

**PLANNING BOARD
TOWN OF BETHLEHEM**

December 4, 2007

The Planning Board, Town of Bethlehem, Albany County, New York held a Regular Meeting, on December 4, 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
Daniel Odell, Planning Board Member
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
Rob Leslie, Senior Planner
Terry Ritz, Assistant Town Engineer

Agenda: 333/335 Delaware Avenue
Farm Family

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

REGULAR MEETING

333/ 335 Delaware Avenue

This project is a proposal to expand a parking lot from thirty-seven (37) spaces to eighty-eight (88). Chairman Mathusa stated this project would tie into the Delaware Avenue Corridor study that will be started soon.

Mr. Altounian, P.E. presented for the applicant. The location of the project is 333 & 335 Delaware Avenue in a Hamlet Zone. The proposal also includes a lot line revision on 335 Delaware to include the rear of that parcel with 333 Delaware Avenue for the expanded parking. There is a three (3) family dwelling located at 335 Delaware Avenue. All setback requirements are still met after the lot line revision. The only setback requirement that is not complied with is the front setback line on 333 Delaware Avenue, but that is an existing structure. There are no new extensions of either structures being proposed. Most of the structure at 333 Delaware Avenue is a one (1) story building with the back portion being two (2) stories. The required parking is based on a seventeen thousand (17,000) square foot building which calculates to be ninety-three spaces (93). There is an existing parking lot; the additional parking is proposed to the rear of both of the structures. Repairs will be made to the existing lot when the new parking areas are paved.

The property has a commercial repair shop on one (1) side and a residential structure on the other. Screening has been proposed for a buffer between the commercial property and the residential structure. A retaining wall will be placed along the existing lot because of a change in grade. The entrance to the parking lot will remain in the same area. Two (2) brick piers with lights will be placed at the entrance; the sidewalk will be continued to the existing sidewalk. Between the sidewalk and the building will be brick paving and planters. Mr. Ipek said the sidewalk would be continued to the edge of their property.

The proposal is to move the parking for the three (3) family dwelling from the front of the building to the rear. The

existing gravel driveway would remain and the gravel parking area directly in front of the building will be removed and returned to lawn.

Jeff Mirarchi from Crescent Environmental presented the proposed storm water system design. He said the impervious service area was increased by the amount of the expanded parking. The storm water would be collected in four (4) catch basins in the parking lot. The area that will be re-graded and repaved would have slightly sloped depressions for each of the catch basins. All the storm water would be routed to a CDS unit that is sized to handle 100% of the water quality volume. After treatment the water would be discharged in the rear corner of the property. He said a drainage swale exists on the adjoining property. CDS units are approved by NYSDEC for storm water treatment. Silt fence would be used for erosion and sediment control, there is a stabilized construction entrance of gravel at the bare soils entrance and each inlet would have protection as to stop any sediment from washing into the new system. Snow storage would be in the rear of the property on the green space. The three family house does not have a storm water system proposed. The impervious surface will not increase and the driveway and parking spaces will remain gravel. Based on existing grades, 333 Delaware Avenue lot will pick up a portion of the 335 Delaware Avenue runoff.

Mr. Odell asked where the roof drains empty and if that would change. Mr. Mirarchi said it would not change. He said the amount of roof runoff had been included in the calculations of the amount of water into the storm water system.

Mr. Smolinsky said in a Hamlet zone, parking away from the road was encouraged with landscaping in the front of the lot. He thought that ten (10) or fifteen (15) feet of landscaping at the beginning of the parking lot would be appropriate even though parking spaces would be lost. Mr. Ipek thought that the building would look offset if the parking were to be started too far back. They have four (4) handicapped spaces at the front of the lot near the entrance to the restaurant. He thought it would make it harder for those customers to visit the restaurant. He said the small plaza across the street had parking right up to the street. Mr. Smolinsky suggested looking at the new regulations in the Zoning Law pertaining to parking lots. Mr. Ipek said the whole Delaware Avenue corridor had parking in the front with buildings up to the road. The area pre-dated the Comprehensive Plan. Mr. Odell said that Delaware Avenue would change over time, one business at a time, using the new standards. He suggested changing the lines of the parking spaces in the rear to make up the loss of a few spaces in the front. Ms. McCarthy mentioned the Poly Research building down the street. That project had wanted the parking in the front but they pulled the building closer to the road and put the parking in the rear. She agreed that a little extra landscaping in the front of this project would be better. She asked Mr. Ipek why they wanted extra parking. He said they needed the additional parking to attract tenants. When they first obtained the property, they had evicted the residential tenants on the second floor and rehabbed the space into new offices. They have also replaced the roof and placed new siding on the building. They were losing tenants because the parking was insufficient.

