

David VanLuven
Town Supervisor

Robert Leslie, AICP
Director of Planning

TOWN OF BETHLEHEM
Albany County - New York
ECONOMIC DEVELOPMENT AND PLANNING
445 DELAWARE AVENUE
DELMAR, NEW YORK 12054
(518) 439-4955 x1157
Fax: (518) 439-5808
Email: rleslie@townofbethlehem.org



Town of Bethlehem Development Planning Committee (DPC) Agenda
Thursday, January 18, 2018
10:00 AM
Bethlehem Town Hall, Room 101

Town Attendees:

Rob Leslie, Director of Economic Development & Planning
Paul Penman, Town Engineer
Matt Hoffman, DPW, Engineer
George Kansas, Commissioner DPW
Ken Kovalchick, Senior Planner
Leslie Lombardo, Senior Planner
Terry Ritz, DPW, Engineer
Mark Platel, Assistant Building Inspector
John Anatasia, Highway Superintendent
John Smolinsky, Planning Board Chairman
Kathleen Reid, Zoning Board Secretary
Deborah Kitchen, Planning Board Secretary
Karen Shaw, Open Space Coordinator
David VanLuven, Supervisor

Resident: Pattie Beeler

Rob Leslie welcomed attendees to the meeting. He stated the Development Planning Committee (DPC) consists of representatives of the various town departments that are involved in facilitating or servicing development projects in town. The DPC holds regularly scheduled monthly meetings during which prospective developers can present development concepts and receive feedback from the town on a host of development related issues. Comments provided at the meeting are non-binding; however, the applicant should expect to see similar comments once a formal application is submitted to the Planning Board.

1. Applicant: The Reserve at Feura Bush Subdivision – Amedore Homes

Tax maps: 97.15-2-11

The project is located on property owned by Calvary Cemetery at 481 Route 9W in Glenmont. The proposed development would occur at the site frontage along Feura Bush Road adjacent to the Holy Spirit Cemetery. Amedore Homes proposes to subdivide 8.89 acres into nineteen (19) single family lots. The project is in the Elsmere Fire District and is in the Residential A, (RA) zone, in the water and sewer districts and in the Bethlehem School District. A previous development proposal on this

property was the Reserve at Feura Bush Planned Development District (48 condominium units), which is no longer being pursued by Amedore Homes.

Representatives:

Brent Steenburgh, PE LLC

The Applicant is proposing a subdivision for single family residential development of 19 lots on 8.89 acres. The subdivision will be accessed by a roadway terminating in a cul-de-sac off of Feura Bush Road. The previous Planned Development District application included the environmental review and contribution towards a town traffic assessment for the Rt 9W corridor area. The property is currently wooded, surrounding land uses include cemeteries, a powerline right-of-way, residential keyhole lots from an adjacent subdivision near the rear of the property (Manor Drive), residential homes across Feura Bush Road to the north and apartments further east on Feura Bush Road. The property is owned by Calvary Cemetery who would subdivide the 8.89 acres and sell to Amedore Homes.

The property is zoned Residential A, on the border with the Residential B (smaller lot size) zone to the west. The majority of the proposed 19 lots are 15,700 s.f. The proposed road will be 900' long and will be dedicated to the town. The soils on the property are sandy soils that are well drained. The stormwater management design will use infiltration practices. A stormwater management area is proposed at the rear of the property in the southwest corner and a second area is adjacent to Feura Bush Road.

Staff made the following comments, posed questions and requested the applicant provide the following information with an application:

-Robert Leslie, 17 lots were shown originally for a conventional subdivision under the PDD application, 19 now shown. Where were the additional 2 lots achieved?

-Mr. Steenburgh responded that since the soils were good for infiltration practice for stormwater design the original stormwater management areas shown were able to be reduced and that the cul-de-sac was redesigned to allow for 19 lots.

-Robert Leslie, there may be a possibility to use porous pavement on the road, highway department will need to assess if this development might be suitable to use porous pavement as a pilot project.

-Matt Hoffman, What will pre-treatment be? Forebay with infiltration

-George Kansas, Were perc tests done? Yes, 1-3 minute perc found

-John Smolinsky, Check with the fire department to assess whether or not the emergency access road that was shown on the PDD plan should stay for the subdivision plan. If using the stormwater area at the entryway to the site, make it visually appealing. Neighbors in the adjoining subdivision have complained about wet basements, how will that issue be addressed?

-Brent Steenburgh, no other subdivisions of this size in the town have emergency access road provisions. If they change the roadway to porous pavement they may not need the stormwater area at the entry. The preliminary work on the site for soil tests and groundwater depth has shown that groundwater was at a depth of 10', a well on site is dry. Residents at the south end of Hancock

Drive have homes that appear to be built where there was previously a stream running through the property, it may have been piped or filled.

-Robert Leslie, staff will check the Planning Board archive records for information regarding topography and wetland conditions at the time the Hancock Drive subdivision was proposed. Will the tree line be maintained at the property line? Will there be a buffer to the cemetery?

