

1 PLANNING BOARD

2 TOWN OF BETHLEHEM, NEW YORK

3 -----

4 RE: KENDALL SQUARE

5 -----

6 STENOGRAPHIC MINUTES OF PUBLIC HEARING conducted
7 in the above-entitled matter on the 11th day of May,
8 2010, at the Bethlehem Town Hall, 445 Delaware Avenue,
9 Delmar, New York, commencing at 6:03 p.m.

10 BOARD MEMBERS:

11 GEORGE LEVEILLE, CHAIR
12 JOHN SMOLINSKY
13 CHRISTINE MOTTA
14 KEITH SILLIMAN
15 KATE POWERS
16 STEPHEN RICE
17 THOMAS COFFEY

18 ALSO PRESENT: MICHAEL MORELLI
19 ROBERT LESLIE
20 FRANCIS J. BOSSOLINI, PE
21 LEE ROSEN
22
23
24

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P R O C E E D I N G S

1
2 CHAIRMAN LEVEILLE: Good evening, everybody.
3 I'd like to welcome everybody to the public
4 hearing of the Town of Bethlehem Planning Board.
5 This is a non-mandatory public hearing. It's not
6 required for the application. The subject of the
7 application is Kendall Square, which is a proposed
8 site plan review the Planning Board is conducting
9 at the corner of Feura Bush Road and Elsmere
10 Avenue.

11 What we are going to do this evening is
12 basically provide some background information;
13 that the Planning Board thought in setting this
14 public hearing, that it was based on as much
15 interaction as we've had with many of you about
16 this project and others, to go back and take a
17 look at some of the context that this application
18 came from and the Comprehensive Plan.

19 Town staff is going to present a conceptual
20 transportation map that shows different projects
21 that they've been working on for long-term relief
22 to traffic and congestion in this area. The
23 developer then will make a very brief update.
24 Those of you who may have attended last Tuesday's

1 Planning Board meeting saw this update, but for
2 the benefit of all of you who are here, the
3 developer will make a very brief update of the
4 project as it currently stands. Then, we'll
5 invite comments from you. We'll ask you to come
6 up to the microphone and identify yourself.

7 Basically, to kick off the meeting, I'd like
8 to just ask the members of the Planning Board to
9 open the public hearing.

10 Can I get a motion to open the public
11 hearing?

12 MR. SMOLINSKY: So moved.

13 CHAIRMAN LEVEILLE: Second?

14 MS. MOTTA: Second.

15 CHAIRMAN LEVEILLE: All in favor?

16 (Affirmative responses.)

17 CHAIRMAN LEVEILLE: Thank you. The public
18 hearing is open. I'd like to forgo the reading of
19 the public notice and append the notice into the
20 meeting record.

21 Can I have a motion to do so?

22 MS. POWERS: So moved.

23 CHAIRMAN LEVEILLE: Is there a second?

24 MR. RICE: Second.

1 CHAIRMAN LEVEILLE: All in favor?

2 (Affirmative responses.)

3 CHAIRMAN LEVEILLE: Thank you. Motion
4 carries.

5 So we will begin first off tonight with John
6 Smolinsky, a member of the Planning Board who
7 also served as a member of the Bethlehem Planning
8 Advisory Committee that oversaw the development of
9 the Comprehensive Plan and the zoning amendments.
10 John is going to provide a very brief overview of
11 hamlets in the Comprehensive Plan. If the need
12 occurs and there's an interest in some questions,
13 we may be able to entertain a few questions on
14 some of those comments, but we want to try to get
15 through this relatively quickly. So if you would
16 like to ask a question or make a comment, just
17 raise your hand and I'll try to acknowledge you.

18 I'm going to ask John to go ahead and make a
19 few remarks.

20 MR. SMOLINSKY: Thanks, George, and good
21 evening to everyone. I feel a little bit like a
22 historian here being asked to summarize the
23 Encyclopedia Britannica, but I'll try.

