

George Leveille
Chairman

Nicholas Behuniak
Member

Thomas Coffey
Member

Christine Motta
Member

Kate Powers
Member

Stephen Rice
Member

John Smolinsky
Member

TOWN OF BETHLEHEM
Albany County - New York
PLANNING BOARD
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DELMAR, NEW YORK 12054
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Sam Messina
Town Supervisor

Michael Morelli
Director of DEDP

Jeffrey Lipnicky
Town Planner

Robert Leslie
Senior Planner

Terrence W. Ritz
Asst. Engineer, L.S.

Keith Silliman
Counsel

Deborah Kitchen
Assistant to the Board

MINUTES
May 4, 2010

1 A meeting of the Town of Bethlehem Planning Board was convened in public session in the Bethlehem
2 Town Hall, 445 Delaware Ave., Delmar, NY at 6:00 p.m., on Tuesday, May 4, 2010. Attendance was
3 recorded as follows:
4

<u>Board Members Present</u>	<u>Board Members Absent</u>	<u>Counsel Present</u>	<u>Town Staff Present</u>
George Leveille Nicholas Behuniak Thomas Coffey Christine Motta Kate Powers John Smolinsky	Stephen Rice	Keith Silliman	Michael Morelli Jeffrey Lipnicky Robert Leslie Deborah Kitchen Terrence Ritz
<u>Others Present</u>			
Laraine DelBelso A. DiGiulio A. Blanch S. Isabelle Clayton Rose Janet Rose Edmund Cancellare Mary Jones Chuck Radliff, Sr. Nick Costa Tony D'ADamo	Lou Giampaglio Kathryn Schumanski Devin O'Rourke Scott Hannay Richard Green Susan Green Dave Kissinger Frank Lee William Rauch Ed Sherry Kathleen Sherry	Martha Kissinger Bill Joynt Joe Bradan Paul Hite S. McGarrahan John McGarrahan John Powers Daniel Desjardins Glen Valente Bill Bleu James Teil	Kim Vining Thomas Butler James Loder Adam Leonardo Gerald Schumanski Lillian Tapp Charles Trenchard Judy Trenchard Margaret Hauerwas Ted Zabinski James Tobin

5
6 Chairman Leveille called the meeting to order and noted the presence of a quorum.

7
8 **Public Comment on Regular Agenda Items**

- 9
- 10 • Kendall Square (Site Plan)
 - 11 • Shogun Sushi & Sake Bar (Site Plan)
 - 12 • Yasemin Fuels (Site Plan)
 - 13 • Hauerwas (Subdivision)
 - 14 • ESCO Towers Telecommunication Facility (Site Plan/Special Use Permit)
 - 15 • South Albany Airport (Site Plan)
 - 16 • Kings Chapel (Site Plan)
- 17

18 There was no public comment on regular agenda items.

19

20 **Public Hearing - Trinity Manor Phase 5 Subdivision, Reutter Drive, Selkirk**

21

22 Chairman Leveille noted that the Planning Board has elected to hold a public hearing to provide the
23 community with an opportunity to express an opinion about the project. Information gathered by the
24 Planning Board will be taken into consideration. Individuals who wish to make a statement regarding the
25 project are welcome to do so. Comments will be limited to 3-5 minutes.

26

27 A motion to forgo the reading of the public hearing notice and indent the notice into the minutes was
28 offered by Mr. Smolinsky, seconded by Ms. Motta, and approved by all Members present.

