS and a follow through in our implementing zoning to achieve, what I think, is a great goal. As a community, we really need to begin to achieve that.

In my office we have a philosophy about zoning that talks about life cycles of uses and buildings and within that context a good example is gas stations years ago, when I was a kid, aren't the same as gas stations today. Well, that's a life cycle change of a gas station as a use. Buildings likewise change, what was good for a

supermarket 20 years ago, isn't big enough for one today. So, it has to have other kinds of uses, albeit a medical clinic. So, there are life cycles of buildings as well. We need to be reflecting that in our housing. We have houses that certainly could have a new life to be expanded to have alternative housing that's qualified as our diversified housing goal. So, I think we need to be consistent with all of these with respect to comp plan, draft generic EIS, ultimately our zoning regs. Thank you.

SUPERVISOR EGAN: Thank you, Ed.

MR. LEVEILLE: I'd just like to try to clarify how I think we've tried to achieve those goals in the zoning code. I think again, we can talk about the comp plan. We need to go to the comp plan executive summary which indicates that it really is as a matter of policy the directive to the Town Board for action. Many of the discussions that were included in the latter parts of that... things like the statutory CAC, lands of conservation interest map, are not included as recommendations of the comp plan in the executive summary. If you look at the diversity of housing that can be achieved in the residential zones, planned development districts, conservation subdivision are permitted in those areas. They can be utilized as an overlay through a PDD virtually anywhere there is land appropriate for them. And, you will see design guidelines in those districts that do suggest they should be proximate to public transportation. So, again, from our point of view the clarity in terms of what the comprehensive plan is directing us to do is in the executive summary not in a lot of the supplementary chapters which were broader discussions about ideas and things that might be done or considered in the future.

So, we really look to the executive summary for guidance and I think our consistency has to be with the executive summary in the comp plan.

SUPERVISOR EGAN: Thank you, Jarod King.

MR. KING: I just want to make a couple comments. I think I mentioned briefly the last time that basically one of the things you see in development is if you build sewers then you get commercial development. If you don't want that sort of thing, you don't build sewers in the first place.

With that in mind, I wanted to call the Board's attention to something that was at the Coxsackie Town Board meeting, you hired Saratoga Associates as a plan... designer of the comprehensive plan. What you may not know is they also act as a facilitator for developers also and they, in conjunction with a developer, have proposed a development in the Town of Coxsackie and part in the village to build mobile homes and want to go to ¼ acre zoning. Now, I'm not going to talk about zoning now, obviously it is not appropriate, but one of the things is that they had a meeting and... with the Town Board Members and they were threatening them with basically the fact is that we can build whatever we want and you've got to build the water systems for it and that's your responsibility. Well, the Town Board one of the things they mentioned, the fact was that they have minimum 2 acre lot zoning in the Town of Coxsackie and that they wouldn't have that problem. In other words, they do not have a comprehensive plan but they have a zoning in place but they are hiring an expert lawyer from White Plains apparently.

But, anyway, the point here is that the... part of what I've seen in the plans is to allow to build that sort of housing or whatever with that water use. And, then one of the vehicles to try to prevent that sort of thing is how you build your water system.

The second point I wanted to as... and I'm not sure again if this gets into the regulations but I was at my mother's house like on Friday and about 5 o'clock fire trucks are coming there, police are all over my mother's backyard. And, apparently somebody complained down river from it is the tributary to the Dowerskill that runs on my mother's property and then forms like the boundary of the property in the back... I'm not sure exactly where that line is... and you had... Elsmere and Delmar Fire Departments there, multiple police – apparently somebody down the stream complained about a smell and I went to the backyard and it smelled like turpentine and you could see the water was kind of cloudy. Now, I felt very fortunate... in fact you could see it was cloudy far up the stream... but my understanding is the following – 1. that a waterway that is non-navigable is owned by the property owner. If it's navigable, it's State. If it's ocean navigable, it's

Corps of Engineers. Second point is that it seems to me unless there is a crime in commission, that police do not have the right to enter property without a warrant. And, whenever you implement... I know according to George Leveille, that in 2008 there are new regulations that are going to make the Town responsible for discharges into waterways. And, by the way, this is way beyond any owner discharge. This is like somebody was just dumping. But even so, obviously the Town is going to have to have a real interest in this, what's being discharged. On the other hand, I would hope that we have certain implementation mechanisms in place so that this kind of thing doesn't go on. I don't know, you know, I hope there was no fire at the time number 1 and number 2 they had an inadequate supplies in their fire trucks even to address this kind of issue. They had like little... one little boom each. That's why they were calling a second fire company. So, I'm hoping when you start thinking about that, it's not just what you put on paper, it's also how you implement things that's important.

SUPERVISOR EGAN: Thank you.

Nancy, we have no other cards, right?

MS. MOQUIN: No.

SUPERVISOR EGAN: I have no other cards, is there anyone else that would like to speak on the SEQR matter? Any questions by the Board of the staff? Okay does somebody want to make a motion then to close the SEQR hearing?

The motion was made by Mr. Plummer and seconded by Mr. Marcelle to close the public hearing relating to the Draft Generic EIS. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.

Noes: None.

Absent: None.

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Town Clerk

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Supervisor Egan asked if there was anything else the Board wished to discuss. There was no discussion.