24 I want to start with talking about pre-2004.

1 The Town had no Comp Plan, had a blue-met
2 (phonetic) plan that was never completed and a
3 zoning code that was not very up-to-date. There
4 certainly has been a lot of citizen involvement
5 from groups like Bethlehem Citizens For
6 Responsible Planning and, more recent to that
7 time, Bethlehem Tomorrow that were urging the Town
8 to undertake better planning and develop a revised
9 planning process.

10 In 2004, the Town Board created the Bethlehem
11 Planning Advisory Committee consisting of 11
12 citizens and town officials. And I don't want to
13 bore you with statistics, but I'm going to mention
14 a few, because I think they're important when we
15 think about public involvement and what went into
16 development of the Comp Plan and, later, the
17 Zoning Code.

18 There were twelve town workshops, fourteen
19 public BPAC meetings, two formal surveys to
20 collect your opinions, and my recollection is
21 those surveys had incredibly high response rates.

22 There was a town-wide meeting. There was a
23 meeting with just youth, mainly high school kids,
24 to kind of pick their brains about Comp Plan

1 issues. There were two public meetings to deal
2 with drafts of the Comp Plan. And then there were
3 two public hearings to hear your comments on the
4 final plan. That's a substantial amount of public
5 involvement over, I think, a 15- or 18-month
6 period. There were also subsequent meetings and
7 hearings relative to the Zoning Code.

8 In 2005, the Comp Plan was adopted and work
9 was already underway on revising the Town Code to
10 make it consistent with the Comp Plan.

11 Some of the Comp Plan principles -- and it's
12 important to think about the principles that BPAC
13 went into their work with. What were the things
14 that were guiding us? Adaptability. Everyone
15 knows or can understand that a plan is not a
16 one-time snapshot of where we need to go. It
17 needs to be flexible, malleable and react to the
18 times and changes that might occur in town.

19 Diversity. Diversity covers a lot of things,
20 including the population and including the outside
21 factors that affect the town.

22 Environmental sustainability. One of the
23 things we heard from everyone in the surveys was
24 the importance of the quality of life in our town.

1 Well, certainly, our environment is a big part of
2 that quality of life.

3 Inter-municipal cooperation. There are more
4 entities in this town, more municipal entities,
5 than just town government. There are all of our
6 fire companies, there's a library, there's
7 schools, each separate municipal entities, and
8 cooperation among them was an important factor in
9 thinking about the Comp Plan.

10 Community partnerships. You know,
11 volunteerism is incredibly high in our town, I
12 think, and a lot of the actions that we were
13 considering in the Comp Plan -- not a lot, but
14 many actions really involve cooperative efforts
15 with volunteer groups and nonprofit groups.

16 And, lastly, and very importantly, is respect
17 for private property.

18 Now, given those principles, the Comp Plan
19 had several goals. And I should have prefaced
20 this whole talk with this comment; that the Comp
21 Plan really is nearly encyclopedic and I didn't
22 want to take up too many minutes talking about
23 things that aren't relevant to the project that
24 we're here to talk about tonight.

1 So when I talk about Comp Plan goals, I
2 really picked those goals that are relevant to
3 this kind of project or this kind of zoning.
4 Believe me, there are many others.

5 So some of the goals: Encourage compact,
6 mixed use and residential development in
7 neighborhoods identified as hamlet districts or
8 hamlet zones. They need to have appropriate
9 scale, design and character that fit in with the
10 areas surrounding it.

11 Another goal was to achieve a balanced tax
12 base. Our tax base heavily consists of
13 single-family residential development and, just in
14 a nutshell, that doesn't always pay for itself.

15 Another goal is to provide opportunities for
16 development of a variety of housing to meet the
17 needs of an increasingly diverse population; an
18 aging population, children coming back wanting to
19 live in the community they grew up in and trying
20 to make or create a housing situation that has
21 enough of a mix that can satisfy those diverse
22 needs.

23 Another goal was to provide guidelines and
24 standards to ensure new housing integrates with

1 existing neighborhoods; also, to maintain and
2 improve walkability in hamlet areas.

