

**PLANNING BOARD
TOWN OF BETHLEHEM**

December 21, 2004

The Planning Board, Town of Bethlehem, Albany County, New York held a **Regular Meeting** on Tuesday, December 21, 2004, at the Bethlehem Town Hall, 445 Delaware Avenue, Delmar, NY. Chairman Parker D. Mathusa presided and called the meeting to order at 7:30 pm.

Agenda: Beverwyck – Phase IV & V

Present: Parker Mathusa, Planning Board Chairman
Howard Engel, Planning Board Member
Brian Collier, Planning Board Member
Katherine McCarthy, Planning Board Member
Thomas Cotrofeld, Planning Board Member
Christine Motta, Planning Board Member
Daniel Odell, Planning Board Member

Janine Saatman, Deputy Town Planner
Randall Passmann, Senior Town Engineer

David Wendth, Beverwyck
Brett Steenburgh, Beverwyck
Dave Caesar, Beverwyck
Douglas Miller, Beverwyck
Joseph Bianchine

Beverwyck - Phase IV & V

Chairman Mathusa called the meeting to order at 7:30 and noted the presence of a quorum. He wanted the applicant to be fully aware of the procedure that needed to be followed when extending a PRD. The applicant was proposing seven (7) new duplex structures that were known as Phase IV. Phase V was a single story structure that would support twenty skilled nursing beds and eighteen (18) assisted living beds. The process would begin with the rezoning of two (2) parcels of land from Residential A to become part of PRD #12. One parcel was about one (1) acre and the other was about forty (40) acres. The Planning Board would start the process by reviewing the application in preparation of a SEQR finding. Then the Planning Board would prepare a recommendation to be sent to the Town Board for the rezoning. The Town Board would vote on the rezoning and then refer the application back to the Planning Board for a detailed review. Building Project Approval #26 would then be amended to include Phase IV & V. The Town Board would receive the application for final approval. Both the

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Town Board and the Planning Board would hold public hearings during the review of the application. He stated that this process would take some time.

Doug Miller, the Executive Director of Beverwyck, presented for the project. They had opened Beverwyck in 1993 with Phase I, in 1995 additional apartments were added and then in 1999 they opened the assisted living building. They were now proposing more assisted living beds and additional cottages. They had recognized the need for the building-out of the continuum of services for the seniors. When the health care needs of their clients got beyond what the facility offered, the seniors were faced with finding a nursing home outside of their campus. This was very disruptive for seniors. The goal was to have all the components of senior living on one campus. Mr. Miller stated that they were proposing fourteen (14) more cottages to be built. They currently have 100% occupancy with a paid waiting list of about sixty-five (65) people. He stated that there was a tremendous need for these services in this area. As the residents require more care the facility was able to help them with their everyday living. They were a licensed enriched-housing program. They cannot keep people that require skilled care.

Mr. Wendth, the senior project manager, continued the presentation. He stated that they had purchased forty-three acres for the proposed expansion known as Phase IV. It was currently zoned Residential A. A large portion of those forty-three (43) acres would be left in a forever-wild state. About ten (10) acres of the site would be developed. They had also purchased a one (1) acre site, on which they proposed to put Phase V of the project. They were seeking the rezoning of the two parcels so they would be included into PRD #12.

He stated that the cottages would be accessed from a private road system. They had placed an emergency turnaround at the end of the road. Landscaping would be consistent with the other parts of the campus. Trees, berming and elevation differences would be used to buffer their neighbors to the north, the Olympia Gardens Subdivision.

Mr. Wendth stated that the proposed units would overlook the ravine and the Normans Kill Creek. The proposed individual units were over two thousand three hundred seventy-one (2,371) sq. ft., larger than any other units presently at Beverwyck. These units were the highest level of independence on the campus. The units each had a garage and the unit was all on one floor. The elevations were Colonial Dutch, consistent with the overall campus.

Mr. Wendth stated that part of Phase V would be assisted living, geared towards the Alzheimer patients. There would also be a skilled nursing section. They would be adding new parking spaces for a total of eighty-six (86). The access would be from Beverwyck Lane.

Mr. Wendth stated that the landscaping for Phase V remained consistent with the campus. The proposed assisted living and skilled nursing area would be connected to each other and to the existing structure. Each of the units was designed to have a residential instead of an institutional feel. There would be eighteen (18) rooms in the dementia section. It

would be a secure, self-contained environment. They would have access to exterior wandering gardens 24/7. There were also interior wandering loops; wandering being a typical characteristic of many dementia patients.

Mr. Wendth stated that there would be twenty (20) private rooms in the skilled nursing section. Each resident would have a sitting area to accommodate visiting family. There would be onsite physical and occupational therapy rooms.

Mr. Miller stated that it took awhile to add the skilled nursing beds to the campus due to a nine (9) year moratorium in New York State on any new nursing home beds. When Eden Park closed, they were able to purchase the medallion from Eden Park to operate the beds. The project had been changed to accommodate that purchase.