- Brent Steenburgh, there is existing encroachment by adjacent property owners of the flag lot, they will look at the possibility of a 15' buffer of tree line

- Robert Leslie, the traffic assessment for the Route 9W corridor is almost complete by the Town TDE. The original PDD proposal had been included in the assessment. The single family development proposal will be included in the assessment, which would result in a contribution by the developer towards future intersection improvements within the Route 9W corridor area. Also the project will be considered for parkland payment in lieu of /parkland set aside requirement under town subdivision requirements.

-Mark Platel, It does not appear that the lot depth requirement is met for lot #9 and #12. *[Subsequent review following the meeting identified lot #12 meets the depth requirements]*

Next steps – provide a withdrawal letter for the previous application for the PDD, provide all the previous environmental information used for review of the PDD with the current proposal for the subdivision.

2. Applicant: Wiggand-Grady Subdivision- Wiggand LLC and James Grady

Tax maps: 98.00-2-4, 98.00-5-5, 98.13-1-19

The project is located adjacent to the NYS Thruway at the rear of Vagele Lane, East Wiggand Drive, and Hartman Road in Glenmont off of Glenmont Road. Wiggand LLC and James Grady propose a 99 lot conservation subdivision made up of single family lots. The project is in the Selkirk Fire District and is in the Residential A (RA) and Rural (R) Zoning Districts and the Bethlehem Central School District. The project is not in the water and sewer districts.

Representatives:

Peter Yetto, PE, Ingalls and Associates LLP

Joseph Hens, Ingalls and Associates LLP

James Grady, property owner

Brandon Wiggand, property owner

The Applicant is proposing a conservation subdivision for single family residential development of 99 lots on 84 acres. The 84 acres is made up of a combination of multiple lots. The subdivision will be accessed by a street off of Vagele Lane, there is an emergency access proposed from Hartman Road. The property is currently wooded with some open field areas. Surrounding land uses include residential properties within the Wiggand Drive and Vagele Lane neighborhood to the north as well as residences along Hartmann Road to the east. Niagara Mohawk powerline bisects the property in the southern end, the NYS Thruway and Thruway owned property is the western border.

The property is zoned both Residential A (RA) and Rural (R). The majority of the property is within the RA district (74.28 acres), the Rural district area on the southern end of the property has steep slopes and is not proposed for development. The proposed conservation subdivision for 99 lots is based on a conventional subdivision layout of 83 lots on unconstrained lands with an additional 16 lots allowed by a 20% increase in density using the allowed incentive calculations by preserving 50% of the land in open space (43 acres).

The stormwater management design for the project will include the conservation areas, bio-retention as well as standard ponds. The soils on the property are a mix of sandy, silty soils. There are Federal jurisdictional wetlands that are scattered throughout the property.

Staff made the following comments, posed questions and requested the applicant provided the following information with an application:

-Robert Leslie, clarify the use of the linear lands owned by Wiggand at the northern end along the existing subdivision?

-Peter Yetto, those lands will be included in the subdivision, but will be the area that provides a buffer to existing homes.

- Robert Leslie, What are the plans for the trees currently in the tree farm on site?

-James Grady, the trees will be used within the subdivision

-Peter Yetto, The ponds on site built originally for irrigation purposes for the tree farm will not be impacted from the development and will remain.

-John Smolinsky, is there a stub road from Vagele Lane into the site?

-Peter Yetto, The vacant parcel that is a leg of land extending from Vagele Lane into the property is not a stub road. Along Hartman Road there was right of way provided through a previous subdivision by Grady.

-Robert Leslie, show the existing previously filed subdivision by Grady along Hartman Road on the plans.

-Peter Yetto, The plan shows 83 lots in the conventional subdivision that meet the requirements of the subdivision regulations. The access street from Vagele Lane is shown as a boulevard, but there was not enough ROW to meet boulevard standard 80' width, so they are showing 75' for the boulevard width. The emergency access proposed from Hartman Road will have a crash gate for fire access. The conservation subdivision layout gives greater than 50% of the site to open space, lots are smaller (60' x 100' is the smallest), they find that the smaller lots are in demand in the market by empty nesters, retired people.

The stormwater design was laid out to drain to the north and to the south that's why the management areas are placed there. Because of the conservation areas it helps with the stormwater design.

There will be a HOA for the project, walking trails on the site are planned. All open space land is proposed to be owned by an HOA.

The 99 lots planned on the conservation subdivision require 50% open space, which calculates to 42 acres, the plans show 43 acres are provided.

Water and sewer infrastructure will be extended into the project from the north. They will be grading the site from the south to the north, so gravity sewers will work, some grinder pumps will be necessary. They are proposing an easement for sewer to cross the proposed northeastern open space area.

-Robert Leslie, The requirements for the conservation subdivision calculations should be shown, the incentive bonus density of 20% is based on providing the 50% open space (43 acres), but 50% (21.5 acres) of that open space provided must be contiguous within the layout (check the subdivision regulations), which means 21.5 acres must be contiguous, right now the open space areas are fragmented in +/- 10 acre areas.

