

**PLANNING BOARD
TOWN OF BETHLEHEM**

December 7, 2004

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

Agenda: State Farm Addition – Site Plan
Bethlehem Town Center II – Site Plan

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

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

Mr. Neil Van De Carr, State Farm Insurance
Shelly Johnson, Creighton Manning, Bethlehem Town Center II
Mark Petrowski, Bergmann Associates, Bethlehem Town Center II
Tod Curley, Nigro Companies, Bethlehem Town Center II
Robert Sweeney, Esq., Bethlehem Town Center II
Rob Cartwright, Vollmer Associate, Bethlehem Town Center II

State Farm Addition

Chairman Mathusa called the meeting to order and noted the presence of a quorum. The first item on the agenda was the State Farm Insurance Site Plan. They were seeking the approval of an addition to an existing building located at 848 Kenwood Avenue in Slingerlands. The applicant, Mr. Van De Carr, stated that with the last submission, he believed that the concerns of the Engineering Division and the Planning Department had been addressed. Mr. Passmann stated that the applicant and his engineer had worked with the Engineering Division in addressing a drainage problem that had been identified on the site. The applicant had agreed to incorporate a catch basin and a pick up point for the storm water in his design to alleviate that condition.

Chairman Mathusa turned the Board's attention to the draft Site Plan approval document and reviewed the document.

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

A motion to classify the project as a Type II Action was offered by Mr. Odell, seconded by Mr. Cotrofeld and approved by all present.

A motion to approve the Site Plan Approval Document #116 as written was offered by Mr. Cotrofeld, seconded by Ms. McCarthy and approved by all present.

Bethlehem Town Center II

The next item on the agenda was Bethlehem Town Center II. Chairman Mathusa asked the applicant to update the Board on the progress of the project. Mr. Lipnicky stated that Vollmer Associates had been hired as consultants pertaining to the traffic study that had been done by Creighton Manning.

Mr. Petrowski showed a recent rendering of the project. They had made a few changes since the last meeting based on comments from staff and the Board. He stated that one of the issues that had been brought up the last time was whether the landscaping was sufficient to screen the parking lot from Rt. 9W. He showed three different line of site renderings. One was from Rt. 9W looking northwest, another from Rt. 9W looking directly west and the last from the northerly part of the site looking southwest. The landscaping and the height of the berms had been chosen to screen the view of the parking lot from cars traveling on Rt. 9W. He stated that the trees to be planted would be a mix of evergreen and deciduous, interspersed with lower growing bushes. Though some portion of the cars would be visible, it would be minimal. There were areas that the berm was not as high but they had to take into consideration the sign, the backflow preventor vault and the gas line. The average height of the berm was about five (5) to (6) feet.

Mr. Patrowski thought that the revised plans reflected input from a meeting that had taken place with Mr. Giovenco and staff as well as the comments from the Elsmere Fire Chief. They had added three (3) more hydrants and increased the turning radius to accommodate fire trucks and other large trucks.

Mr. Patrowski stated that a Geotechnical Report had been done that was dated July 2004 and he would supply staff with a copy. The rear of the site would be graded to insure the area was stable prior to construction.

Mr. Passmann stated that the meeting with Mr. Giovenco took place in June. At that time one of the questions that had been raised by Mr. Giovenco was whether the abandoned Kenwood Ave. corridor could be used to access the Storm Water Facility at the bottom of the slope. The current plans that had been submitted do not show any provisions for what DEC requires for access to a Storm Water Facility. Mr. Passmann wanted to know if the applicant had further information.

Mr. Patrowski stated that they had decided not to use that road access. The current plans showed access from the parking lot behind the Proposed Retail B store down the slope to the pond area.

Mr. Passmann stated that parts of the slope were 1 on 3 or close to that. It wouldn't allow for heavy trucks that would be required to clean out the pond, as required, when the sediment level reached a certain height.

Mr. Patrowski stated that Mr. Giovenco had been on site with the geotechnical engineer and the site contractor to review different areas where the grade would be stable enough to bring down heavy vehicles. It would be addressed shortly.