29

30 NOTICE OF PUBLIC HEARING, TOWN OF BETHLEHEM, ALBANY COUNTY, NY Notice is
31 hereby given that the Planning Board of the Town of Bethlehem, will hold a Public Hearing on
32 Tuesday, May 4, 2010 at 6:00 p.m., at the Town Offices, 445 Delaware Ave., Delmar, New York, on
33 the application of Trinity Manor Subdivision - Phase 5 as shown on map entitled Trinity Manor
34 Subdivision, Phase 5, Preliminary Plat, Reutter Drive, Town of Bethlehem, County of Albany, State
35 of New York, dated May 15, 2008, last revised December 11, 2009; prepared by L. Sipperly &
36 Associates, 696 Troy-Schenectady Road, Latham, NY. Individuals with disabilities who are in need
37 of an accommodation in order to participate should contact the Town Clerk's Office at 439-4955, Ext.
38 1183. Advanced notice is requested. (April 28, 2010)

39

40 Nick Costas, of Sipperly Associates, was present on behalf of the applicant to provide information and
41 answer questions. He noted that the project was last before the Board on April 6, 2010. Mr. Costas stated
42 that the applicant is seeking approval for a conservation subdivision. The project is residential in nature
43 and is a continuation of a previously constructed project. The project includes construction of 22
44 townhomes to be constructed on Reutter Drive. The existing stub street will be converted to a cul-de-sac,
45 approximately 11,000 feet long. Utilities, including sanitary sewer, storm sewer, and water mains will be
46 extended along Reutter Drive. The development encompasses a total of 17.3 +/- acres, and 12.0 +/- acres
47 will be preserved as open space. A large, deed restricted parcel is adjacent to the parcel. If it becomes
48 necessary to use blasting is needed, a pre-blasting survey will be conducted and specified areas will be
49 monitored with seismograph equipment. A blasting plan would be developed before blasting would take
50 place – this includes blast notification, containment methods, and insurance to cover damages should they
51 occur. A Stormwater Management Plan is under review by Town Staff.

52

53 Chairman Leveille opened the meeting to public comment.

54

55 **Devin O'Rourke, 62 Sandy Lane, Selkirk**

56

57 Mr. O'Rourke asked if the existing drainage easement near his home would be impacted by the proposed
58 development. Mr. Costas stated that the area in question is not part of the proposed project and there
59 would be no increase in discharge. Mr. Ritz agreed that the watershed from the proposed project would
60 not have an impact on the nearby easement. He stated that the easement is located between Phase 1 and
61 Phase 4 of the Trinity Manor Subdivision and existing drainage issues have occurred because property
62 owners have altered the grading of their rear yards and have obstructed the flow of water to the catch
63 basin. He believes the Town's Stormwater Management Program Coordinator and the Highway
64 Superintendent are aware of the situation and are making an effort to address the situation.

65

66 **William Rauch, 25 Trinity Place, Selkirk**

67

68 Mr. Rauch stated that he is concerned about the amount of traffic that will be generated from this phase of
69 development. Mr. Costas stated that the estimated AM/PM trip generation is 10 and 11, respectively
70 based on calculations provided by the Institute of Transportation Engineers.

71

71
72 There were no other public comments. Chairman Leveille asked for a motion to close the Public Hearing.
73
74 A motion was made by Mr. Smolinsky, seconded by Mr. Behuniak and carried by all Members present to
75 close the Public Hearing.
76

77 **Kendall Square, Feura Bush Road, Glenmont**
78

79 Mr. Morelli stated that the applicant is proposing to develop a 16.96 acre parcel located at the northeast
80 corner of the intersection of Feura Bush Road and Elsmere Avenue. The parcel is in a Hamlet Zoning
81 District which allows for mixed use development. The Board is conducting a technical review of a Site
82 Plan application for permitted uses. There are no variances or zoning changes required. The project was
83 first presented to the Planning Board in June 2009 and was last presented to the Board at the April 20,
84 2010 meeting. He noted that a public hearing is not required on the project; however, a special
85 meeting/public hearing has been scheduled for Tuesday, May 11, 2010 at 6:00 p.m. at Town Hall. Town
86 staff will provide some background information as to why this type of development was recommended in
87 the Comprehensive Plan. The applicant will make a brief presentation about the project and the public
88 will have an opportunity to comment.
89