Mr. Engel said he would support the removal of one (1) additional parking space on each side of the entrance for landscaping but he did not want to cause a hardship for the applicant or reduce the number of parking spaces under the Zoning requirement. Ms. Motta and Ms. Powers agreed that some extra landscaping would be a benefit. Mr. Morelli said the building is non-conforming as to parking requirements because it predated the Zoning Law. He said the applicant has been responsive to the comments from staff. Planning would continue to work with the applicant on the front landscaping.

Chairman Mathusa wanted a Public Hearing held for the project. He mentioned that the project would need to be sent to the ACPB. The applicant would post their property for the public hearing.

A motion to set a public hearing on January 15, 2008 at 7:00PM was offered by Mr. Engel, seconded by Ms. Motta and approved by all Board members present.

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

Chairman Mathusa asked the applicant to fix the potholes in the parking lot behind I Love Books that they own. The applicant agreed to fix the potholes.

Farm Family

The next project is an amendment to a site plan to increase parking by twenty-one (21) spaces on their site located at 334 Route 9W, Glenmont.

Mr. Brusko from C.T. Male Engineers, presented for the applicant. The applicant's proposal was to add parking spaces between the driveway and the building. He said they would move the handicapped parking from across the driveway, closer to the building and add a sidewalk to make it easier for the handicapped persons to access the site. The total area for paving includes only the area for the parking spaces, which is .12 of an acre. The total disturbance with peripheral grading will not exceed .156 of an acre.

Daniel Green, the Facilities Manager for the site, said the driveway area has two (2) Stop For Pedestrians signs. It's a one-way driveway and to exit people must go around the building. The building that the parking would go near is the old Farm Bureau Building that was constructed in the 1970's.

Mr. Smolinsky noticed there had been site plan amendments before this request. He wanted to know if there was a master plan for the site. Mr. Green said this was a small parking lot expansion. They seem to be at the maximum number of people that can work on the site and though they are not out of parking, they're getting close. There isn't a plan for future expansion. Snow removal is handled by pushing it around the site onto the green space. Mr. Smolinsky had asked about future plans because of storm water runoff and treatment. He wanted to make sure they weren't avoiding the current requirements by asking for a number of amendments.

Mr. Smolinsky mentioned the Town's desire to connect the sidewalk in front of Town Squire with the other sidewalks along Route 9W. This would include coming across the front of Farm Family's property on Route 9W. Mr. Green said that he had heard the prior week that the Town was interested in that connection. He had met with their general counsel and she said that she had not heard of that issue for sometime. Mr. Green said that they had a meeting set with Supervisor Cunningham on December 14, 2007 and that would be one of the issues to be discussed.

Chairman Mathusa said he traveled Route 9W frequently and the last time he was on the road, a woman was walking with a baby carriage and a dog along the road, on the outside of the guardrail because the sidewalk stopped. He said there was a sidewalk on the school's side and a sidewalk on the other side of their property. The Town needed an easement from Farm Family to continue the sidewalk that the Town would install and maintain. He had heard that one of the excuses for not putting in the sidewalk was flying objects from mowers could hit someone. There is a sidewalk by the school and Farm Family does mow in that area; no one has been hurt by flying objects. He thought that Farm Family would be a good neighbor if they agreed to the sidewalk easement.

Mr. Green said he had never been involved in those decisions. He said he would be at the meeting with Farm Family's counsel and Supervisor Cunningham.

The project needed to go to the ACPB for their review.

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

A motion to approve the minutes of November 13, 2007 as amended was offered by Ms. McCarthy, seconded by Mr. Odell and approved by all Board members present.

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

The meeting adjourned at 8:10 PM.