In addition, in December 2017, the Town Board passed a resolution instructing the Planning Board to utilize the conservation criteria established in the Town's Open Space Plan when considering conservation subdivisions. The Grady owned portion of land in particular shows a conservation value as significant on the criteria maps, the land is part of a significant forest cover, soils are of statewide importance, there are wetlands and buffer areas, so the open space proposed should not be fragmented. The subdivision layout proposed should be reconfigured so as not to have valuable open space fragmented. Find a way to conserve un-fragmented conservation value areas, and cluster the development area.

Traffic- The Route 9W/Glenmont Rd intersection is included in the current Route 9W corridor cumulative traffic assessment being completed by the Town TDE. The number of trips from this proposed project will be assessed for the impact to that intersection and other intersections along Route 9W Corridor area and a contribution to mitigate traffic improvements will be needed as the Planning Board conducts the environmental review (SEQR) process. In addition, information will be needed for traffic operations (Level of Service) at both Vagele Lane and Wiggand Drive at Glenmont Road as well as River Road and Glenmont Road. Also, as a result of this development proposal we would desire a second access point into the subdivision via Hartman Road. Hartman Road is currently a highway by use road of 20' wide, but only 12' is paved, and does not meet Town standards for roadways. It is recognized that adjacent property owners may have rights along the road. This issue was discussed during the Grady 2-lot subdivision previously approved.

-Jim Grady, We are trying to minimize the impacts to Hartman Road.

-Robert Leslie, Minimizing impacts to Hartman Road will impact the Wiggand subdivision roadways, so best practice is to disperse the traffic.

-Mark Platel, NYS Fire code has been updated recently (March 2016) to require that over 30 single family homes on a street needs two access roads, minimum 20' pavement is required for fire apparatus. There is an exception if all the homes are provided with a sprinkler system.

-George Kansas, Paul Penman, Robert Leslie, grading would be needed along Hartman Road to achieve a 20' pavement area. This grading would fall outside the 20' highway by use area. No water lines should be under pavement, there is a single feed across the Thruway now for water

service, so the project will need to do a water model run, water availability from Wiggand and Hartman Roads needs to be looked at closer.

-Robert Leslie, Look to clean up the intersection of the proposed access road to be better aligned with the existing intersection of Wiggand Drive and Wiggand Drive East.

-Matt Hoffman, what are the sizes of the houses?

-Peter Yetto, 50' x 40' for conventional, 50' x 30' for conservation layout.

-Robert leslie, Change the location of the stormwater management area from behind the existing homes off Vagele Lane to an area near the new homes being built to minimize impact to existing homes. Identify the low spots on the property.

-Matt Hoffman, There are existing drainage channels in the Wiggand subdivision to the north, both private and public easements, have you looked at those? Currently there are drainage issues there so don't want to add to the problem, ultimately the drainage goes out to Glenmont Road.

-Paul Penman, the existing pump station for sewer is limited by the size of the forcemain, so we need to look at capacity, no private easements for sewer within the development will be allowed, so take that into account in the reconfiguration of the layout suggested to avoid fragmentation of open space previously suggested by Rob Leslie.

-Robert Leslie, suggest keeping the contiguous open space on the west side adjacent to the NYS Thruway to be connected to the power line area, put the road through the northeast section where there is open space shown now. This could address Paul's comment about not having private sewer easements.

-Terry Ritz, there is no restrictions on the number of grinder pumps, you can use them to avoid easements for sewer

-Paul Penman, will need a geotech report for the steep slopes, show grading and give more information, also the town does not want to accept any stormwater management areas that include the filled areas where the owner has created ponds, there is a dam there on one of the ponds, the town does not want to accept that in town owned property.

-Matt Hoffman, what's the purpose of the kidney shaped piece in the southern end?

-Peter Yetto, open space for kids to play, HOA land

-Robert Leslie, look at noise impacts from the Thruway to the current Wiggand neighborhood when trees are cut down, identify current noise level and what it will be with tree removal.

-Matt Hoffman, the conservation lands give a lot of credit for green infrastructure (g.i.), but does the stormwater shown use pretreatment?

-Peter Yetto, yes, have to meet quality requirements even with g.i. being used, ponds still need to meet 100% quality requirement

-Robert Leslie, subdivision requirements include parkland requirement or payment in lieu of fees; this may be an area that would be good for a small neighborhood park due to the location on the east side of the Thruway away from other town park areas. Will need to speak with Park's Department and consult Parks and Recreation Master Plan.

A sidewalk from Vagele Lane to Glenmont Rd/Rt 9W is proposed as part of the roundabout for Glenmont Road and Rt 9W project.

Townhomes may be an idea to incorporate in the project in order to meet the open space requirement (50% contiguous) and maintain a target number of units to make the development financially viable.

An existing conditions map is needed, there's a stream located on the south side of the property, want to see where open space would best be conserved (forested area, farmland soils, wetlands, etc) on this property based on existing conditions. Identify conservation areas first and then layout the subdivision lots.

-Terry Ritz, asked if Jim Grady's deed shows right to cross the powerline?

-Jim Grady, yes, his deed gives him right to cross.

Next set of plans submitted need to address the issues raised in this meeting.