3 And the Comp Plan ultimately recommended
4 creation of hamlet zones and, perhaps, different
5 kinds of hamlet zones to deal with different
6 circumstances.

7 After the Comp Plan -- or while the Comp Plan
8 was adopted, the town staff and consultants were
9 already at work developing a revised Zoning Code.
10 The zoning and subdivision codes are really the
11 implementation tools for the Comp Plan.

12 I should say a Comp Plan guides all Town
13 decisions, but in this instance, we want to talk
14 about the Zoning Code specifically.

15 I'll back up one half a step here. The Comp
16 Plan did identify several hamlet areas and this
17 particular area that we're interested in tonight
18 was not one of those identified in the Comp Plan.
19 I think some of you have pointed that out to us.
20 However, as we develop the revised Zoning Code,
21 there were other hamlet areas that were then
22 included in the discussion and in all of the
23 public information that went out to be commented
24 on and considered in the final code.

1 The Zoning Code created three hamlet zoning
2 districts: Hamlet, which is what we're talking
3 about tonight; commercial hamlet, which would be
4 more along the lines of Delaware Avenue where
5 there's primarily commercial development; and
6 rural hamlet, which is a less intense -- I can't
7 remember the distinction but a less intense
8 version of a hamlet.

9 The Zoning Code also specifies all the uses
10 that are allowed in each district, the minimum lot
11 sizes, setbacks, heights, all the details of the
12 hamlet district.

13 The Zoning Code also created a zoning map,
14 which of course, the zoning map did include all of
15 the hamlets or all of the hamlet districts,
16 including this one that we're now dealing with.

17 Lastly, I'll mention that the Zoning Code
18 provides guidelines for each of the districts that
19 are identified. And in this case, I'm going to
20 paraphrase the guidelines that are applicable to
21 the hamlet district and I also am not going to
22 talk about the ones that, although there are
23 guidelines for hamlets, they're not really
24 pertinent to this particular area. They have more

1 to do with existing hamlets and existing
2 buildings.

3 So the guidelines: Encourages sidewalks,
4 encourages multiuse, multistory buildings,
5 encourages multifamily units at the boundaries of
6 the site; new construction should be compatible
7 with the general character of the area; small
8 landscaped front yards are encouraged; development
9 of parks, commons, landscaping and other
10 pedestrian amenities are encouraged; trees,
11 hedgerows and existing features should be retained
12 if they exist on the site; blank windowless
13 facades should be avoided; underground utilities
14 required, and primary entrances should be oriented
15 to the lot frontage.

16 And as I said, there are other requirements
17 that I took the liberty of deciding they weren't
18 pertinent here. And in a nutshell, that's where
19 we get to.

20 CHAIRMAN LEVEILLE: Thank you, John.

21 Are there any questions on anything that John
22 just mentioned?

23 (Affirmative response.)

24 CHAIRMAN LEVEILLE: Yes, ma'am. Could you

1 identify yourself, please?

2 MS. VINING: My name is Kim Vining. I live
3 in the Dowerskill area so I came to hear
4 basically your definition of a hamlet. And I
5 notice that one thing you mentioned was retaining
6 the trees and kind of making a parklike setting,
7 at least in a portion of the hamlet. I guess I
8 just wanted to put in the Town's eyes and ears the
9 idea that if you go forward with the current plan
10 for the Dowerskill area, you're taking away a
11 significant amount of trees and greenery which
12 kind of goes against what you just stated was part
13 of the plan. Thank you.

14 CHAIRMAN LEVEILLE: Thank you, ma'am.
15 Would anybody else like to comment on that
16 presentation?

17 (No affirmative response.)

18 CHAIRMAN LEVEILLE: Okay. John, thank you
19 very much for that condensing.

20 So what the Planning Board really has been
21 charged with -- we talk about hamlets. Hamlets
22 are places we think of that have evolved over time
23 and have a certain characteristic to them.

