

**PLANNING BOARD
TOWN OF BETHLEHEM**

July 1, 2008

The Planning Board, Town of Bethlehem, Albany County, New York held a Regular Meeting, on July 1, 2008, 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
Nick Behuniak, Planning Board Member
Kathy McCarthy, Planning Board Member
Howard Engel, Planning Board Member
Christine Motta, Planning Board Member
John Smolinsky, Planning Board Member
Kate Powers, Planning Board Member

Jeff Lipnicky, Town Planner
Rob Leslie, Senior Planner
Terry Ritz, Assistant Town Engineer

David Ingalls
Sean Ahern
Jarrett Carroll

Agenda: Dowerskill Village Section 2B
Cottonwood Estates
Delmar Full Gospel Church
Dreamfield Estates

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

Dowerskill Village

This project was last before the Board on June 3, 2008.

Mr. Hite presented for the applicant. He stated the only changes to the map had been minor changes required by the Engineering Division.

The Board reviewed the draft Planning Board Recommendation on SEQR Determination of Significance, Negative Declaration prepared by staff.

A motion to approve the Planning Board Recommendation on SEQR Determination of Significance, Negative Declaration as drafted was offered by Mr. Smolinsky, seconded by Mr. Engel and approved by all Board members present.

The Board reviewed Draft #3 Building Project Approval Recommendation Dowerskill Village Section 2B prepared by staff.

A motion to approve the Building Project Approval Recommendation Dowerskill Village Section 2B as drafted was offered by Mr. Smolinsky, seconded by Ms. Powers and approved by all Board members present.

Cottonwood Estates

The project was last before the Board on May 20, 2008.

Mr. Ingalls presented for the applicant. A street tree planting plan was submitted per the Preliminary Plat Approval. They had worked with Mr. Morelli on the plan. The Board decided they wanted larger trees than proposed on the plan. The applicant agreed to the request.

The Board reviewed Conditional Approval of Final Plat, Cottonwood Lane Estates Subdivision, 237-CF, prepared by staff.

A motion to approve Conditional Approval of Final Plat, Cottonwood Lane Estates Subdivision, 237-CF, as drafted was offered by Mr. Engel, seconded by Ms. McCarthy and approved by all Board members present.

Delmar Full Gospel Church

The project was last before the Board on June 17, 2008.

There haven't been any changes to the plan since last being before the Board.

The Board reviewed by draft Site Plan approval SPA 144 prepared by staff.

A motion to approved Site Plan approval SPA 144 as drafted was offered by Mr. Behuniak, seconded by Mr. Engel and approved by all Board members present.

Dreamfield Estates

This project was referred from the Town Board for review and recommendation. The project proposes a Planned Development District with one hundred ninety-six (196) residential units. The project was last before the Board on October 15, 2002.

Mr. Address from ABD Engineers presented for the applicant. The project had been under contract but it was affected by the Town's residential moratorium. Since that time the economy has changed and the Comprehensive Plan was established calling for diversity in housing types. The plan now proposes a mix of single family homes, town homes in a variety of styles and larger single family homes. The town home units would have different architectural styles, appealing to a variety of age groups and economic levels. Most of the roads would be private; reducing the cost to the developer and the Town. The location of the Planned Development District was at the end of Jolley Road. The parcel is surrounded by deep ravines, making it impossible for another connection in any direction. In 2002, the applicant had worked with the highway department and decided on a boulevard entrance to the site. As they have progressed along with the project, the length of the road that would be Town maintained has been shortened. The median in the middle of the boulevard was determined to be difficult for road maintenance and plowing. The applicant revised the plan to a single road into the site. Mr. Address said local emergency services indicated they didn't have problem with the single road. He said that just past the cemetery, a network of roads would be privately owned. He said the only potential emergency access might be through the cemetery. The single point into the cemetery still had topography issues and possibly wetland issues. All the other areas around the site have ravines. There is an adjacent parcel with access to Glenmont Road but it has a major ravine through the property. Chairman Mathusa asked if a gravel road could be put in parallel to the Thruway for emergency access. Mr. Address said there were ravines that go right up to the edge of the Thruway. The distance from their site to Old Rt.9W was about one (1) mile, which is a long distance to put in a gravel road for one (1) project. Chairman Mathusa wanted to look at all the options for a second access to protect the people that would live in their development. Mr. Address said while they were developing the plans, the emergency people were involved and they knew how many people could potentially be living in the development. They did not raise the issue of access. The Board members all wanted the applicant to explore the issue of a second access point for emergency use.

Chairman Mathusa asked for a noise study to be done for the proposed homes along the Thruway. Mr. Andress said they were proposing a berm and additional plantings along the Thruway fence. A person needs to climb the fence to get to the Thruway. Mr. Andress said they would provide a noise study. The homes along the Thruway would be a different price point and those would be the smaller units. They would not be as desirable but no one would be forced to buy those units, so if they didn't sell, they wouldn't be built.

Mr. Wade Coton showed the Board the different styles of the town homes. He said the plans were still being developed. There would be front porches, sidewalks and paths connecting the units.