Councilman Gordon thanked everyone who came to make comments and noted it is useful. He said for better or worse, they are under the gun a little bit with the timing at the end so the suggestions that people brought up are very useful. He said there are couple things people have caught and brought to the attention of the Town and that is very positive. He said it is the whole community working together and it is great thing.

Supervisor Egan asked for a motion to adjourn.

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to adjourn the Special Meeting of the Bethlehem Town Board at 8:21 p.m. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.

Noes: None.

Absent: None.

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Town Clerk

## SUMMARY OF PUBLIC COMMENTS

Town Board Public Hearing

**July 20, 2005**

Town of Bethlehem – Zoning, Subdivision & SEQRA

Person / Affiliation	Comment Code	Summary of Comments	Response
<b>David Galletly, Albany County Radio Amateur Communication Emergency Services, Member</b>	A1	Regarding telecommunications equipments, states: “Clarification in the section of what data constitutes satisfactory construction is needed. Certification by the owner that conditions of any building permit have been met with verification, if needed by the Building Department should suffice.” “The distance separation requirement for 1 and ¼ times the height of tower is excessive.”	Comment noted.
	A2	States: “A rooftop mast of up to 15 feet is commonly used for television receiving antennas, as well as, satellite dishes...These masts or short whips should be categorically excluded from regulation or governed by the same safety standards as satellite dishes.”	Comment noted.
<b>Victor Rodriguez</b>	B1	States: “...there are at least 24 changes to the zoning laws and I’d like to know why rather than giving the public more time to review these changes, the meeting was moved up.”	The Town has complied with Town Law and with SEQRA regarding public notice for the zoning amendments and comprehensive plan. In fact, the Town Board held an additional Public Hearing to allow further public comment.
<b>Sam Messina</b>	C1	Desires regular reviewing of zoning ordinance for public and how it’s being implemented and how it meets the needs of our citizens or if changes need to be made.	Comment noted.
<b>Christine Neal, Waldenmaier Road, Resident</b>	D1	States: “The residents of Waldenmaier Road have been respectively requesting Members of the Town Board and Theresa Egan to vote against he downsizing of Waldenmaier Road from residential to rural.” “We’re concerned about contaminating the creek that runs into the Hudson River and our water supply since we utilize private wells...there are 40-50 horses kept on less than 2 acres.”	Comment noted.

<b>Person / Affiliation</b>	<b>Comment Code</b>	<b>Summary of Comments</b>	<b>Response</b>
<b>Ted Jennings, Selkirk, Resident</b>	E1	Commends process and echoes Sam Messina's comments on public notice and review of zoning changes.	Comment noted.
<b>John Smolinsky</b>	F1	States: "I think it would be appropriate to maybe take another look at the mobile signs section relative to that huge billboard type sign and see if some kind of regulation isn't appropriate."	Comment noted.
<b>Fred Richter, Resident</b>	E1	In reference to accessory use, states: "I know that it's supposed to be incidental and subservient to the principal use of the building and then you go on to indicate a satellite dish are allowed because they are an accessory use only...my questions is...suppose they're not securely attached to the building then what?"	Comment noted.
<b>Nancy Tielking, Resident</b>	F1	In reference to the law of 25 percent expansion for non-conforming uses, asks: "I need to know how this new law will affect the sale of my property...when does this new law go into effect? If he purchases the property before the effective date, is the new owner grandfathered under the old law?"	The regulation for non-conforming uses will take effect on the date the zoning and subdivision regulations are adopted by the Town Board.
<b>Barbara Leonard Carkner, Delmar, Resident</b>	G1	In reference to zoning, would like the Plan to consider allowing a Bed & Breakfast to have bridal parties.	Comment noted.
	G2	States: "There a duplication of the definition buildable area on page 13 and page 24."	Comment noted.
	G3	States: "The definition of family seems to be excessive and kind of convoluted and I don't see any reason why the previous zoning definition of family couldn't be used which is much shorter..."	Comment noted.
	G4	Believes "private garage" should be amended to include passenger pickup trucks that families own.	Comment noted.
	G5	States: "Page 19, historic site building or district, I think it should be eliminated that it should be included as	Comment noted.

Person / Affiliation	Comment Code	Summary of Comments	Response
		having been proposed or deemed eligible for the listing on the National Register or State Register.” “I don’t see on the map a Hudson River Historic District as mentioned...”	
	G6	Regarding junkyards: “I do have a problem with one week residential district allowance” (for vehicles on property that are unworthy for road travel), desires more time allowance.	Comment noted.
<b>Robert Jasinski, Resident</b>	H1	States: “In the comprehensive plan in this zoning, you talk about hamlets, you talk about 144, the land east of 144 as green space...the only way you’re going to bring this up and have it happen is by eminent domain use. These people don’t realize that they have the possibility of having this happen and they will loose their land.”	The comprehensive plan does not discuss or suggest the use of eminent domain for any purposes.
<b>Ed Kleinke, Slingerlands, Resident</b>	I1	Concerned about flag lots and the design of lots in rural and rural light industrial areas with regard to dimension distances.	Comment noted.
	I3	Suggest that there should be more specifics regarding special permits in order to identify their unique characteristics.	Comment noted.
	I4	States: “I think it is important that we recognize we have agricultural land in use that are not particularly or not necessarily in the rural...proposed rural districts...these lands should be allowed to participate in the land division process much like...the rural district.” (Example: 4 subdivisions in 10 years, etc.)	Comment noted.
	I5	States: “Page 111 of the proposed zoning item p-3 talks about renewal of special permits and granted there may be occasion where the Planning Board may want to address a special permit that has been issues on a renewal basis. However, I think most interests are well served by allowing special permits once they are granted if they’re continuing to operate in a manner that is consistent with the permit, they should be allowed to continue to	Comment noted.