24 In the Comp Plan, the community spoke about

1 creating more hamlet-like areas and was specific
2 in some cases and was not specific in other cases.
3 The end result for us is that a hamlet zoning
4 district was created in Town Law, Town Code.

5 So what the Planning Board is working on is a
6 zoning district called hamlet, just like there's a
7 residence A, residence B. Well, we're dealing
8 with a hamlet district and our responsibility
9 relates to improving the plans for development
10 within a hamlet district. That's what this
11 application is.

12 We're conducting what's known as a site plan
13 review, technical review of the plan. We have
14 guidelines in our code. We have criteria that we
15 consider to try to make sure that the project best
16 achieves what was intended with the hamlet zoning
17 district.

18 So a lot of conversation, we talk about
19 hamlets being places that evolve and then we have
20 a hamlet zoning district, which is really the
21 subject of our discussion. They're two different
22 things. We have to work within the purview of
23 what the Town Law provides, which is the hamlet
24 zoning district.

1 So this project is in a hamlet zoning
2 district and we're reviewing the site plan. In
3 many of the conversations we've had to date,
4 public comment at our Planning Board meetings,
5 residents have expressed concerns about conditions
6 in the project area. Town staff has been working
7 on a lot of things that maybe folks don't know
8 about, and we thought this would be a good
9 opportunity to share with you some of the planning
10 that the Town's been working on for several years
11 to try to alleviate growth-related issues in this
12 general area.

13 So I'm going to ask Mike Morelli, if you
14 would, to introduce this and provide a brief
15 overview of what we're calling the Glenmont Area
16 Conceptual Transportation Map.

17 At the end of this, again, we can entertain
18 some questions if there are any.

19 MR. MORELLI: If you want to move up forward
20 to better see this, you're more than welcome. We
21 also have a map over here, a paper map of this up
22 on the screen. Again, my name is Mike Morelli.
23 I'm the director of economic development and
24 planning.

1 As John had mentioned, when the Town did the
2 Comprehensive Plan, one of the things we
3 recognized, you know, we are by and large a
4 suburban community. And for the better part of 50
5 years, we have primarily built residential
6 subdivisions, residential single-family homes that
7 are a predominant land use in the town.

8 Again, as John indicated, we began to
9 recognize that we need more of a balanced tax
10 base. You can't really just live on single-family
11 homes being built in your community. A lot of
12 people during the Comprehensive Plan indicated
13 that Bethlehem's a great place to raise a family
14 but not such a good place to grow old in, to age
15 in.

16 So let me just try to orient you to where we
17 are right now, and I apologize if you cannot read
18 this. We'll be happy to share this on the paper
19 copy at the end of this meeting.

20 Kendall Square is right here at this
21 location. This is Feura Bush Road. Down to 32 on
22 the left-hand side, 9W on the right-hand side.
23 There's the Delmar Bypass Extension. Walden
24 Fields is at this location. Colonial Acres is

1 here. (Indicating)

2 In the last 20, 25 years, approximately 1,800
3 housing units have been built south of 32, about a
4 half mile south of Feura Bush Road; about 1,800
5 housing units, primarily single-family homes and
6 primarily single-family detached homes.

7 During this last quarter of a century of
8 development, there has been absolutely no
9 neighborhood commercial services that has been
10 built to complement those homes. So everybody who
11 lives in this Glenmont area, including myself,
12 when you need services, you are forced really to
13 get in your car and drive out either to Delaware
14 Avenue or out to 9W.

15 Some of the things that the Town is working
16 on -- and I'm gonna apologize again, because I
17 think it's probably very difficult for you in the
18 back of the room to see this. But, again, Kendall
19 Square being here, this is a town road that would
20 be built as part of the project. The idea is that
21 this road could extend over to land now owned by
22 Jacovic. This is Wemple Road here. It's a
23 signalized intersection. So you could have a
24 signalized intersection that runs behind Hewitts

1 and queues up with Wemple Road.