When asked, Mr. Ritz said the private roads are built to Town standards. They will look exactly the same as a Town road. The Town will not own or maintain the private roads. He said there isn't a written schedule of maintenance for private roads. Other Board members also had a concern with the potential noise level near the homes on the Thruway. Elimination of the units was mentioned. Mr. Andress said they have done subdivisions along the Northway and those homes sold, they've done subdivisions along the Thruway and those homes sold. It is a personal preference and it allows the builder different prices. He said usually noise walls are built along developments where the roads were built after the homes.

Mr. Andress said the private roads help keep down the costs for the developer. They can also place the sidewalks where they want instead of along the roads. Some would be along the roads but some paths would be through the project. There would be a connection to Jolley Road then to Glenmont Road. When asked, Mr. Andress said possibility of other developments along Jolly Road was considered when the traffic study was done. The intersection of Rt. 9W, Feura Bush and Glenmont Road was considered and the project will have some time delay impacts. The intersection was being studied through the Rt. 9W corridor and might be reconfigured within the next few years. Mr. Canelli said future growth was taken into account but not specific projects. Their study didn't show any significant impact on the intersection. Mr. Silliman said the traffic study should take into account any project that has been proposed in this area and under active consideration by the Planning Board. The other Board members agreed. Mr. Canelli said the intersection of Glenmont Road and Rt. 144 was not taken into consideration during the traffic study. They need to assume the traffic pattern would remain the same; anything else would be speculative.

The Board asked the applicant to find out if there was bus service in the area. Mr. Leslie said CDTA has specific criteria for setting up transit stops. He was not sure if the area met those criteria but he would have the applicant make inquiries.

Mr. Silliman asked if turn radiuses on the private roads were any concern for school buses. Mr. Ritz confirmed the radiuses were fine. Mr. Silliman asked if the people in the lower price homes would pay the same homeowners fees as the residents of the more expensive homes. Mr. Andress said the fees would be proportioned to the value of the home. There are specific rules from the Attorney General dealing with the formation of Homeowners Associations. He said this Association would have a lot of responsibilities and therefore be more active. They would have the power to levy fines. The developer would remain the owner of the unsold lots and would carry the proportioned responsibility of maintenance.

The possibility of an emergency access onto the Thruway was discussed but it was decided it was not feasible because the rest stop area was on the other side of the Thruway. The bridge abutment blocks site distance which is why the Thruway Department wanted the access tied to a rest stop.

The Board asked if the homes along the Thruway could be moved closer to Jolley Road with rear loading garages. Mr. Andress said that would eliminate any private space the homeowner would have to the rear of their property. The units would be right up to the road with a road behind them; the whole unit would be surrounded by pavement. It would reduce the amount of green area and reduce the area that could be used for buffering. Mr. Engel asked if the different price point units could be integrated instead of separating them into sections. He thought that a true neighborhood was a mix of housing types, sizes and prices. Mr. Andress said the lowest price point was separated from the other housing but the rest were somewhat mixed. Mr. Coton said the spread of prices was closer than the Board was imagining.

Some concerns of the Board members were the lack of a second entrance, the dislike of garages along the road, the amount of school age children and the effect on the school system. Mr. Andress said the square footage of the lower price units was smaller and he didn't think it would work for more than two (2) people. Some families with children would live in town homes but it would be less than a conventional subdivision. The ITE trip generation numbers supported that statement. The boulevard access road was brought up again and Mr. Ritz said from a Fire Department point of view, if there is a fire on the opposite side of the street from the fire hydrants, the road will be closed. The boulevard theory doesn't work. The highway Superintendent preferred a standard road without the median because it's easier to maintain and plow. The applicant would pursue getting a letter from local emergency services that the road design was sufficient for their needs.

Mr. Andress said that the entry-level town home's distance from the Thruway was about two hundred (200) feet from the pavement and about seventy (70) feet from the property line. They will be visible from the Thruway as are the existing homes in that area. Mr. Behuniak voiced a concern that structures placed along the Thruway would detract from the aesthetics of the community. A few Board members asked if the fumes from the Thruway were measured. Mr. Andress said he would find out if there were any readings that could be done. Mr. Leslie said the apartments on the corner of Jolley Road and Glenmont Road were about the same distance as the proposed townhomes. The Board mentioned the roads again and asked if there were written guarantees that they would be maintained. Mr. Andress said the roads would be constructed to Town standards. The guarantee would be the offering plan submitted to the Attorney General with associated fees for maintenance. It was asked if the Town would inspect the roads for compliance with maintenance. Mr. Silliman said they would need to explore which department, if any, had that authority. Mr. Ritz said Terramere had all private roads and they were maintained.

Ms. Motta asked about future steps in the future for SHPO. There was a mention that there might be an archeological site within the project. Mr. Andress said an archeological study would be done as part of the review.

Mr. Leslie wanted to give the applicant some guidance as to their next steps. The Board has requested a noise study, updated traffic study to reflect the Rt. 144/ Glenmont Road intersection and proposed projects in the area, exhaust all options for the secondary access and submit letters from the Selkirk Fire Department, the police department, and Bethlehem Ambulance Service stating they have reviewed the plans and don't have a problem with the access. Before the traffic study was revised, Mr. Silliman suggested the applicant submit a scope of the revisions. The applicant would find out if there was a bus stop in the area and they would do an archeological study.

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

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

The meeting adjourned at 8:45 PM.

Respectfully Submitted,

Nanci Moquin