Person / Affiliation	Comment Code	Summary of Comments	Response
		operate without having to come back for renewal.”	
	I6	Thinks thresholds for mining and mineral extraction should be consistent with the New York State DEC mine reclamation law.	Comment noted.
	I7	States that under buffers, there needs to be consistency of the requirements, whether it is 100 feet or 100 feet plus the set back.	Comment noted.
	I8	States: “We need some design guidelines that say if you put a substantial buffering plan together like having an earthen berm, perhaps that distance should be reduced...design guidelines could...give the Planning Board some flexibility.”	Comment noted.
	I9	States: “Page 105...item H and I, we say that the building construction classification and fire separations for the structures shall comply with applicable fire and building safety requirements of the Town for mixed use residential and applicable non-residential use classification and such home occupation and shall be certified by the Building Inspector. To me that rings like our home occupation has to meet some code requirements that may not be existing in a home that’s constructed originally as a home.”	Comment noted.
	I10	States: “Section 128-41, page 54, and item A2, access to non-residential use or district across a property designated for residential use is prohibited. We have examples throughout the Town of land that the front part of the land is zoned residential but the rear part is zoned for non-residential uses. This would allow access to the non-residential land prohibit through that residential district...and would development of that non-residential use land” – needs to be addresses further.	Comment noted.
	I11	Concerned about the lack of infrastructure to support the proposed Vista Technology Park – suggests	The Town recently completed a Long-Range Water Supply Planning Study to better

Person / Affiliation	Comment Code	Summary of Comments	Response
		development of sewer and water lines, needs to be addresses in Comp Plan.	understand water needs. The Plan recommends the Town conduct a study to determine the future capacity of the public sewer system (Page 4.43: Recommendations for Infrastructure).
	I12	Supports encouraging housing diversity.	Comment noted.
	I13	Questions housing diversity in Comp Plan: “It seems to me there are 2 goals in there. One is housing diversity to address the needs for low to moderate income housing which is only a portion of what out comp plan says out diversified housing is really intended for and then the second, the conservation subdivision design to preserve for open space and viable agricultural lands.” – states that the diversifies housing is not where the comp plan says – desires consistency with Comp Plan and draft GEIS.	Comment noted.
	I14	Concerned about fire department and police entering mother’s property to investigate turpentine in a tributary, which was considered trespassing without a warrant – desires implementation mechanisms so dumping does not go on.	Comment noted.
<b>Robert Laraway, Waldenmaier Road, Resident</b>	J1	Desires area to remain residential, as it has been for 35 years.	Comment noted.
<b>Linda Jasinski</b>	K1	States: “In the comp plan it says the rural light industrial will contain all the uses that the rural contains plus some traditional light industrial. There are 7 uses that are missing right now.”	Comment noted.
	K2	Desires there to be a simpler definition of family – no need for a whole page defining what a “family” is.	Comment noted.
	K3	States: “I question the definition of excavation because if you read that it looks like any kind of disturbing of the soil becomes excavation whereas, I’ve	Comment noted.

<b>Person / Affiliation</b>	<b>Comment Code</b>	<b>Summary of Comments</b>	<b>Response</b>
		always thought that excavation requires digging or removing the soil”	
	K4	States: “If a private individual wants to do a conference center they can only do it in a couple of zones. So, for somebody who wants to pay taxes and have a conference center they can’t” – confused as to why a conservancy can come in and not pay taxes but conduct their center anywhere they want.	Comment noted.
	K5	In reference to section on grading, erosion, and sediment control, states: “I feel the first statement there – which is the only place in the zoning that there is a statement – is more of a political statement than it is an actually statement of intent or statements of purpose. And, I think it should be removed.”	Comment noted.
<b>Jarod King</b>	L1	Thinks process was rushed, finds it offensive that comments are restricted to 3 minutes.	Comment noted.
	L2	Confused by the “focus on minutia” with regard to porches and porticos – thinks zoning should be more philosophical in nature and focus on big ideas.	Comment noted. The Plan is intended to focus on the larger vision for the Town, while zoning by its nature is more specific.
	L3	Does not like the section on non-conforming uses – thinks zoning designation is being conducted arbitrarily and not taking existing use into consideration.	Comment noted.
	L4	Desires to see zoning be more of a consensus than it is now.	Comment noted.
<b>Deb Kitchen (Kleinke), Glenmont, Resident</b>	M1	States: “I am in favor of the Board taking a closer look at either adopting a rural district overlay or introducing a separate zoning designation for rural residential properties such as ours (lower Kenwood Avenue)”	Comment noted.
<b>James Bohl, Selkirk, Resident</b>	N1	Thinks the town should send out notices to everybody about comp plan changes.	Comment noted.
	N2	Concerned about the necessity for parking commercial vehicles over 12,000 pounds in the rear of the house – notes fence heights won’t even hide	Comment noted.