Mr. Passmann stated that during the first Bethlehem Town Center project, the developer's engineer did a storm water evaluation of the overall watershed. They looked at the peak flow in the watershed at some design points to see that the post development peak flow at those points did not exceed the predevelopment flow. That was documented in a 2000 report. In 2003 that report was updated when changes were made to the Storm Water Management System to address the DEC's concerns. The Engineering Division will be requiring that the applicant of this project revisit the evaluation of the overall watershed to demonstrate that the project didn't increase the peak flow at the same design points. One point in particular was one hundred (100) feet upstream of the existing culvert that crosses under the railroad tracks. After correspondence had been received from a property owner in the area, staff and a planning board member had gone on a site visit to look at the existing conditions. The concern being raised is the deterioration of the area and that further projects in the watershed don't exacerbate that condition.

Mr. Patrowski stated that a Storm Water Pollution Prevention Plan had been submitted. He said that the report indicated that there wasn't an increase in the runoff in the 1,2,10 and 100-year storm. Mr. Passmann stated that was from the onsite Storm Water System but they needed to look at how this affected the overall drainage area. When the report was initially done for Bethlehem Town Center, it indicated that they didn't need to detain storm water onsite because by them releasing it, the water would be through the watershed before the peak from the overall watershed at the design point.

Mr. Odell stated that he was the board member that had gone on the site visit with staff. They had looked at the area of the railroad tracks and said there was significant deterioration of the fill. He suggested that the applicant obtain copies of the correspondence from the property owner that had notified the staff of the problem. He thought it would be very informative.

Mr. Passmann stated the geotechnical report that had been submitted by Gregg Gifford had recommendations regarding the site design. To fulfill those recommendations, additional items needed to be shown on the maps. Mr. Passmann stated that within the report was a drawing showing the locations of the test pits and borings that were done. He stated that the report should also contain the design of the proposed gabion retaining wall.

Mr. Lipnicky stated that one SEQR issue was the archeological sensitivity of the site. The home adjacent to this site was national register eligible; this was established within an analysis done during the first Bethlehem Town Center project. There hasn't been

anything done in relation to this matter with this site. Comments have come in from DEC and the State Historic Preservation Society on the issue. The Albany County Planning Board had submitted comments dealing with impact to drainage patterns, water quality, wetlands, traffic and the Rt. 9W access. Mr. Lipnicky wanted to know if they had worked out a mitigation plan with the ACOE for the federal wetlands on the site or if it was necessary. One of the comments from DEC with respect to wetland mitigation concerned the location of the mitigation area. They did not want the area to be surrounded by a parking lot.

Mr. Patrowski stated that the mitigation area they were proposing would be at the bottom of the slope near the pond and stream. They were told to do a 2 to 1 mitigation by the ACOE, for every one-acre disturbed they had to supply two acres of mitigation. The ponds would not be counted in that mitigation area.

Mr. Lipnicky stated that DEC had requested that the Town certify that there was sufficient water for the project. Mr. Passmann stated that one of the documents that needed to be submitted for the project would be an engineering report addressing their water supply. The fire chief had also questioned whether the fire flows could be met. They wanted to make sure there was adequate water pressure for the site.

Mr. Patrowski stated that they had done a fire flow test on September 17, 2004 and the measurement was sufficient for their needs. The issue would be addressed more formally in the water supply report.

Mr. Lipnicky stated that the visual impact of the back of the project from Rt. 32 was another SEQR issue. He wanted to know if they had planned some screening for that area such as plantings to soften the view. Mr. Patrowski said they could possibly do a site line from Rt. 32.

