

**PLANNING BOARD  
TOWN OF BETHLEHEM**

**May 1, 2007**

The Planning Board, Town of Bethlehem, Albany County, New York held a **Regular Meeting**, on May 1, 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  
Katherine McCarthy, Planning Board Member  
Daniel Odell, Planning Board Member  
Tom Cotrofeld, Planning Board Member  
Chris Motta, Planning Board Member  
Howard Engel, Planning Board Member  
John Smolinsky, Planning Board Member

Michael Morelli, Deputy Director of Economic Development & Planning  
Jeffrey Lipnicky, Town Planner  
Terry Ritz, Assistant Town Engineer

Gregg Ursprung, P.E.  
Bill Herbert  
Terresa Bakner, Esq.  
Dick Green, P.E.  
Peter Seidner  
Dave Ingalls  
Mark Dempf  
Ed Feinberg  
Rex Ruthman

Agenda: Vista Technology Campus  
Econolodge  
Cottonwood Lane Subdivision  
Van Dyke Spinney

Chairman Mathusa called the meeting to order and noted the presence of a quorum.

**Vista Technology Campus**

A letter was received by the Planning Board from the attorney for the applicant agreeing to an extension of the deadline from May 9, 2007 to May 22, 2007, for the Planning Board to make a recommendation to the Town Board on the master plan for the Vista Technology Park.

Mr. Morelli stated that staff felt the acceptance of the FEIS by the Town Board should come before the Planning Board makes their recommendation on the Master Plan. The tentative schedule has the Town

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Board accepting the FEIS at their meeting on May 9, 2007. The Planning Board would then be in a position to make a recommendation to the Town Board at the meeting on May 15, 2007. On the May 23, 2007 the Town Board could accept the recommendation and set a public hearing on the master plan. The time extension would enable this schedule to go forward.

A motion to notify the Town Board, by a letter from the Chairman, that the time extension from May 9, 2007 to May 23, 2007, has been mutually agreed upon between the applicant and the Planning Board was offered by Mr. Cotrofeld, seconded by Mr. Odell and approved by all Board members present.

Mr. Ursprung said the Planning Board had raised a concern with the percentage of primary versus secondary uses on the site. The Phase I of the project meets the 70% primary/30% secondary use criteria and the percentage at build out would be even better with roughly 88% primary use and 12% secondary use.

### **Econolodge**

The next item on the agenda was an update on the site plan for Econolodge on Route 9W in Glenmont. Mr. Green presented for the applicant. He stated that he had met with Mr. Ritz in the Engineering Division and had made the changes they had requested. A lighting plan has been submitted to the Town for their approval. Mr. Seidner, the architect said that the existing façade of the structure would be updated to match the new structure for continuity. The exterior would be a dryvit in varying shades and patterns. The stairways to the second level would be enclosed. Mr. Green said that the parking lot had been redesigned to comply with the Zoning Law and make travel through the parking lot easier. Emergency vehicles could also negotiate through the lot.

Mr. Lipnicky said the additional information the applicant needed to supply would not affect the SEQR Determination. He thought the Board could act on the SEQR and then the project would be sent to the Albany County Planning Board.

The Board reviewed the draft SEQR Resolution prepared by staff.

A motion to accept the SEQR Resolution, Classification of Action and Negative Declaration as drafted was offered by Mr. Odell, seconded by Ms. McCarthy and approved by all Board members present.

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

### **Cottonwood Estates Subdivision**

The next item on the agenda was a proposed seven (7) lot subdivision located in Selkirk at the end of Cottonwood Lane.

Mr. Ingalls presented for the applicant, Carmelo Crisafulli. The parcel is located at the intersection of Elm Ave., Elm Ave East and Cottonwood Lane. The existing Cottonwood Lane would be extended into a cul-de-sac. The parcel area is five point four acres (5.4) which includes the wetlands. The actual development would be on a little over four (4) acres. The wetlands were delineated in 2006 and the ACOE did a field walkover in November of 2006, verifying the delineation. The proposal is for seven

(7) lots ranging in size from 17,113 sq. ft. to 47,295 sq. ft. The water and sewer would be extended from Cottonwood Lane. The stormwater line at Cottonwood Lane and Elm Avenue would be extended to service the subdivision for runoff. The front yard runoff from the lots would drain forward and be collected in the storm sewer system. They have made contact with SHIPO and submitted the findings letter to the Town. They also contacted NYSDEC; it was determined that there are no threatened or endangered species on the site.