Person / Affiliation	Comment Code	Summary of Comments	Response
		truck. States that plan will ruin their livelihood if extra space needs to be rented to park the truck.	
<b>Al Penk, Selkirk, Resident</b>	O1	Desires noise regulations of some type, such as in Delmar with construction companies' morning start time.	Comment noted.
	O2	States: "There should be 2 types of assessments in the Town on property. There should be one in the Ravena-Coeymans-Selkirk School District and there should be one in the Bethlehem Central School District or bring us into the Bethlehem Central School District under no child left behind."	Comment noted.
	O3	Adjacent to resident's property is a forest preserve, now zoned as rural, questions if it is now open to development and desires zoning to be changed to prevent development.	Comment noted
<b>Dave Carpenter, LeBoeuf, Lamb, Green, and McRae, Attorney</b>	P1	States: "The significant problem that I have at this point with the way the PRD section is written is not from necessarily a substantive standpoint but procedurally it's kind of a mess because what we've done is with the current zoning ordinance is taken both site plan and subdivision which typically have 2 very different approval tracks, 2 very different applications of SEQRA and grafted them into a single process...by grafting the subdivision review process on which requires first a preliminary plan approval and in subdivision that is where your SEQRA approval occurs onto a site plan approval where your SEQRA approval occurs at the end is inconsistent with the way SEQRA should work before a process like this."	The proposed zoning amendments are intended to streamline the development process.

**SUMMARY OF WRITTEN PUBLIC COMMENTS**  
Town of Bethlehem – Comprehensive Plan / GEIS and Zoning  
Comments Received Through August 1, 2005, Close of Public Comment Period

Topic Area	Summary of Comments	Person	Additional Comments	Response
Full Comp Plan / GEIS	Support of Plan	Barbara & Jack Devore, The Judd Family, Grant Thorn, Martha Gershun, Kelly & Radames Lopez, Susan Plank, Craig & Eileen Jones, Susan Birkhead, Jeffrey Anzevino, Tom & Amy Baldovin, Diane W. Betts, Mary Jane & Edward L. Brown, Cliff & Vicky Forando, Beverly & Robert Heineman, Karin & Craig Henrikson, Kevin McCann, Ellie Prakken, Peggy & John Sherman, Mary Scanlan, Paul Tick, Marsha Walton, Shirley Brand, Barbara Coughlin, Elizabeth Epstein, Cindy Estes, John K. Fallon, Faith E. Fish, RoseAnne Fogarty, Emily Gallagher, James F. Gerou Jr., Carl & Susan Gutman, Sam House, Pat Meldrum, Jennifer Rosenbaum, Abe Soelh, Monica Batkis-O'Donnel & Patricio O'Donnell, Jeff Brown, Norman G. Cohen, Joseph A. Crocetta, Therese Joyce, Jim Murray, Sandra Longley, Lisa Evans, Michele Simard, C. & Larry Simard, Chris & Sylvie Bergere, Jim Blendell & Family, Steven & Karen Fein, Alice Schrade, Perry Smith, Paul & Donna Castellani, Barbara & Jack Devore, Randy Fisher, Barbara S. Logan, Leon A. Aiken, James Bilik, Libby Liebschutz, Ann Cohan, Ursula Bauer & Daniel Diamond, Chuck & Barbara Manning, Edward M. Jennings, Terry Rooney, Stephen F. Downs, Bonnie Goldsmith, Ted & Sherry Putney, Ann & David Brandon, Unknown (3)	No Additional Comments	Comment noted.

Topic Area	Summary of Comments	Person	Additional Comments	Response
Full Comp Plan / GEIS	Support of Plan	Jacqueline R. Conti	Impose a moratorium on all development in riverfront corridor until LWRP.	Comment noted. Instituting a moratorium is a Town Board decision.
Full Comp Plan / GEIS	Support of Plan	Dominic Palleschi Carota	Remove mixed economic development across from NYS Thruway at Exit 22 until further studied.	Comment noted.
Full Comp Plan / GEIS	Support of Plan	James Willian & Donna Aitoro, Jessica Loy, Caleb and Linda Wistar	Supports Conservation Subdivision, create 5 acre lot zoning in riverfront rural areas, recommends the Plan identify specific policies so “Walkable Bethlehem” becomes a reality, require some design standards rather than recommend, develop a sewer and water plan and map to ensure location of future residential development, create Lands of Conservation Interest Map, supports CACC, identify locations for infill development and redevelopment to encourage use of locations, adopt local right to farm and right to practice forestry laws.	Comment noted.
Full Comp Plan / GEIS	Support of Plan	Janine Saatman	Put Selkirk fire station #2 on Community Services Map, as well as Selkirk fire station #1 on February 2005 Community Services map.	Comment noted.
Full Comp Plan / GEIS	Support of Plan	Douglas Hadjin	Establish a water & sewer plan, develop a conservation interest map and CAC, assist farmers with right to farm laws and tax breaks, and establish business improvement district.	The Town recently completed a Long-Range Water Supply Planning Study to better understand water needs. The Plan recommends the Town conduct a study to determine the future capacity of the public sewer system (Page 4.43: Recommendations for Infrastructure). The Plan also recommends the development of an Official Map to identify the location of future infrastructure. Additional comments noted.
Full Comp Plan / GEIS	Support of Plan	Michael DiPaolo	Plan should preserve land only from “willing” landowners – only volunteered parcels & make clear that zoning would not be used as a tool to force landowners to give up parcels of land against their will.	The Plan clearly states that the preservation of farmland and open space would be from

