

**PLANNING BOARD
TOWN OF BETHLEHEM**

October 16, 2007

The Planning Board, Town of Bethlehem, Albany County, New York held a Regular Meeting, on October 16, 2007, at the Bethlehem Town Hall, 445 Delaware Avenue, Delmar, NY. Chairman Mathusa presided and called the meeting to order at 7:00 pm.

Present: Parker Mathusa, Planning Board Chairman
 Keith Silliman, Planning Board Counsel
 Howard Engel, Planning Board Member
 Christine Motta, Planning Board Member
 Kathy McCarthy, Planning Board Member
 John Smolinsky, Planning Board Member
 Kate Powers, Planning Board Member

 Mike Morelli, Assistant Director of Economic Development and Planning
 Jeff Lipnicky, Town Planner
 Robert Leslie, Senior Planner
 Terry Ritz, Assistant Town Engineer

 Allen Rarick
 Patty Stiffen
 Maxin Bradley

Agenda: Glenmont Plaza
 Devonshire Hills
 Elm Avenue East Subdivision

Chairman Mathusa called the meeting to order at 7:00pm, noted the presence of a quorum.

REGULAR MEETING

Glenmont Plaza

The first item on the agenda was a proposed site plan amendment for the Glenmont Plaza. Mr. Trybalski from Benderson Development Corp., presented for the proposed Amendment # 12. Since last before the Board on October 2, 2007, the following changes had been made to the plan at the request of the Planning Department: curbing detail had been added, pavement cross section detail, identification of the manhole to be repaired, a dotted outline of a future truck dock and a notation of the proposed height of the new trees to be added for the buffering. He said that he would personally supervise the placement of the trees to maximize the buffering effect.

Chairman Mathusa asked that a member of the staff be present also. He asked Mr. Trybulski if the new trees would effect snow removal on the driveway. He said that the trees would be protected during snow removal.

The Board reviewed the draft Site Plan Amendment S.P.A. 60-A12 prepared by staff.

A motion to approve the Site Plan Amendment S.P.A. 60-A12 as drafted was offered by Mr. Smolinsky, seconded by Mr. Engel and approved by all Board members present.

Devonshire Hills

Chairman Mathusa turned the Board's attention to the next item on the agenda, a proposed lot line revision in the Devonshire Hills Subdivision. Mr. Chuck Rosenstein, Esq. presented for the applicant. He said that Mr. Marcelle's driveway currently encroaches onto the adjoining lot. The lot line revision will add point two three four (.234) acres from the adjoining lot to Mr. Marcelle's. They have submitted maps and descriptions of the parcel to the Town. Both lots will remain compliant under the Zoning Law.

The Board reviewed the draft SEQR Resolution, Negative Declaration prepared by staff.

A motion to approve the SEQR Resolution, Negative Declaration as drafted was offered by Ms. Powers, seconded by Mr. Smolinsky and approved by all Board members present.

The Board reviewed the draft Subdivision amendment 134-S1-F-M2 prepared by staff.

A motion to approve the Subdivision amendment 134-S1-F-M2 as drafted was offered by Ms. McCarthy, seconded by Mr. Engel and approved by all Board members present.

The revised map will be filed with the Albany County Clerk's office once the Chairman has signed the maps.

Elm Avenue East Subdivision

The next item on the agenda was the Elm Avenue East Subdivision. The project was before the Board to discuss the buffer planting plan along Elm Avenue. Chairman Mathusa said there were line-of-site issues and questions concerning buffering for the neighbors across the street, drainage and the width of the planting area. The applicant had been directed to a few projects around Town with landscaping buffers that had been approved.

Ms. Susan Boyar, landscape architect presented for the applicant. She said that the applicant wanted to maintain as much of the natural buffer as possible and enhance or replace in the areas that its not possible. They have met with staff on the site and took photos every one hundred (100) feet. They did that to chart the quality of the vegetation on the site. She said that the quality was not the best but the proposed additional buffering will grow in over the years and enhance the existing. She suggested leaving the existing vegetation in the right-of-way. Some of the areas would have evergreens added to the natural vegetation. The proposal was to keep the poplars that she felt did a good job screening. Ms. Boyar continued to show the existing vegetation and the proposed locations of the enhancement. The deciduous trees that would be used are dense and they keep their lower limbs. There were certain areas that would need heavy planting due to the amount of grading that needed to be done in those spots. Ms. Boyar pointed to a specific area that contained two (2) drainage easements, making the buffering challenging. The plan was to heavily plant near Heritage Way with a mix of evergreens and deciduous trees.

Chairman Mathusa asked the width of the buffer. Ms. Boyar stated that it would vary between twenty (20) to fifty (50) feet. She said that between all the houses were drainage swales that took the runoff towards the road and to a closed system. Chairman Mathusa wanted to know what was being done about the headlights affecting the homes across the street. Mr. Basalini from Amedore Homes said that in response to concerns of the two (2) homeowners most impacted by the development, they had asked Ms. Boyar to design a few options. They had taken those options and put them out to bid to come up with a price on those options. The homeowners could choose how to spend those dollars.

Mr. Ritz said that the Engineering Division and the Highway Department does not recommend leaving the existing vegetation within the right-of-way. He said that would be approximately thirteen (13) feet from the edge

of pavement. Vegetation in the right-of-way would block site distance for the three (3) new intersections and not allow people the ability to pull off the shoulder if they breakdown. He said the Town prefers a clear right-of way.

Ms. Boyer said they would place additional shrubs in the front of the buffer, on their property, to replace anything that would have been within the right-of-way. Mr. Lanaro said they would work with planning and engineering staff to fill in the buffer area where needed after the clearing and grading had been done.

Mr.Ritz said that if they wanted to plant within the NIMO easement, that would be between NIMO and the applicant. He said that there would be a drainage easement and there wouldn't be any vegetation within that easement.

Chairman Mathusa said that usually for evergreens the Board would want eight (8) foot trees and deciduous trees should have a diameter of at least three (3) inches. Mr. Lipnicky said staff did not want to have to negotiate with individual homeowners as to the type of trees to be planted. He wanted to have a planting plan for the frontage in place, with some flexibility. Mr. Silliman assumed that all the buffer landscaping would be done at the same time. Mr. Lipnicky said there were land disturbance regulations that might affect how much could be done at one time. Mr. Silliman said that because this was a road front buffer, he felt it should be done as soon as possible. Mr. Lipnicky asked if the Board was satisfied with the approach of saving existing vegetation where possible with enhancements. The Board agreed with the approach. Mr. Engel asked if selective thinning would be done to help healthier trees remain. Ms. Boyer said that would be done in some places but not others.

A motion to table was offered by Mr. Engel, seconded by Ms. Motta and approved by all Board members present.

A motion to approve the minutes of September 4, 2007 as drafted was offered by Mr. Smolinsky, seconded by Ms. Motta and approved by all Board members present.

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

The meeting adjourned at 7:59 PM.