90 Lee Rosen, applicant, and Francis Bossolini of Ingalls & Associates, were present to provide information
91 and answer questions. Mr. Rosen provided the Board with a summary of changes that have been made to
92 the original plan. An eight unit residential building will be replaced with a large park like/common area.
93 The residential units will be relocated above the commercial areas to create a mixed use area. This will
94 help to reduce the amount of square footage that will be built on the property while creating additional
95 open/common space near the commercial area. There will be several park areas on site. The plans call
96 for a park area along the boulevard off of Elsmere Avenue which is opposite the boulevard entrance to
97 Walden Fields. The boulevard will provide continuity between two streets that will form this intersection.
98 Additionally two of the eight unit buildings along Elsmere Avenue have been converted into four unit
99 townhomes to assist with the transition of housing in Walden fields. Commercial tenants are not known
100 at this time. The type of architecture is similar to styles found in old Delmar. There will be no utilization
101 of ribbon or continuous strip glazing.
102

103 Francis Bossolini noted that SEQR issues have been addressed and a traffic impact analysis was
104 submitted to NYS Dept. of Transportation (NYS DOT) which considered full build out figures of 40,000
105 commercial and 110 dwellings. The traffic study examined impacts on surrounding infrastructure and
106 was designed to divert traffic away from the adjacent intersection. NYS DOT has indicated that it
107 concurs with the analysis, trip generation numbers and proposed site access plan. The applicant has
108 provided an additional five feet of right-of-way along Feura Bush Road and Elsmere Avenue for future
109 capital improvements. The design of the sidewalk is positioned so that if any widening occurred the site
110 would not be impacted.
111

112 The applicant has provided the Board with a fiscal impact analysis and a summary of how the project
113 complies with zoning regulations. The traffic study incorporated a worst case scenario of office and retail
114 in the commercial spaces including a high turnover sit down restaurant. It also shows that office space
115 and restaurant uses, such as coffee shops, yield a higher rate of traffic in the AM hours. Residential uses
116 have a lower trip generation rate. Mr. Morelli added that the original traffic study was for four
117 commercial buildings, totaling 20,000 sq. ft., and the revised study was for four commercial buildings,
118 totaling 40,000 sq. feet.
119

120 Mr. Leveille noted that the applicant committed to selling eight townhomes. Rental rates will be equal to
121 the market value which is currently \$1.10 per square foot. He noted that the principal benefit of the
122 proposed use is that the project does not produce public service costs, specifically education. Data
123 provided by the 2000 Census, indicates that apartments produce the lowest amount of school children per

124 unit. Mr. Rosen noted that the report shows figures that compare to other apartment complexes in Town.
125 It also shows that apartments produce fewer taxes than private homes. The report indicates that the
126 project will not produce significant new revenue as much as it will produce far less public service costs
127 than a conventional subdivision. There will be more net revenue with commercial component because
128 there will be private utilities.

129
130 Upon motion by Mr. Behuniak, seconded by Mr. Smolinsky and unanimously approved by all Members
131 present, further discussion related to the project was tabled.

132
133 **Shogun Sushi & Sake Bar, 318 Delaware Avenue, Delmar**

134
135 Tony D'ADamo, of Capital Architecture, and Frank Lee, Applicant, were present to provide information
136 and answer questions regarding the proposed project. The applicant is seeking approval to install a 15 x
137 30 foot steel framed awning over an existing deck / outdoor dining area. The awning material will consist
138 of steel framing and a fabric-like material, called Weathertyte. The awning would be solid black in color
139 with a dark red valance, and a white "Shogun" logo along the valance. The colors of the awning match
140 the colors of the existing signs at the front, side, and rear of the building. The rear sign will be removed
141 to allow for installation of the awning. The applicant plans to install ceiling fans and lighting under the
142 canopy as well as speakers for background dinner music. There are no plans for heat at this time. The
143 awning may be removed during the winter months. The landlord is aware of the applicant's plans.