Topic Area	Summary of Comments	Person	Additional Comments	Response
				willing landowners. For example, the Plan states on page 4.28 “In all cases, it has been understood that participation in such initiatives by landowners must be strictly voluntary.”
Full Comp Plan / GEIS	Support of Plan	Susan Kilgallon	Make design standards requirements rather than guidelines, put these standards in commercial & rural hamlet districts as well, create hamlets in Residential Districts A, B, and C, make sidewalk development on major roadways, add zoning to encourage hamlet development at major intersections in suburban areas, desires requirements for number of trees per lot, concerned about 1,000 SF size of accessory structures – equivalent to four car garage – seems excessive, concerned that core residential area did not have a maximum residential size and lot size noted, wonders why corner of Elsmere and Delaware was not considered a hamlet, would like Plan to more strongly encourage Conservation Districts, states: “What does the term “Not Applicable” mean in reference to lot sizes for Major and Minor Subdivisions?”	Comments noted. To clarify, the term “not applicable” is used on the proposed Section 128-100 Schedule of Area, Yard and Bulk Regulations in districts where a minimum lot size does not apply.
Full Comp Plan / GEIS	Support of Plan	John Avitabile	Wondering what the status of the “rails to trails” project is.	If this comment is regarding the Rail Banking Program that Albany County is currently pursuing for the abandoned D & H railroad, Albany County would be the contact to provide a status update.
Full Comp Plan / GEIS	Support of Plan	Anthony P. Apuzzi	Encourages even tighter residential zoning of ¼ to 1/3 acre lots.	Comment noted.
Full Comp Plan / GEIS	Support of Plan	John Smolinsky	Supports CACC, supports LWRP, supports coordinating visual elements (not “sameness”), supports more pedestrian & bicycle access, suggests subdivided property to be used for residential to mitigate impacts, wants clearer interpretation of code for subdivisions, suggests requiring public outreach for adjacent development on properties.	Comment noted.

Topic Area	Summary of Comments	Person	Additional Comments	Response
Full Comp Plan / GEIS	Support of Plan	Henry & Sally Peyrebrune	Too many special permits.	Comment noted.
Full Comp Plan / GEIS	Support of Plan	Susan Lawrence	States: "I urge the Town to look beyond those natural areas not strictly protected by law to protect those areas that are natural ecological units...such as stream corridors and wetland clusters," and suggests preparing a sewer and water map to dictate where development will be.	The Town recently completed a Long-Range Water Supply Planning Study to better understand water needs. The Plan recommends the Town conduct a study to determine the future capacity of the public sewer system (Page 4.43: Recommendations for Infrastructure). The Plan also recommends the development of an Official Map to identify the location of future infrastructure.
Full Comp Plan / GEIS	Support of Plan	Tom & Lisa Evans	States: "request that the mixed economic development east of route 144 be removed from the plan (page 4.19 and 4.20)", desires LWRP for riverfront development, desires mixed economic development along route 144 be consistent with rural nature.	Comment noted. The Town has applied for and will be receiving grant funding through the New York State Department of State to conduct an LWRP of the riverfront area.
Full Comp Plan / GEIS	Support of Plan	Katherine Davies	Desire design standards for all districts, desires "bonus" to be computed by percent (not lot) for allowing extra dwellings for incentive zoning provisions, states: "design subdivision should be encouraged and/or whether on-site Parkland Reservation should be pursued," concerned that the proposed language related to tree cover is vague and uses non-enforceable "should" language, desires connected streets in new subdivisions in Layout of Streets and Roads section.	Comment noted.
Full Comp Plan / GEIS	Support of Plan	Karen Beck	Support CACC, desires firm design standards, and careful attention paid to property taxes.	Comment noted. The Plan attempts to be a fiscally responsible document.
Full Comp Plan / GEIS	Support of Plan	Richard Orsi	Suggests that the area east of exit 22 should be governed by waterfront revitalization process and optimize green space in area.	The Town has applied for and will be receiving grant funding through the New York State