2 Another idea, and we're gonna approach this
3 with New York State DOT: Could this road be
4 extended out to 32 for a right out and right in
5 only so you could bypass this portion altogether?

6 And I'm not suggesting that it's being
7 proposed. I'm just suggesting to you that it is
8 on an approved subdivision map; that even Colonial
9 Acres has some dead-end streets, the idea was
10 that they could eventually connect to another
11 neighborhood. It could be vehicular. It could be
12 pedestrian, bicycle path, whatever. But they were
13 built -- in fact, the applicant, Lee Rosen's
14 father built Colonial Acres. I think he was
15 thinking "Some day, my son may want to build a
16 project in this area. I should probably try
17 to --" we're not suggesting that they would
18 connect, but the potential exists.

19 Now, there actually has been some actual
20 development that has occurred. Here is Milltowne
21 Plaza on the bottom of the plan here, Wemple Road.
22 Kimmey Drive. This dark white section of Kimmey
23 Drive has been built. The plan is eventual
24 east-west connection, similar to Feura Bush Road,

1 that would lead all the way out to Elm Avenue.

2 Again, this portion of Kimmey Drive has been
3 built. This portion of Kimmey Drive has been
4 built. (Indicating)

5 The owner of this property here has been in
6 conceptually; it's not formally submitted, any
7 application, but realizes that if he were to ever
8 proceed with a development proposal, that the Town
9 would require this road or some similar
10 configuration to be built. Again, that would be a
11 similar east-west connection similar to the Feura
12 Bush Road.

13 Where the proposed hamlet is being proposed
14 by Lee Rosen, it's 1.3 miles to 9W, 1.2 miles to
15 Route 32. And, again, there is really -- other
16 than going out to Delaware Avenue or out to Route
17 9W, there are no neighborhood commercial services.

18 And by that, I mean that we are not looking
19 to bring a Walmarts or a Home Depot or any big box
20 retailer onto Feura Bush Road. Really, what's
21 being proposed are small neighborhood scale 5,000
22 square foot or smaller footprints, because the
23 hamlet zone only allows a footprint of 5,000
24 square feet.

1 To kind of put that in perspective, the new
2 CVS at the corner of Delaware and Elsmere is about
3 16,000 square feet. We're talking about 5,000
4 square feet here. (Indicating)

5 But, again, after this meeting, if you want
6 to come up and take a closer look at this, you
7 will see that over the years, the subdivisions
8 that have been approved in the Glenmont area,
9 there's a lot of little dead-end stub streets, not
10 all of them. Some of them are actual cul-de-sacs
11 and won't be expanded. But there are a number of
12 dead-end streets that were built in this entire
13 area, the idea being that they could eventually
14 connect to other neighborhoods.

15 And that is the goal of the Comprehensive
16 Plan, that you don't live in this development and
17 friends live in another development and mom and
18 dad are driving every time you want to go visit
19 friends. The idea is interconnected neighborhoods
20 that doesn't always have to be by automobile, that
21 can be by bike or on foot.

22 Some of the other things the Town is working
23 on: We recently applied for a grant through the
24 Capital District Transportation Committee,

1 \$3.2 million improvement for Feura Bush Road from
2 essentially 9W all the way out to Elm Avenue. And
3 the application calls for sidewalks and expanded
4 shoulder on both sides of the road for bicyclists.
5 And, again, the idea would be that people who live
6 in the Glenmont area would feel comfortable saying
7 that they would let their kids ride their bikes to
8 the town park or up to the baseball fields.

9 I think most adults are likely to use Feura
10 Bush Road. If you're one of the joggers or bikers
11 on Feura Bush Road, I tip my hat to you. It's not
12 the most conducive -- it moves traffic okay,
13 vehicular traffic, but there are other
14 stakeholders and those other stakeholders are
15 children on bicycles, pedestrians, seniors who
16 want to take a walk. Glenmont at this point has a
17 long ways to go to become what we would call
18 pedestrian-friendly or multimodal-friendly
19 neighborhood.