Ms. Johnston, from Creighton Manning, was the traffic engineer for the project and had produced the traffic impact study. They had analyzed the existing conditions from the driveways of Bethlehem Town Center and what traffic was being generated during the peak hours. They then compared those current numbers with the traffic study that had been done for the Town's review during the SEQR process for Phase I. The conclusion was that the site was generating about 80% of what Sear Brown had estimated. The next step was to estimate how much traffic the new uses would generate. The ITE trip generation rates were used. Those numbers were added to the numbers of what was currently being generated and the combination was what originally had been estimated for only the Phase I part of the project. She stated that the Nigro Companies had already analyzed and mitigated the impacts associated with this future development. She further stated that each of the intersections on Rt. 9W had been studied. The northern driveway had limited access and currently was not signalized. With the new traffic projections, they were proposing to modify the northern driveway to allow both right and left exit lanes and they were recommending a signal be installed. Ms. Johnston stated that they had looked at the Rt. 32 - Rt. 9W merge area to the north. The traffic study then looked at alternatives to address the operation of that area. She showed two alternatives that they

were proposing. They were recommending redirecting the southbound Rt. 9W traffic to one lane before it reached the Rt. 32 ramp. That would slow the traffic down and the Rt. 32 traffic would then have it's own lane. Vollmer and DOT had met with the applicant's traffic engineer and reviewed the alternatives that had been prepared as part of the traffic study. Those alternatives had been narrowed down through their review.

Ms. Johnston showed a longer-range plan for the area if development continued to increase. She stated that there would be a need for additional capacity in the Rt. 9W corridor. The study suggested extending the two lanes on Rt. 9W from the Rt. 32 ramp and continue those lanes through the northern intersection to the south Bethlehem Center driveway. In order to continue south, traffic in the right lane would have to merge left. Presently, they believed that the Bethlehem Town Center II traffic would not warrant this longer-range plan.

Ms. Johnston stated that they had recently received comments from the Town's consultant, Vollmer Associates, on their proposals. Vollmer had asked for more technical detail. They would be preparing a response to the comments.

Chairman Mathusa wanted to know if the breakdown lane going into the northern entrance would be extended. Ms. Johnston stated that the lane would remain the same at this time. She stated that the traffic flow would be improved by moving the through traffic to the outside lane. The yield sign would be removed and the traffic from the Rt. 32 ramp would have its own lane.

Mr. Lipnicky wanted to know if Alternative D could be implemented without taking out the new sidewalk. Ms. Johnston stated that the sidewalk would need to be relocated as well as the utility poles.

Chairman Mathusa mentioned that all the traffic on Rt. 9W passed Bender Lane ended in one lane in each direction. There continued to be a problem at the intersection of Glenmont Road and Feura Bush Road. Ms. Johnston stated that part of the traffic study recommended time based signal coordination from the proposed traffic signal through Bender Lane. Chairman Mathusa suggested making the right turn lane onto Feura Bush Road a right turn, through lane combined and change the through lane to a left hand turn lane. He thought this would decrease the amount of traffic buildup.

Ms. Johnston stated that the amount of traffic that would be added to that intersection by the Bethlehem Town Center II development was estimated to be about one (1) car per light cycle. The report suggested DOT look at the signalization and timing at the intersection.

Mr. Cartwright, from Vollmer Associates, stated that they had reviewed the traffic report. He said that some information was still being submitted. He stated that the effect of the increase of traffic by the project could be look at by the Board in terms of numbers per hour or by percentages. They hadn't finished their review of the numbers submitted by the applicant but their initial feeling was that the signal timing they were suggesting

would be an improvement. The Alternative that eliminated the yield sign at the Rt. 32 ramp was preferred, but Mr. Cartwright wanted to know if it would change the site distance from the Van Derpoel driveway. Ms. Johnston thought that there would be ample time for the Van Derpoels to exit their driveway with the traffic flow changes they were proposing.

Chairman Mathusa asked how much would be involved to implement the alternative they were suggesting. Ms. Johnston stated that the construction would be contained to the driveway area. There shouldn't be any disruption to the traffic on Rt. 9W.

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

A motion to approved the minutes as amended was offered by Mr. Odell, seconded by Ms. McCarthy and approved by all present.

A motion to adjourn was offered by Mr. Odell, seconded by Mr. Cotrofeld and approved by al present.

The meeting adjourned at 8:40pm.