144
145 Chairman Leveille directed the Board to Mr. Leslie's memo, dated April 28, 2010, which references
146 Section 128-71-B (Application Waiver) of the Town Zoning Law, which states that site plan review and
147 approval may be waived by the Planning Board if it determines that the proposed site plan will not result
148 in significant additional traffic generation, waste water flows, or water consumption, and would not
149 otherwise adversely affect pedestrian and traffic circulation, eliminate parking, or alter the height of the
150 exterior façade. If the Planning Board determines that the proposed project fulfills the intent of Section
151 128-71-B, a letter would be sent to the Building Inspector. Mr. Smolinsky recommended that the
152 approval document include language to address compliance with noise abatement and containment as
153 well as lighting regulations as set forth in the Town Code. Approval of this waiver would be consistent
154 with prior approvals that were granted by the Planning Board, i.e., 1280 New Scotland Road and 228
155 Delaware Avenue, and the Delaware Avenue Hamlet Enhancement Study.

156
157 Upon motion by Mr. Behuniak, seconded by Mr. Smolinsky, and unanimously approved by all Members
158 present, an application waiver of site plan review and approval (Zoning Law §128-71 B) was granted for
159 installation of a permanent awning at Shogun Sushi & Sake Bar, 318 Delaware Avenue, Delmar.

160
161 **Yasemin Fuels, 414 Route 9W, Glenmont**

162
163 The application concerns a change of use for an existing gas station / service garage at the southeast
164 corner of US Route 9W and Glenmont Road. The applicant is proposing to convert the existing service
165 garage into a convenience store. The project was last presented to the Planning Board on March 2, 2010.
166 At that time the project was tabled pending receipt of additional information. The Board received a
167 memo from Mr. Lipnicky, dated April 13, 2010, which includes comments related to the applicant's
168 submission of revised plans and memo dated April 30, 2010.

169
170 James Tobin, of James Daly Tobin was present on behalf of the applicant to provide information and
171 answer questions with regard to the following:

172
173 Lighting levels: Mr. Tobin indicated that there are "hot spots" near the north and south property lines and
174 along Route 9W. These are considered existing conditions but the owner is willing to install some
175 shielding on the existing lights.

176

177 Environmental Assessment: Mr. Tobin referred to a map that shows the location of boring sites and
178 believes the site was tested in 1996 when the new fuel tanks were installed. The tanks were air tested for
179 leaks in 2010. There are three monitoring wells on the site. Volume is monitored on a daily basis and
180 there are no leaks.

181
182 Signage: The current sign is non-conforming because it is 18 inches away from the northernmost
183 property line. The owner is willing to remove the sign and install an externally illuminated sign. The
184 cost will be approximately \$8,000. The applicant would like to replace the sign without having to apply
185 for a variance because he does not want to hold up the rest of the project. Mr. Silliman stated that a
186 variance would be required, however, the Planning Board could move forward with SEQR Determination
187 and Albany County Planning Board 239 Referral and the approval documents prepared by staff would
188 include a conditional approval, conditioned upon the applicant obtaining a variance from the Zoning
189 Board of Appeals with regard to the sign. If the proposed roundabout is installed at the intersection the
190 sign will be eliminated.

191
192 Curb Cuts: There are three curb cuts on the property, two on Route 9W and one on Glenmont Road. The
193 owner will plans to remove the curb cut on Route 9W closest to Glenmont Road and extend the curb
194 along Route 9W. NYS Dept. of Transportation in favor of the proposed plan. The owner has arranged
195 for fuel deliveries to enter and exit on Glenmont Road. Delivery trucks will circulate the site without
196 going through the pump lanes. If the proposed roundabout is installed at the intersection the new curbing
197 will be eliminated.

198
199 Traffic Volume: At present, there are 360 to 480 credit card customers each day and the owner does not
200 expect the traffic volume to increase significantly after he opens the convenient store.

201
202 Proposed Changes to the Intersection: A roundabout is proposed at the intersection of Route 9W and
203 Feura Bush Road northeast of the current intersection. The island at the intersection and the new curbing
204 that the applicant is about to install will be eliminated.