20 The grant application was submitted in
21 November of this past year. We made the first
22 round of cuts and we have not yet been awarded the
23 grant. If we are awarded the grant, the Town
24 would have to pay for 20 percent of it and CDTC

1 would pay 80 percent.

2 Let me just point out one more thing that we
3 have here. Again, we're back at Feura Bush and
4 Elsmere Avenue. There's a little stub of Elsmere
5 called Elsmere Avenue Extension. The idea would
6 be to connect that road in a southerly --
7 north-south direction that would tie into that
8 Kimmey Road that we spoke about earlier.

9 The Planning Board just approved a
10 subdivision in this red area for about an
11 eight-lot subdivision where that road was designed
12 to be a piece of the puzzle. Again, we're talking
13 private property and we're talking about willing
14 landowners, willing landowners who say "We'd like
15 to develop our property within the confines of the
16 Code."

17 We would work with them and say, "Okay. We
18 have a master plan of sorts that you would be a
19 part of that puzzle and we would expect that you
20 would design your project to meet these criteria."

21 And, again, I don't want to concern anybody
22 unnecessarily. You know, showing up at Colonial
23 Acres here, a couple of stub streets being
24 extended, it could either extend towards the

1 Jacovic property to the west or actually over to
2 Bender Lane. We actually have a town right-of-way
3 over there and utilities in the ground. I'm not
4 suggesting that's gonna happen. I'm just saying
5 that on paper, it could, it has a potential to
6 happen.

7 And, again, I know there's been a lot of
8 concern about the intersection particularly at
9 Feura Bush and Elsmere Avenue and there's no
10 question about it that -- and, again, it's a state
11 route, actually. We call it Feura Bush Road.
12 It's actually New York State Route 910A, as is
13 Elsmere Avenue. Elsmere Avenue is also a state
14 route. It's a signalized intersection as you
15 know. The a.m. and the p.m., particularly the
16 p.m. peak hours or rush hour -- I'm not sure why
17 we call it rush hour when everybody's kind of
18 stopped in traffic. It's one of those oxymorons,
19 but there is some buildup of traffic. There's no
20 question about it. It's for a very short period
21 of time. That intersection works for most of the
22 time at a very good level of service. It's
23 typically the p.m. peak that has some delays, and
24 significant delays at times.

1 The New York State DOT, Department of
2 Transportation, has reviewed the traffic analysis
3 that Lee Rosen's engineer has submitted. It went
4 through a couple different revisions and reviews.
5 New York State DOT is satisfied with this
6 proposal. They are requesting that the applicant
7 provide the deed to New York State DOT some
8 additional right-of-way along both the whole
9 length of Feura Bush Road and Elsmere Avenue for
10 future improvements, maybe a turning lane or
11 whatever, should the need be required in the
12 future.

13 There is a way that we probably could
14 alleviate that traffic buildup, I don't think
15 most people would be receptive to the idea, and
16 that would be to make this section of Elsmere
17 Avenue between Feura Bush and the bypass four
18 lanes, but that would involve cutting into the
19 berm, removal of landscaping, maybe remove those
20 sidewalks and whatever.

21 The goal really of the Town, we talk about
22 being a pedestrian-friendly town or multimodal,
23 yes, we gotta accommodate the automobile person
24 behind the steering wheel and I think we do a

1 pretty good job of that. Where I think we've
2 fallen a little bit short, or sometimes a lot
3 short, is providing for those people on bikes,
4 those people who choose to walk. Again, the
5 hamlet plan has sidewalks and the goal for Feura
6 Bush and other things I described is we are trying
7 to make it much more multimodal-friendly.

8 I'd be happy to answer any questions if you
9 have any.

10 MS. CHEESEMAN: Anne Cheeseman. I live on
11 Walden Fields Drive. This is the first I've ever
12 heard anybody say four lanes for Elsmere Avenue
13 and cutting into our side. If you're thinking
14 four lanes, before you let them build something 30
15 feet in or 20 feet in or 10 feet in from the
16 corner, put a berm on that side, too. I mean, it
17 shouldn't cut into our residential side of the
18 street only. I mean, you have nothing but grass
19 on that one side right now. If you're thinking
20 that way, you should restrict the building to
21 accommodate at least half of that additional two
22 lanes.