Mr. Odell wanted to know if the assisted living section would be subject to the new statutes that pertain to assisted living. Mr. Miller stated that they were presently licensed to operate enriched living beds. The new section would be operated as enriched housing.

Mr. Wendth stated that the elevations of the new section would be the same Dutch Colonial façade as the existing building in which it would be attached.

Mr. Collier wanted to know why the building was one story instead of two. Mr. Wendth stated that multiple levels would be inefficient from an operation standpoint. With one floor, it was easier to share the staff between the two sections and one floor was found to be less confusing for the residents.

Chairman Mathusa wanted to know if they had any intention of expanding the facilities in the future onto the remaining acres. He knew there were some topography issues that would make that challenging.

Mr. Miller stated that they had wanted to keep the additional acreage forever wild because it was a desirable view. That had been part of the reason for the purchase. There currently were one hundred eighty-five (185) units that looked out onto that view.

Mr. Passmann stated that an adjacent neighborhood had some dead end streets that looked as though some development could take place. Mr. Miller stated that the area would not have practical access to the services that the main structures provided.

Mr. Odell said that by incorporating the land at the end of the streets into the PRD it effectively created a barrier between itself and the Residence A District because of a fifty- (50) foot setback from the district line.

Ms. Saatman stated that the applicant had received a copy of the comments from the Planning Department. The soils reports that had been previously submitted needed to be updated to reflect the new plan. A copy of the federal wetland delineation area that had been accepted by the ACOE also needed to be submitted. She wanted to know if DEC

was satisfied with the layout of the cottage portion of the project they were proposing or was DEC still looking for alternatives.

Mr. Steenburg stated that the jurisdictional determination had been received from the ACOE concerning the wetlands and a copy had been submitted. The applicant had presented a mitigation plan to the ACOE; it didn't include any active creation of wetlands. The plan proposes preservation of existing open space and wetlands. Mr. Steenburg stated that DEC was awaiting the final SWPPP and management plan before issuing the joint application permit and then the ACOE would issue the wetland impact permit.

Ms. Saatman stated that there were comments and questions raised by other agencies and she requested that the applicant respond in the form of a letter explaining how they were addressed for SEQR purposes.

Mr. Steenburg stated that there were two (2) different Storm Water Management Systems due to the elevation constraints. The first system for the cottages would be located between the existing cottages and the proposed units. It would be a Phase II compliant storm water pond with a fore bay and micro-pool. After speaking with DEC, they decided to include either an aerator or fountain to prevent stagnation because they don't have sufficient acreage for discharge per the requirements. The pond would be designed to retain the hundred (100) year storm discharging into the existing swale. The swale eventually runs down into the Krumkill. A portion of the Phase V Storm Water Management System would be directed into the existing system, the remainder of the storm water would be directed to a post detention pond located on the opposite side of Beverwyck Lane. It would be designed with a fore bay and micro pool and aerator to prevent algae build up. Sewer and water was available immediately adjacent to the proposed site.

Mr. Passmann stated that the one of the storm water management ponds was located close to the property line and the right of way for the Town road. He wanted to know if there would be screening between the pond and the adjacent property. Mr. Steenburg stated that it would be addressed. He said that DEC required the ponds to be wet ponds with standing water. Chairman Mathusa asked how steep the slopes of the proposed pond would be because he was concerned about the safety of children in the area. Mr. Steenburg stated that the side slopes of the pond were half of what would normally be designed. It would be a 1-on-6 slope. He said that a fence was a possibility.

Mr. Steenburg stated that they would need to provide an additional pump station and gravity sewer main to handle the sewerage for the cottages. They would be routing an existing water main to the supply the cottages that would include back flow preventors and meters.

Mr. Passmann stated that the municipal water system ran along Beverwyck and that was where the back flow preventors and meters should be located. Mr. Steenburg stated that they would be looking at a below ground system.

Mr. Passmann stated that one of his comments regarded the discharge of the storm water to an existing swale. He stated that typically when systems were designed that would be turned over to the Town; the Town required that the discharge be conveyed to the lower elevation of the nearby stream. He said that because it was a private system, the Engineering Division wanted them to consider piping it lower than proposed or have a geotechnical engineer review the proposal and sign off on the design. Mr. Steenburg stated that a geotechnical engineer would be reviewing the plans and they had also received some comments from DEC on the issue. He stated that they were working on the pipe size to reduce the amount and velocity to a minimum. If they piped the pond to the Krumkill it would cut off all drainage to the wetland in the swale and thus be an impact on that wetland.

Chairman Mathusa stated that Storm Water Management issues in general have recently become significant. He said that before the Planning Board would move the project to the Town Board, the Storm Water System design needed to be firmly in place.

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

A motion to approve the minutes of December 7, 2004 as amended was offered by Ms. McCarthy, seconded by Ms. Motta and approved by all present.

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

The meeting adjourned at 8:25pm.