205
206 The project was placed on the agenda to consider possible action on SEQR Determination - Negative
207 Declaration and Albany County Planning Board 239 Referral. Ms. Motta noted that the words “with
208 gasoline sales” should be included in the facts and conclusions section of the SEQR document to be
209 consistent with the terminology used throughout the document.

210
211 Upon motion by Mr. Smolinsky, seconded by Mr. Coffey, the recommendation on SEQR Determination
212 of Significance – Negative Declaration was approved with a vote of six in favor, one absent.

213
214 Upon motion by Mr. Behuniak, seconded by Mr. Smolinsky, and unanimously approved by all Members
215 present, further discussion related to this project was tabled.

216 217 **Hauerwas Re-Subdivision, 54, 56, 62 Blessing Road, Slingerlands**

218
219 Paul Hite, of Paul E. Hite LLS was present on behalf of the applicants to provide information and answer
220 questions. The application concerns the re-subdivision of three properties located at 54, 56 and 62
221 Blessing Road. The proposed plan calls for taking a portion of each lot and creating a fourth flag lot
222 behind 54 and 56 Blessing Road. The new lot will be 34,422 square feet in size. The project is located in
223 a Residential A Zoning District. Utilities are available to the site. All four lots will meet the minimum
224 lot size requirements of the Zoning District, however, the new flag lot is only 148 feet deep and does not
225 meet the 200 foot minimum depth requirement as required in §128-48.A.10 of the Zoning Law. The
226 applicant applied for and was granted a variance for this requirement from the Zoning Board of Appeals
227 (ZBA) on December 16, 2009. The home will be positioned on the lot as requested by the ZBA and a
228 planting plan is in place. Grading was reconfigured to direct drainage toward Blessing Road.

229

230 The applicant plans to construct a home on the flag lot that meets their current needs. The home will be
231 equal in value to the homes that are in the nearby subdivision. It is estimated that the market value of the
232 home will be \$380,000. A review of the Town's environmental inventory files did not reveal any
233 significant environmental issues associated with the proposed subdivision. The project was placed on the
234 agenda for an initial presentation and possible SEQR action.
235

236 Upon motion by Ms. Motta, seconded by Mr. Coffey, the recommendation on SEQR Determination of
237 Significance – Negative Declaration was approved with a vote of five in favor, one opposed, one absent.
238

239 Upon motion by Ms. Motta, seconded by Mr. Smolinsky and unanimously approved by all Members
240 present, the date of the Public Hearing was set for June 1, 2010 at 6:00 p.m. Public hearing notices will
241 be sent to landowners within 200 feet of the proposed project. The notice will be posted in The Spotlight
242 newspaper.
243

244 **ESCO Towers Telecommunication Facility – 73 Van Dyke Road, Delmar**

245
246 Thomas Butler & James Loder of ESCO Towers were present to provide information and answer
247 questions. The applicant's counsel, Jennifer Dougherty of Phillips Lytle LLP was not able to be present.
248

249 Planning Board Member, Christine Motta, recused herself from participating in discussions and votes
250 related to the proposed project.
251

252 The applicants are seeking approval to construct a 120 foot lattice tower on the Preska Farm located in a
253 Residential "A" (RA) Zoning District. The applicants have indicated that the proposed
254 telecommunications facility would fulfill the immediate needs of AT&T and Verizon. The proposed
255 tower exceeds the 90 foot maximum height restriction and does not meet the minimum setback
256 requirements for property lines and power lines in the RA Zoning District. The tower would be located
257 87.5 feet from the adjacent property line which is 92.5 feet shy of the required 180 foot side yard setback
258 and 117.5 feet from the National Grid power lines which is 62.5 feet shy of the same minimum setback.
259 The proposed 120 foot tower can be extended to 150 feet. Details of the project are found in the
260 applicant's variance application which includes an Environmental Assessment Form; a project narrative
261 and a Site Plan map. Additional information can be found in comment letters from the Town's RF
262 Engineer, Ronald Graiff, P.E., and responses to the RF Engineer's review comments and materials
263 prepared by the applicant's current counsel.
264