23 CHAIRMAN LEVEILLE: Thank you.

24 Anybody else?

1 MR. ZICK: First off, I've lived in Colonial
2 Acres for about 50 years, a hundred years,
3 something like that. Rosen built that house. It
4 hasn't collapsed yet, so we're in good shape. I
5 compliment you for considering the traffic that
6 you do see, but we've had as much as 13, 15, 25,
7 30 cars back up that intersection. I said this
8 the last time I was here, something's gotta be
9 done about that intersection.

10 The second thing is you got people walking
11 down Feura Bush Road towards the Glenmont shopping
12 center, which is maybe exercise, sometimes they're
13 carrying bags, they're going shopping. I've
14 almost run into a couple of them. I'll hold you
15 responsible if I hit one of them. Okay?

16 CHAIRMAN LEVEILLE: Could you identify
17 yourself for the record, please?

18 MR. ZICK: Bob Zick, ex-mayor of Colonial
19 Acres.

20 Anyway, I really am serious about the fact
21 that there needs to be some consideration of
22 traffic and also walking to the Glenmont market
23 center. You're doing a great job and appreciate
24 your comments.

1 CHAIRMAN LEVEILLE: Thank you, Mr. Zick. I
2 think one of the points that we constantly run
3 into is we have competing interests between
4 automobiles and feet. On one hand, we want to be
5 pedestrian-friendly, but on the other hand, we
6 want traffic to move more efficiently. It's very
7 hard to find common ground with those two things
8 and that's one of the challenges we're faced with.

9 I think what Mike was trying to illustrate
10 here, I know many of you have probably seen the
11 peel-off town maps. Everybody seen those maps
12 where you peel off a page? Well, if you look on
13 there, in this area, you'll see dotted lines.
14 Those dotted lines are those roads that Mike was
15 referring to.

16 The Planning Board, I think, for probably 25
17 years, 20 years or so, the Planning Board has
18 considered Kimmey as a real road that it was
19 trying to build piece by piece as development
20 occurred. The Comp Plan also suggested that the
21 Town adopt an official map and it may be time to
22 consider an official map that actually gets these
23 roads, puts them on a map so that property owners
24 and others know that sooner or later, these roads

1 will, in fact, be built.

2 Obviously, today, resources are hard to come
3 by. If you think about finding money for major
4 overhaul of roads like Feura Bush Road in this
5 climate, it's probably not very realistic. So we
6 obviously have to look to the development process
7 to help pay for these improvements and we have to
8 be sure that these are improvements that the
9 community wants.

10 So what Mike was trying to illustrate is that
11 the Town on an ongoing basis is trying to find
12 ways long term to improve both pedestrian safety
13 and vehicular movement in this corridor. So I
14 want to thank you for that presentation, Mike.

15 Okay. We're gonna now move to Kendall
16 Square. The developer will make a very brief
17 presentation. Then, we're gonna go to testimony.
18 When we get to the public hearing, it'll be us
19 listening to you. Okay? It's a chance to raise
20 questions, express viewpoints. We're not gonna
21 debate you or get into an interaction with you.
22 We're gonna take notes. The meeting's being
23 recorded and we'll be sure to respond to all of
24 the comments you make as we continue our review of

1 this application.

2 So let me turn it over to Lee Rosen and
3 Francis Bossolini.

4 MR. BOSSOLINI: Francis Bossolini with
5 Ingalls & Associates. We're representing Mr.
6 Rosen. I'm just gonna give a brief summary or
7 synopsis of where we've been, where we are, a
8 little bit of information about the project.

9 As everyone knows, the parcel under
10 consideration for site plan approval is on the
11 northeast corner of Feura Bush and Elsmere Ave.
12 On our map, north is to the left. So Elsmere
13 Avenue, Feura Bush Road, Walden Fields here.

