

**PLANNING BOARD
TOWN OF BETHLEHEM**

October 21, 2008

The Planning Board, Town of Bethlehem, Albany County, New York held a Regular Meeting, on October 21, 2008, 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 D. Mathusa, Planning Board Chairman
Keith Silliman, Planning Board Counsel
Howard Engel, Planning Board Member
Nick Behuniak, Planning Board Member
Kathy McCarthy, Planning Board Member
Chris Motta, Planning Board Member
Kate Powers, Planning Board Member
John Smolinsky, Planning Board Member

Michael Morelli, Assistant Director of DEDP
Jeff Lipnicky, Town Planner
Rob Leslie, Senior Planner
Terry Ritz, Assistant Town Engineer

Ken Gonyea
Luigi Palleschi
Ken Herr
Randy Bowers
Fred Becker
Marc Marchessault
Sue Hulick
Jarrett Carroll

Agenda: Adirondack FPI
450 Route 9W Medical Office
Backyard Sheds
Capital Communications Federal Credit Union

Chairman Mathusa called the meeting to order and noted the presence of a quorum.

Adirondack FPI

The first item on the agenda was last before the Board on October 7, 2008. Mr. Gonyea presented. He said he had received a list of recommendations from staff that he has been working on. He has identified the water and fire districts, he extended the fence line, he provided the letter from the Albany County Health Department allowing the use of the tank for temporary storage while they go through the process of getting their septic system installed, they have given a 10 foot easement across the front of the property to the Town and they have shown the back flow prevention device. The sign has been designed and moved back from the road a little more and it's now thirty (30) square feet.

Ms. Powers noted that the approval from the ACDOH was only until December 31, 2008. She asked if that was enough time. Mr. Gonyea expects to have an approval document for the new septic system within a day or so. The installation will take place immediately.

The Board reviewed the draft Site Plan Approval document S.P.A. 149 prepared by staff.

A motion to approve S.P.A. 149 as drafted was offered by Ms. McCarthy, seconded by Mr. Smolinsky and approved by all Board members present.

450 Route 9W Medical Office

The next item on the agenda was last before the Board on October 7, 2008. Mr. Palleschi from ABD Engineers presented for the applicant. He said the one (1) story medical building, subdivision and site plan, has not changed since last before the Board. The applicant is waiting for the small piece of land to be purchased from the church, which needs approval from the courts. Once that is done the subdivision can be completed.

Mr. Morelli said this parcel meets the criteria of an adaptive reuse mentioned in the Comp Plan. There are a few conditions they will need to complete prior to the stamping of the plans but he felt they were ready for a Conditional Final Approval.

The Board reviewed the draft Conditional Approval of Final Plat 239-CF prepared by staff.

A motion to approve 238-CF as drafted was offered by Mr. Engel, seconded by Mr. Smolinsky and approved by all Board members present.

The Board reviewed the draft Site Plan Approval S.P.A 147 prepared by staff.

A motion to approve S.P.A. 147 as drafted was offered by Ms. Powers, seconded by Mr. Smolinsky and approved by all Board members present.

Backyard Sheds

The next item on the agenda was last before the Board on October 7, 2008. Mr. Becker presented. He said he had received comments from engineering and he believed he had addressed those issues. The ten (10) foot all purpose easement has been added to the plan and a ten (10) foot easement will also be added to Neil Blvd. They have worked with NYSDOT to expand the curb cut a little.

Mr. Becker said he had five hundred (500) feet of frontage on Route 9W and the green space will be thirty (30) feet wide with plantings to include red maples. The sign will be placed on that green space.

Mr. Lipnicky said there were a number of conditions that go along with the approval that will need to be addressed, but none of them are complicated. They will need to be done prior to the final signing of the site plan. Ms. Motta asked about restrictions on the wetlands on the site. Mr. Lipnicky didn't believe deed restrictions were necessary on this project. He suggested having the applicant place visual markers in the field to identify the wetlands. Chairman Mathusa didn't believe the applicant would stack his sheds in the wetlands. Mr. Becker said the wetlands were delineated and flagged. He said this parcel was also their personal home. He said the location of the wetlands were obvious because of the vegetation. They would not be disturbed. As far as the landscaping, Mr. Lipnicky said the caliper of the trees would be changed to measurements used in nursery stock.

Mr. Smolinsky remembered Mr. Becker saying he would be placing some sheds in the landscaped green space along Rt. 9W. Mr. Becker said yes, that some local landscapers and masons wanted to do their own design on each shed. Mr. Smolinsky asked if there would be advertising for those companies. Mr. Becker said if they did, it would be some personal plaque signs on the sheds and facing in away from the road.

The Board reviewed the draft SEQR Resolution, Classification of Action and Negative Declaration prepared by

staff.

A motion to approve the SEQR Resolution as drafted was offered by Ms. McCarthy, seconded by Mr. Engel and approved by all Board members present.

The Board reviewed the draft 2 Site Plan Approval S.P.A. 150 prepared by staff.

A motion to approve S.P.A. 150 as drafted was offered by Ms. Motta, seconded by Ms. McCarthy and approved by all Board members present.

Capital Communications Federal Credit Union

The next item on the agenda was an initial presentation for a site plan amendment to add five (5) employee parking spaces to the rear of the site located at 384 Bender Lane. Mr. Marchessault from Baron Construction presented for the applicant. The applicant has discovered that they don't have enough parking for their employees. Currently they park over at Wal-Mart's and leave the parking spaces for customers. Chairman Mathusa asked for the dimensions of the parking spaces. Mr. Marchessault said they were nine (9) foot wide and about sixteen (16) or seventeen (17) feet deep. It would narrow the travel lane to about fourteen (14) feet wide. They haven't pushed it closer to the property line because a grade difference. Chairman Mathusa said those dimensions did not comply with the Town's requirements for parking spaces which are nine (9) feet by twenty (20) feet. Mr. Marchessault said they could push them closer to the property line if they installed a retaining wall. The Chairman said they would need to do that to keep it within the standards of the Town Code. Mr. Morelli said maybe a combination of angling the spaces and pushing them closer to the property line would achieve the twenty (20) feet in length necessary. Chairman Mathusa said the other alternative was to reduce the spaces to three (3) and have them parallel. Mr. Marchessault said they needed the five (5) spaces. It was decided they would need to push closer to the property line for the additional feet they needed. Mr. Behuniak asked if additional lighting would be added. The applicant said no, they were located near the ATM and there is sufficient existing lighting.

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

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

The meeting adjourned at 7:30 PM.