265 The tower is structurally capable of supporting antennas and cables for co-location by five (5)
266 telecommunication providers, including AT&T and Verizon Wireless. AT&T desires to install its
267 antennas at the 120 foot level, and Verizon Wireless desires to install its antennas at the 110 foot level.
268 Additional carriers could collocate at the 130, 140, and 150 foot intervals. The applicant has submitted
269 photo simulations showing a 120 foot tower and a 150 foot tower. The applicants will be working with
270 the Zoning Board of Appeals (ZBA) and Planning Board simultaneously, and staff be serving as liaison
271 for both Boards. Future expansion of the tower would require a Zoning Variance as well as Special Use
272 Permit/Site Plan Approval. The applicants will need to demonstrate to the ZBA that the facility is
273 needed. Variances would not be granted until the Planning Board has made a determination of
274 significance.
275

276 The project appears to be an "Unlisted" action under State Environmental Quality Review Act (SEQRA)
277 and the ZBA has indicated (via letter dated April 22, 2010) that it believes the Planning Board is the
278 appropriate body to serve as the Lead Agency for coordinated review of the project. In that capacity, the
279 Planning Board would review the environmental issues associated with the cell tower, and more
280 specifically the visual impacts at 120 and 150 feet. Staff is recommending that the Planning Board accept
281 the letter from the ZBA and assume Lead Agency status. The Planning Board would need to advise the
282 ZBA and the Applicant's counsel, within 30 days, if it agrees to assume Lead Agency status.

283
284 At present, the ZBA is reviewing the application in regards to area variances for height and setback. The
285 proposed height of the tower is directly related to the coverage area, e.g., the greater the height, the
286 greater the coverage. As such, the ZBA is reviewing the RF plots prepared by the applicants to determine
287 if the requested variances are justified. The Town has retained the services of Radio Frequency (RF)
288 Engineer, Ronald Graiff, to assist with reviewing the RF plots (maps showing existing and proposed
289 cellular coverage areas) submitted by Verizon and AT&T. Mr. Graiff's services do not include review of
290 visual impacts.

291
292 It was noted that Independent Towers has also submitted a partial application on behalf of the Bethlehem
293 Central School District seeking approval to construct a telecommunications facility at its Operations and
294 Maintenance Office located at 65 Elm Avenue, Delmar.

295
296 Upon motion by Ms. Powers, seconded by Mr. Coffey and unanimously approved by all Members
297 present, to name the Planning Board Lead Agency for coordinated SEQRA review of the proposed ESCO
298 Towers application. Ms. Motta abstained.

300 **South Albany Airport, 6 old School Road, Selkirk**

301
302 The project has been placed on the agenda for an initial presentation. Ted Zabinski, President of South
303 Albany Airport, and Daniel Desjardins, Senior Airport Engineer, Passero Associates, were present to
304 provide information and answer questions. It was noted that the airport has been in existence since 1947
305 and is a privately owned/public use facility.

306
307 The applicant is seeking Site Plan/Special Use Permit approval to construct an 80 x 60 feet (4,800 sq. ft.)
308 aircraft maintenance hangar at the airport. The applicant is also seeking approval to install a foundation
309 for a future 20 x 50 foot addition to the hangar. The hangar would be located 25 feet from the rear
310 property line, and is designed as an enclosed structure to service and repair airplanes. The project
311 includes construction of an asphalt apron area and a storm water management basin in the vicinity of the
312 new hangar. Construction would impact approximately 0.85 acres of the site and include off-site drainage
313 work to improve an existing downstream drainage channel on adjoining property. The new hangar and
314 stormwater management area would have no effect on the existing parking area or visibility of parking
315 areas from adjoining property. No significant environmental features were identified in the area of
316 disturbance.