Topic Area	Summary of Comments	Person	Additional Comments	Response
				Department of State to conduct an LWRP of the riverfront area.
Full Comp Plan / GEIS	Support of Plan	Thomas & Lisa Evans	States: “we would request that the mixed economic development areas on the west side of route 144 be limited to three stories”, fully supports CACC.	Comment noted.
Full Comp Plan / GEIS	Support of Plan	Thomas G. Benware	Is the Town working towards a concept of sustainable agriculture, where locally grown food can efficiently be delivered or not? How will the Town act on things it “could” do? Will it act on things it “should” do? Is the Plan the plan or a plan to plan? Will it nurture its agricultural resources or turn them to commercial and residential growth? Will the town continue to grow in auto centric fashion or will it attempt to develop around a more natural bicycle-pedestrian infrastructure?, Believes transportation recreation should allow access to more everyday needs, states: “the appropriate treatment of New Scotland Road and the proposed Rt. 85 Bypass would put in place a human powered gateway to and within the Town,” questions the use of “typically” in reference to a typical person’s walking/biking habits, concerned about the loss of agriculture and the community not being able to be self sustaining.	Implementation of the Plan is a decision of the Town Board. The Plan describes recommendations that are intended to support agriculture in the Town. (See Section 4.11)
Full Comp Plan / GEIS	Support of Plan	Jeffrey Anzevino	States: “Scenic Hudson supports the reduction in size of the Mixed Economic Development District as necessary to protect the sensitive land along the Hudson River,” would like the Plan to reconsider permitting parking in the front yards in Rural Hamlet Districts, states: “Proposed zoning did not adequately make a distinction between the northern, more suburban part of Bethlehem and the southern, rural part of town,” suggests Riverfront Rural zoning is inconsistent with protecting open space and rural character: “the proposed zoning would allow minor subdivisions in rural and riverfront zoning districts and would not be subject to a minimum lot size or maximum number of dwelling units,” states: “if Town residents seek a more defined distinction between the suburban and rural environments in Bethlehem, lower density and fewer types of uses should be permitted in rural areas,” in reference to Telecommunication towers, “we recommend that any tower that ceases to be a functioning part of a PWRT Facility should	Comment noted.

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			be removed” and prohibit facilities within the Riverfront Residential District, and urges the reinstatement of the prohibition of portable signs.	
Conservation Advisory Council Committee (CACC)	Not supportive	John Meart, Robert A. Jackson, Kierstin Rupp, Mary N. Stair, Helen DePuccio, Debbie W. Eheirll, Nancy A. Genung, Perry Sherman, Dawn & Chris Garabedian, Jude Watkins, Joel Constantin, Thomas Recodel, Debra S. Ross, Paul Kleinke, Dorothy Wilson, Barbara Whitney, Lori Whitney, Sandy Palmetto, Sara Cawkner, Harry K., Lynn Jerabik, Tanya Stewart, Janice Brownock, Ken Joslin, John Mead, Anita LaGrange, Phyllis Van Alstgice, Nancy Brennan, Margaret Bardman, David & Daniel Donnelly, Ronald Selkirk, John Tolenfino, Gary Barkman, Jean Hagel, Jane Skidmore, Virginia Mead, Earl Langenbach, David Hellman, Carol Monthup, Trudie Waldenmaier, Nancy Neff, Charles Waldenmaier, John & Helen Behl, Nancy Bohe, Alice Mattice, Glen Rehter, Carol O’Connor, Shirley Vasner, Richard Bailey, Marian Kock, John Perry, Jay Kit, Eunice & Linda Lawton, Brooke & Peter Lamparello, Jeff, Karen, Mariella, & Joel Vadney, Lynn Dente, Debra Ross, Judith Starr, Lois Lyon, Debbie Hartenagel, Harold & Shirley Matott, Shirley Dearstyne, Patricia Hearch, Wayne & Mary Sipperty, Dale Boice, Unknown/Illegible (74)	Petition states: “unfair balance between those special interest groups who wish to conserve areas in the Town and those that own these lands.”	Comment noted.
CACC	Not supportive	Thomas & Valerie Newell	Request Town Board not approve any document that makes reference to a CACC – already have enough committees, concerned about historic character and argues Plan caters to newer residents, too many special permits, too many “cosmetic” design issues	Comment noted.

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			(height, signs, etc.), high costs associated with enforcement.	
CACC	Not supportive	Robert Egan, Dave Hillman	Opposed to Conservation Advisory Council – don't want control over people's everyday lives.	Comment noted.
Zoning	Not supportive	Paul Kelinke, Dorothy Wilson, Lori Whitney, Barbara Whitney, Seward Putts, Barbara Warrington, Joel Constantine, Thomas & Valerie Newell, Debra S. Ross, Kierstin Ruff, Zara Caucner, Mary Stern, Helen De Puccio, Carolyn Minshell, George Waldenmaier, Dale Boice, Jane Skidmore, Carol Monthrup, Trudie Waldenmaier, Virginia Mead, Earl Langenback, David Hellyn, Nelson Harrington, Peter, Karen, & Brooke Lamparello, Kenneth Wiell, Jeff & Karen Vadney, Lynn & Charles Dente, Joel & Mariella Vadney, Debra Ross, Charles Waldenmaier, Phyllis Van Alstyne, Alfred Fourney, Nancy Brennan, David & Daniel Donnelly, George Frueh, Peg Bachman, Gary Bachman, Wayne & Many Sippert, Diane Irons, Janice Tock, Tanya Stewart, Anita LaGrange, Ken Joslin, Bernie & Carol O'Connor, James Staate, Harold & Shirley Matott, Francis & Joan Slaver, Elizabeth Becker, Elmea Becker, Ray Stauf, Judith Starr, Helena, George, & Nancy Bohe, Alice Matticio, Glen Riebter, Marian Koch, John Perry, Eunice & Linda Lawton, Francis & Shirley Nasner, Unknown/Illegible (66)	Petition states: "the proposed zoning does not follow the goals set out in the Plan," "the proposed zoning is too restrictive" in reference to too many special permits, "proposed zoning imposes 'suburban' rules...on 'rural' land," "zoning needs to recognize that what is appropriate for a ¼ acre lot is not necessarily appropriate for a 20 acre parcel," "proposed zoning must recognize the rural setting and must be written with rural design context," "minor subdivision regulations are another area where the regulations do not follow the intent of the Plan," and desires a revised zoning code for public review.	Comment noted. The proposed zoning is in compliance with the direction and vision set forth in the comprehensive plan.
Zoning	Not supportive	Jared King	Questions: "If the fence height is taller than 4', it cannot be built in the front yard and not closer than 10' to a building or wall with a window, why?", states installation of sidewalks should be based on pedestrian use – not arbitrary zoning, why screening for	Comments noted.

