

**PLANNING BOARD  
TOWN OF BETHLEHEM**

**December 18, 2007**

The Planning Board, Town of Bethlehem, Albany County, New York held a Regular Meeting, on December 18, 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  
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: Dan Mehlman  
Yumi Sushi

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

**REGULAR MEETING**

**Dan Mehlman**

Chairman Mathusa turned the Board's attention to the first item on the agenda, a site plan application to expand an existing home occupation at 152 Hudson Avenue. The Zoning Board of Appeals had granted the applicant area variances allowing him to proceed with his site plan application. It is a Type II action under SEQR, no further environmental review would be necessary. The ACPB had reviewed the project and deferred to local consideration.

Mr. Mehlman presented for himself. He said he was a freelance ceramic artist and had been working at his craft for about twenty-five years. He does development work and model making for the glass and dish industry. He has been at this address since 1989 and is in need of additional space. He had contacted the Building Department for a building permit and was told that he would need two (2) variances, which he has obtained. He said that some of his neighbors had come to that hearing and spoke in favor of the project. He has a two (2) car garage that he presently uses for his business. The single story expansion will be out the rear of that structure, matching the existing façade of the garage. Boutelle and Sons prepared a site plan showing there aren't any drainage problems. The addition should not be visible from the street because it is tucked behind the garage. The business doesn't have any signage, lighting, parking, traffic or retail customers. He is a single person operation. The addition will have plumbing for his business but not a bathroom.

The Board reviewed the draft Site Plan approval S.P.A. 141 as prepared by staff.

A motion to approve S.P.A. 141 as amended was offered by Mr. Odell, seconded by Mr. Smolinsky and approved

by all Board members present.

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

## **Yumi Sushi**

The applicant proposes to establish a fresh sushi retail business at 228 Delaware Avenue, Delmar, an existing building.

The applicant stated that they are proposing to provide sushi for carry out and for local restaurants. The space had previously been used for a donut business. The sushi business is very simple; there isn't any processing or cooking. The materials are prepared prior to coming to the site; the assembling of the sushi will occur at the site. Extensive renovation will not be necessary; the operation will need a sink and everything else will be electrical.

Chairman Mathusa stated that this change would not have been subject to site plan approval by the Planning Board under the old Zoning Code. The new Comprehensive Plan requires that the Planning Board give its approval to insure that the change in tenant is an appropriate fit amongst the existing tenants. He asked for the hours of operation. Mr. Chao said they would be open from 10AM to 9PM. Chairman Mathusa asked if they could estimate the amount of traffic that would be generated with the business. Mr. Chao said the majority of the sushi would be sold to other businesses but stated twenty (20) to thirty (30) over the counter visits would help keep the business afloat.

Mr. Gary Heisted, the owner of the property, said they owned additional property around the site and could expand the parking area if it became necessary. He said there was space to drive around the building. Mr. Heisted's daughter, Dana, manages the property and she had spoken to the other tenants. She had received favorable comments from the other tenants.

The Board reviewed the Site Plan Waiver Request.

A motion to approve the Site Plan Application Waiver Request as prepared was offered by Ms. McCarthy, seconded by Mr. Smolinsky and approved by all Board members present.

A motion to authorize the Chairman to sign the letter to the Building Inspector as prepared by staff was offered by Ms. Powers, seconded by Mr. Smolinsky and approved by all Board members present.

A motion to approve the minutes of November 20, 2007 as amended was offered by Ms. McCarthy, seconded by Ms. Motta and approved by all Board members present.

A motion to cancel the Planning Board meeting scheduled for January 8, 2008 was offered by Mr. Smolinsky, seconded by Ms. Motta and approved by all Board members present.

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

The meeting adjourned at 7:30 PM.