317
318 The property is located in a Rural Light Industrial (RLI) Zoning District and is adjacent to property
319 located in a Residential A (RA) Zoning District. The applicant obtained a setback variance from the
320 Zoning Board of Appeals on March 17, 2010 because the hangar will only be 25 ft from the residential
321 zoning district boundary and property line. The Zoning Law requires that when a non-residential use in a
322 RLI District is located adjacent to property zoned RA, the buildings and parking in the RLI zone must be
323 located "... an additional 100 feet from the minimum yard setback to provide a visual and noise
324 buffer...". The Zoning Law also states that "...the minimum yard setback area, shall be planted with a
325 mixture of evergreen and deciduous plantings at a height so as to adequately screen the parking area from
326 neighboring properties...". The Board will need to determine what plantings, if any, would be
327 appropriate to satisfy the zoning requirement.

328
329 A public hearing will be required on the Special Use Permit. Prior to setting a hearing date, the Board
330 will need to make a SEQR determination of significance. A full EAF and SWPPP have been submitted
331 by the applicant. The SWPPP is currently under review by the Engineering Division. A SEQR
332 determination will not be completed until the Engineering review is complete. Grant funding has been
333 provided for this project through the NYS Department of Transportation (NYS DOT). The NYSDOT
334 previously issued a SEQR Determination of Significance – Negative Declaration for the project. The
335 Planning Board will need to issue its own determination of significance because NYSDOT did not initiate

336 a coordinated review. It should be noted that The Board will also need to issue written findings in
337 support of its decision on a special permit, including consideration of the performance standards. The
338 project will also need to be referred to the Albany County Planning Board because it is located within 500
339 feet of a county road.

340

341 Mr. Lipnicky recommended that the Board wait until the applicant has submitted a Stormwater
342 Management Pollution Prevention Plan (SWPPP) to make its SEQR Determination and schedule a public
343 hearing.

344

345 Upon motion by Mr. Behuniak, seconded by Ms. Motta, and unanimously approved by all Members
346 present, further discussion related to this project was tabled.

347

348 **King's Chapel, 440 Route 9W, Glenmont**

349

350 The applicant is seeking approval to construct a 1,380 sq. ft. (30 x 46 feet) stick built addition to the
351 south side of the building. The addition will house two classrooms. The property is located in two
352 separate zoning districts. Houses of worship are permitted in both districts subject to site plan approval.
353 There are no proposed changes for the existing signage. Access to the site is from Route 9W. The
354 applicant was made aware that the Town has requested a ten foot wide all purpose easement along Route
355 9W. The easement will need to be incorporated into a draft site plan approval document and reflected on
356 the final site plan. The project is subject to Albany County Planning Board Review pursuant to GML
357 239-m because it is located on a State road. Construction or expansion of a non-residential structure or
358 facility involving less than 4,000 sq. ft. of gross floor area is a Type II action under SEQR which means
359 that it does not have a significant impact on the environment. Staff is recommending that the Board
360 acknowledge the proposed plan as a Type II action thereby concluding its environmental review.

361

362 Scott Hannay, a member of King's Chapel was present to provide information and answer questions.
363 He stated that the addition will be built on a slab. The roof lines and facade will match the existing
364 building. There are no issues with regard to setbacks.

365

366 Upon motion by Mr. Behuniak, seconded by Mr. Smolinsky, and unanimously approved by all Members
367 present, further discussion related to this project was tabled.

368

369 **Minutes**

370

371 Upon motion by Mr. Smolinsky, seconded by Mr. Coffey, the Members voted to approve the March 2,
372 2010 minutes, as amended. Ms. Motta abstained because she was not present for the March 2nd meeting.

373

374 Upon motion by Mr. Behuniak, seconded by Mr. Coffey, the Members voted to approve the March 16,
375 2010 minutes, as written.

376

377 **Meeting Schedule**

378

379 05/11/2010 - Town Hall - 6:00 p.m. - Special Meeting / Public Hearing - Kendall Square

380 05/20/2010 - Town Hall - 6:00 p.m. - Regular Meeting

381

382 Respectfully submitted,

383 Deborah Kitchen

384