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			accessory structures?, why is Verstandig's Florist zoned multifamily instead of a commercial hamlet?	
Zoning	Specific concerns	Nancy Benedict	Citizens have too little time to review zoning & comments, process had no public input on zoning, zoning code is too long and complicated, concerned about loss of diversity with similar residential landscaping, enforcement of zoning laws would raise taxes, confused by laws such as Christmas lights time limit, limited number of cars parked on street, no containers in front of houses, tree services and the expenses associated, and the painting of houses in a very limited time and costs associated.	The Town has complied with SEQRA regulations related to public review. The Town has conducted 2 public hearings for this purpose and has provided sufficient time for public review and allowed sufficient time for written comments.
Zoning	Specific concerns	Jessica Locke Richer	Suggests increasing housing density to reduce costs, decrease parking and increase green space (leave option open for future parking areas), no restriction on building height, wants flexibility in Planned Development District (PDD) for diversity (especially senior housing), supports affordable housing and bonus incentives.	Comment noted.
Zoning	Specific concerns	Jay Harold Jakovic	Concerned with design standards and wants variety, especially in rural districts which encourage "the use of farmstead design."	Comment noted.
Zoning	Specific concerns	Jared King	Concerned about residential landowners near Hudson River which is to be zoned for mixed and commercial from residential, rejects grandfather clause – should designate all current uses as 'conforming', too many special permits required, states: "I'm not sure why buildings neighboring historic buildings must be build in that style," no narrow roads for rural areas – too narrow for fire trucks, questions: Why do the proposed zoning regulations require that bay windows stick out no more than three feet from a house?, Why must accessory building be in the side or rear yard?, Why must they be limited to 1,000 SF?, Why must accessory building be less than 18 feet high – and shorter than principal buildings?, Are 1.5 parking spaces for multifamily dwelling parking adequate? Suggests Section 128-49 should be "repealed in its entirety." Concerned about the definition of a junkyard and suggests incentive programs to encourage removal of cars.	Comments noted.
Zoning	Specific concerns	Jean Nagel	States: "I think more time should be given to the public for review of zoning" and What would be the limit of the Council's (CACC)	Comment noted. If the Town Board were to develop a CACC,

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			scope?	the CACC's role would be determined by the Town Board.
Zoning	Opposes Specifics	Sheila C. Powers	Opposes parking restrictions of vehicles greater than 12,000 GVW and/or greater than 14 ft. box length for residents living in residential areas	Comment noted.
Zoning	Opposes Specifics	Cynthia A. Radliff	Questions: Is zoning changing around Cottage Lane in Selkirk, NY? If so, can I please obtain this information? What is core residential? Can town laws regarding trailers be updated? How? Why aren't sewers being established in Selkirk area and Route 396? Will the new sidewalks on Rt. 396 stop sewer?	Please see the proposed zoning map and zoning amendments. These items are available on the Town website at <a href="http://www.townofbethlehem.org">www.townofbethlehem.org</a> or at Town Hall.
Zoning	Opposes specifics	Susan Martin, Christine Neal	Opposed zoning residential to rural on Waldenmaier Road located between 210 Waldenmaier Rd. and the Town Boundary (references Horse Farm)	Comment noted.
Zoning	Opposes specifics	H. Eugene Tryon	Opposes zoning of rural from residential and cosmetic design specifics – Christmas lights, signs, satellite dish, and special permit fees.	Comment noted.
Zoning	Opposes specifics	Jared King	Concerned about new commercial areas without adequate planning, changes rural character, concerned about reduction of 10% of school budget, opposed to residential design standards, questions: "...every development plan must present a SEQRA analysis...is this true of all development including residential?", suggests that the plan should call for a maximum population density per acre. States: "in the subsection that discusses what home occupations will be allowed, the phrase, 'purchased, grown or assembled at the lot' I would also include the participle, 'distributed' to the list in order to allow direct marketing occupations." Concerned about the specifics dictating someone's house if it is considered a business ("Why is homeowners' business use of their home regulated to no more than 600 feet or 30% of their home, whichever is less? Why do we care about what is stored outside?"), Why does section 128-31 require that fill-in development use the same set back as other buildings?	Comments noted.
Zoning	Opposes Specifics	Joan Cohen	States: "...I would like to express our complete opposition to any commercial development across the street from the Walden Fields community" – opposes commercial rezoning.	Comment noted