Chairman Mathusa asked about Lot # 10, with the amount of wetlands on the lot it appeared to be difficult to place a house on the lot. Mr. Ingalls said there were wetlands on the site but they would utilize the existing Nationwide Permits with the ACOE. They are calculating a little less than one tenth (1/10) of an acre in their disturbance. There were new regulations that came into effect in March of this year; now you need to report to the ACOE. They are proposing a twenty-five (25) to thirty (30) foot usable rear yard around the house before encountering wetlands. Some people prefer a smaller yard. The house envelope had been reduced to try to minimize the wetland impacts. The applicant would file a preconstruction notification with the ACOE and put them on notice of the proposal. They have a forty-five (45) day period to respond to the notification. The wetlands were throughout the parcel and were part of some of the lots. Mr. Cotrofeld wanted to know if there were ways to prohibit future homeowners from filling in the wetlands on their lots. Mr. Ingalls said that a few ways were fencing and showing the wetlands on the purchased survey. Mr. Silliman suggested deed restrictions. Mr. Ingalls said that was also a possibility.

Mr. Silliman wanted to know if the road and the land within the cul-de-sac would be deeded to the Town. Mr. Ingalls confirmed. Mr. Ritz said that the Town standards were changing requiring smaller right-of-ways; the approach would be smaller. This was being done to lessen the impact on the land and it's also less maintenance for the Town. Mr. Morelli said it would also be less runoff into the stormwater systems.

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

### **Van Dyke Spinney**

The next item on the agenda was an update on the proposed senior housing on Van Dyke Road. Mr. Dempf, from Stantec, presented for the applicant. The layout of the project had changed since the last time they were before the Board. The looping of the road system had been eliminated and cul-de-sacs were installed. This lessened the impact on the wetlands. The layout was also more pedestrian friendly. The applicant had been working with an architect to change the look of the structures to a more craftsman style. It was still a work in progress.

The land that was part of this parcel but on the opposite side of Van Dyke Road would be sold as single-family lots to keep in character of what was already there. They had developed a trail system through the site and were speaking with a nature conservancy about the land along the Phillipinkill. To make the trail accessible, they had incorporated two (2) parking lots. They were proposing a community center building on the site, with amenities such as a swimming pool and a community room. The second story would house four (4) apartments that could be used by the resident's families when visiting.

They would be disturbing about a half an acre of wetland, so they were working through the permitting

process and mitigation would be done. There is a house on the property that SHIPO has asked them to investigate further with a historical architect to look at the different aspects of the structure. It currently is being preserved and if it is deemed significant enough to save, it might be used as a caretaker's house.

At this time the community room did not have a retail space but the applicants are flexible. Services could be a part of the community space in the future such as a beauty salon.

The main access for the site would be on Van Dyke road, west of the Delmar bypass. They estimate that the traffic impact would be low. The other item that is under review with the engineering department is how the intersection with Meads Lane would be handled to make it a more viable access point. Considering a new school will be built on Van Dyke Road, to have access from both sides of the site would be helpful.

Mr. Odell noted that he liked the new architectural design and the layout of the site. He said that his prior concerns were answered. Mr. Smolinsky asked if the single-family lots would be part of the senior complex. Mr. Dempf said they would be separate lots and sold as such. Mr. Cotrofeld also liked the new design. Mr. Dempf said the community facility would be similar to Adams Station. He said that some of the units would have carports instead of garages. There would be additional parking areas on the site.

Chairman Mathusa asked for the range of rents for the site. Mr. Ruthman said that they were still working towards a dollar to a dollar and a quarter per square foot. They had expanded the diversity of choices within the complex to include one (1) bedroom, without a garage up to a two (2) story unit with a garage. This is being designed for active seniors. They are working with the architect to come up with plans that can be manufactured at an affordable price and maintain the design elements.

Mr. Engel said the architectural design had a unique quality. Mr. Ruthman said the architect had come up with different treatments of each of the units, including more intense colors on the facades. There would also be differences in the rooflines between the units.

Mr. Lipnicky asked about the treatment of the rear of the units. A number of the units would have their backs to Van Dyke Road. He wanted to know if the rears would have the same variations as the fronts. Mr. Ruthman said that the rears would also be varied that would not look like the backs of houses.

Mr. Morelli said the next steps in the project would be the Planning Board recommending to the Town Board that they rezone the parcel a Planned Development District. The Town Board would then accept that recommendation and hold a public hearing. The Town Board could then make a decision on the rezoning. The individual projects would then come back to the Planning Board for approvals. There would be separate approvals for the Planned Development District and the subdivision for the single-family homes but one (1) SEQR.

Mr. Dan Driscoll, who is involved with the Mohawk-Hudson Land Conservancy, said that the applicant had contacted the conservancy and proposed the idea of having a land set aside. The property meets a number of the criteria the conservancy would look at prior to acceptance. It provides a buffer for the Phillipinkill and water quality protection. Another interest is in public recreation; they have a preserve just north of this site that is adjacent to the Mansions of Delmar. It has become very popular. This could be another piece of a larger greenway.

Prior to the Planning Board's recommendation, the applicant needed to continue to work with the Engineering Division on the Meads Lane intersection. The Board was generally satisfied with the concept and the applicant would continue to expand the plans.

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

The Board reviewed the draft minutes of April 17, 2007.

A motion to accept the minutes as amended was offered by Mr. Odell, seconded by Mr. Cotrofeld and approved by all Board members present.

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

The meeting adjourned at 8:45 PM.