

PLANNING BOARD
TOWN OF BETHLEHEM

January 20, 2009

The Planning Board, Town of Bethlehem, Albany County, New York held a Regular Meeting on the above mentioned date, at the Bethlehem Town Hall, 445 Delaware Avenue, Delmar, NY.

Present: George Leveille, Planning Board Chairman
Keith Silliman, Planning Board Counsel
Nick Behuniak, Planning Board Member
Daniel Coffey, 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, Director of DEDP
Robert Leslie, Senior Planner
Terry Ritz, Assistant Town Engineer

Agenda: Johnnie Black – 59 Royal Blvd. – Public Hearing
Callanan Industries – 30 Speeder Rd.
Mystic Woods – Orchard Street

Chairman Leveille called the meeting to order. He introduced himself as the new Chairman of the Planning Board.

PUBLIC HEARING

Johnnie Black

Chairman Leveille said the Public Notice was properly advertised.

A motion to indent the Public Hearing notice was offered by Ms. McCarthy, seconded by Mr. Smolinsky and approved by all Board members present.

Notice is hereby given that the Planning Board of the Town of Bethlehem, Albany County, New York, will hold a public hearing on Tuesday, January 20, 2009 at 7:00 p.m., at the Town Offices, 445 Delaware Ave., Delmar, New York, on the application of Johnny and Shelly Black for a Special Use Permit for an accessory apartment on a single family home to be located at 59 Royal Blvd., Delmar, Town of Bethlehem, Albany County, State of New York.

Chairman Leveille asked the applicant to make a short presentation.

Mr. Black presented. He wanted to add a kitchen to living space in an attached converted two (2) car garage to accommodate his mother-in-law. His mother-in-law keeps a kosher kitchen and the kitchen in the main house is not kosher. The exterior of the garage that faces the street will still look like garage doors to maintain the character of the neighborhood. He asked the Board to grant his request for a special use permit for the kitchen.

Mr. Leslie said the kitchen in the living space is the factor that makes the space an accessory apartment.

Chairman Leveille opened the public hearing to comments from the audience.

Fifi Fotiu, 524 Delaware Avenue asked if the house would now be classified as a two (2) family house. Mr. Leslie said it would not.

There were no further comments for the audience.

A motion to close the Public Hearing was offered by Mr. Smolinsky, seconded by Mr. Coffey and approved by all Board members present.

The Board reviewed the draft Special Use Permit SUP-08 prepared by staff.

A motion to approve Special Use Permit SUP-08 as drafted was offered by Mr. Smolinsky, seconded by Ms. McCarthy and approved by all Board members present.

REGULAR AGENDA

Callanan Industries

Chairman Leveille introduced the next item on the agenda. Callanan Industries initial presentation regarding 30 Speeder Road.

Dan Broomhall from Callanan Industries presented. The proposal is for the installation and operation of a diesel fuel tank for the purpose of fueling Callanan's existing fleet at 30 Speeder Road. Speeder Road is located off of Rt. 396 in the Selkirk Yards Industrial District, which is zoned Heavy Industrial. The property is leased by Callanan Industries from SP & E. A portion of the site will continue to be for the maintenance and storage of vehicles. The expansion will include the diesel fuel tank and secure fuel management system. The existing ten (10) bay garage is eighty-seven (87) x one hundred (100) feet and is at the center of the site. The site is constructed with a permeable crushed stone gravel base and has a single gated entrance on Speeder Road. The area that will be disturbed by the proposal is less than one (1) acre. There won't be any change in building or site elevations and the pad will be constructed to meet the existing grade. The movement of vehicles on the site will remain as shown on the proposed flow pattern. The fuel secure management system is used at other Callanan locations in the area with plans for seven (7) systems total. They were located in Schenectady, Pattersonville, out towards Syracuse, Bridgeville and Latham. Only people with keys will have access to the fuel system.

Mr. Smolinsky asked if there would be any increase to the truck traffic in and out of the site. Mr. Broomhall said no, it's the same fleet. Mr. Coffey asked how the fleet was currently fueled. Mr. Broomhall said there had recently been layoffs and trucks were not being fueled currently. If they were in service they would fuel in South Bethlehem at their old plant. A fuel tank on site would be more efficient. Mr. Coffey asked if there was a containment area under the tank area. Mr. Broomhall said it was a self contained unit.

Mr. Leslie said by having the fuel dispensing system on the site it would take the vehicles off the roads. The applicant is aware they need a permit from NYSDEC for petroleum bulk storage.

Mr. Behuniak asked if they needed an amendment to their insurance for the fuel station. Mr. Andy Stokes from Callanan Industries said they had a corporate environmental policy that covers all of their sites.

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. Powers, seconded by Mr. Smolinsky and approved by all Board members present.

Mystic Woods

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The next item on the agenda was a request from Dr. Andrejuk, the applicant had sent in a letter requesting an extension to time to file the final plat for Mystic Woods Subdivision. The project received Conditional Final Approval on August 19, 2008 and that approval is set to expire on February 15, 2009. The applicant and his representatives are still working on the conditions within the approval document. They anticipate completion of those conditions in the next few weeks. This extension is a precautionary measure in case they are not finished within the allotted time.

The Board, at its discretion, can grant two (2) ninety (90) day extensions per Section 103-15 (H) of the Subdivision Regulation to the Conditional Final Approval. They can be granted one at a time or consecutively.

A motion to grant the applicant a ninety (90) day extension to change the expiration date to May 16, 2009 for Mystic Woods Subdivision Conditional Final Approval was offered by Mr. Coffey, seconded by Mr. Behuniak and approved by all Board members present.

The Board reviewed the draft minutes of December 16, 2008 prepared by staff.

A motion to approve the minutes of December 16, 2008 as drafted was offered by Ms. McCarthy, seconded by Mr. Behuniak and with a vote of five (5) for and Chairman Leveille and Mr. Coffey abstaining the minutes were approved.

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

The meeting adjourned at 7:20 PM.