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Zoning	Suggested changes to proposed zoning	Joseph Keller	States: "Selkirk Fire District requests that the parcel of land which is owned by the district and houses Station #2 in Glenmont and is currently zoned hamlet be changed to hamlet commercial.	Comment noted.
Zoning	Suggested changes to proposed zoning	Paul & Ann Kleinke, Terri Biszick, Romald & Ethel Whiteman, Linda Kleinke, John & Holly Nelson Lutz, Dorothy Wilson	Would like to continue to use their land for agricultural purposes (Agricultural District #3), request that the concept of an "agricultural overlay" district be given high priority by the Town.	Comment noted.
Zoning	Suggested changes to proposed zoning	David Carpenter	States: "we...recommend...section 128-75 be either eliminated in its entirety or revised to provide that no application shall be approved until the SEQRA process is completed", questions conflict of "lead agency" with regard to SEQRA.	Comment noted. With regard to SEQRA, the Lead Agency is the involved agency principally responsible for carrying out, funding or approving an action.
Zoning	Suggested changes to proposed zoning	Deborah M. (Kleinke) Kitchen	States: "I would like to go on record as saying that I am in favor of the Board taking a closer look at either adopting a rural district overlay or introducing a separate zoning designation for rural residential properties such as ours" – located on lower Kenwood Avenue	Comment noted.
Zoning	Suggested changes to proposed zoning	Michael Van Vranken	Recommends use of CIDS (Common Interest Developments) that involve Planned Unit Development, Co-ops, and condominiums, states: "please keep the elected Board's oversight and final authority as is during the many unknowns of the upcoming changes"	Comment noted.
General	Supports Plan, Opposes Specifics	Nancy Heinzen	"Would you please explain the environmental benefit of compact, mixed use commercial and residential development?", "What happens if developers choose the cookie cutter form of subdivision development instead of the conservation design?", "How will that impact water resources in the Town?", "Why is a 20% slope used to identify constrained lands?", suggests: bioretention methods for parking lots, require developers to use pervious material for parking sections.	Concentrating development in a compact, mixed use manner allows more undeveloped land to remain open. Also, compact development reduces the amount of infrastructure (sewer/water lines; and roads) that is needed to support the development. This ultimately reduces the overall amount of impervious surfaces in the Town. A 20% slope is used to identify constrained

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				lands due to general increase in constructions costs to develop on slopes greater than 20%.
General	Supports Plan, Opposes Specifics	Edward F. Kleinke III	States: "Farmstead Design and Rural Architecture are not even identified in the Plan and Property rights is mentioned just once", too many "Town Board could..." statements, suggests using definition of "open space" from NYS General Municipal Law.	Comment noted. The respect of property owner's rights is a guiding principle of the Plan (See Section 3.2)
General	Opposes specifics	Jared King	Opposes narrowed streets, opposes curbcuts, concerned about commercial development and increased taxes and loss of rural character associated, states: "the plan...does not address how to deal with increase traffic", states pedestrian transportation is not realistic, concerned about "no measurement mechanism" for impacts on taxes, traffic, water quality, etc, suggests using General Municipal Law 250, instead of 136 for the definition of a junkyard.	Comments noted. The Plan strives to maintain rural character by identifying locations closer to developed areas for increased commercial and residential development. Also, the Plan recommends supporting agriculture, which would serve to maintain rural character. The Plan suggests that additional transportation and land use studies are necessary to address specific traffic concerns (see Section 4.12)
General	Opposes specifics	Edward F. Kleinke III	States: "the Comprehensive Plan states as a goal to - achieve a balanced tax base, yet neither the Plan nor its attachments seem to address the economic specifics of this", questions the costs of providing Town sewer and water to the proposed Vista Technology Park in Slingerlands, no reference is made to the fiscal impact methodology used in determining the associated values of Section 7.40 concerning fiscal impact of residential vs. non-residential development.	The net fiscal impact of residential and non-residential development was developed using 2002 Town of Bethlehem assessment data from the NYS Office of Real Property. First, the share of residential and non-residential-associated costs and revenues was determined by land use classification. Costs

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				<p>were then determined using the 2002 Town of Bethlehem Municipal Budget and applying expenditures on a per acre basis by land use classification. An average assessment per acre per land use classification was determined based on the total assessment and total acreage of that specific land use. Real property taxes, non-property taxes (i.e. sales tax); intergovernmental revenue and interest on investments were used to determine revenues based on land use classification.</p>
General	Opposes specifics	Kelly Vadney	<p>Opposed Christmas lights and sign requirements, opposes property zone changes would like to see: better rates for college students who want to use the YMCA, getting rid of signs in the middle of crosswalks, and improve police force to prevent the mishandling of evidence (references recent murder).</p>	<p>Comments noted. Regarding the YMCA rates, the Town cannot dictate to an organization what rates they should charge for the use of their own facilities.</p>
General	Opposes specifics	Jay Harold Jakovic	<p>States: “Plan’s recommendation for Hamlet zoning comes nearly a century and a half too late...town is no longer rural but rather a suburban Town”, opposes recommendation for mass transit, questions recommendation for increased sidewalks without traffic/pedestrian study, opposes bulbouts suggests enforcing speed limit, opposes parking plans as not appropriate for area, states architectural controls are unnecessary, states in-town residential zone is too constrained, opposes conservation subdivision, nothing in plan to protect landowners from any mal-administration, argues that the “elite” pay nothing in taxes to the Town’s landowners for conservation easements, suggests density of one dwelling per acre in rural areas, opposes Lands of Conservation Interest map, the Inventory of</p>	<p>Comments noted.</p>

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			Historic and Cultural Resources and the Conservation Advisory Council, opposes trail recommendation, opposes suggestion for Board's "continuing education" – argues specialization will occur	