14 (Indicating)

15 What the applicant is proposing is
16 development under the -- compliant with the town's
17 hamlet zoning district of which this is part of
18 and we are proposing 110 residential units of the
19 multifamily style and 20,000 to 40,000 square feet
20 of commercial located on the corner of the
21 project.

22 Part of the project will include the
23 construction of a town road, as Mike had talked
24 about, going through to the corner to this lot

1 behind the Hewitts. That will be one of the
2 connections that the town staff has been looking
3 at.

4 Also, the project will connect into the
5 municipal water and sewer infrastructure at the
6 expense of the developer, will connect to sanitary
7 sewer here and here, and then the water line
8 exists along the road frontages. And whatever
9 improvements need to be made within the project
10 will be part of the developer's costs.

11 We are incorporating several design features,
12 some park areas here in the rear of the commercial
13 area, the commons area, village green type of
14 setting where it could remain just a village green
15 or it's an opportunity to have a farmers market or
16 other kind of neighborhood gathering.

17 We've also incorporated sidewalks along the
18 frontage of both Elsmere Avenue and Feura Bush.
19 We'll have some augmentation of the existing
20 sidewalk that's been recently installed by the
21 Town on the Feura Bush Road side.

22 Within the project, sidewalk along the town
23 road and then various sidewalk with some
24 destinations to the open space wetland areas that

1 we're preserving within the site.

2 Because a lot of this site is Army Corps
3 regulated wetlands, all these dark green areas,
4 obviously, we're required to maintain those in
5 their existing condition. We have applied and
6 received authorization from the Corps for some
7 small crossings here, but the remainder of those
8 will all be undeveloped, which that and the other
9 green space -- green area in the property leads us
10 to about 60 percent, 65 percent green space,
11 non-impervious ground cover.

12 As I said, we have some destination walking
13 paths here so that people can go here and observe
14 the wildlife that is in those wetland areas and
15 will continue to be as they're going to be
16 non-disturbed when the project's done.

17 From a SEQRA standpoint, environmental
18 review, the project is what's considered a Type I
19 action because it's in the ag district. We have
20 filled out and submitted a long environmental
21 assessment form which summarizes the project
22 information. The Board will use that in their
23 consideration of the environmental determination.

24 To supplement that form, that's the standard

1 New York State form, we have submitted several
2 studies, including a traffic study, which has been
3 reviewed and accepted by the Town and the DOT.
4 We've done the appropriate wildlife, threatened
5 endangered species query and review, site
6 investigation. There's been a wetlands overview
7 and a permit authorization approved by the Army
8 Corps and a cultural resource evaluation,
9 basically, an archeological study for the site.
10 All those studies have been completed and the Town
11 has the appropriate paperwork.

12 As I said, wetlands through the middle of the
13 site, we've been granted authorization under the
14 nature wide permit from the Army Corps. We have
15 prepared a Stormwater Pollution Plan, which
16 includes our drainage design for the altered areas
17 of the site.

18 This site, for the most part, drains to the
19 southeast. There's a culvert under Feura Bush
20 Road here, which is the rationale for our primary
21 stormwater detention areas being located here.
22 Also, we have a wetland mitigation area that we
23 were required by the Army Corps to construct.

24 As a result of this stormwater design, the

1 runoff rates and volumes have to be consistent
2 with what runs off the property now. That's both
3 a DEC regulation and the Town stormwater law.

4 As far as traffic, we have done a fairly
5 extensive survey review of the conditions in the
6 area. This is the bad actor/intersection that
7 everybody's concerned about and we have compiled
8 what I believe is an accurate assessment of the
9 existing conditions. It does back up in the
10 evening peak, particularly on this southbound
11 approach. The cars will back up.

12 We have prepared as part of the study an
13 estimation of the trip generation. That's done
14 with standardized accepted trip generation rates
15 for the different uses. We compiled the different
16 uses on the site, add those up and that gives us
17 an estimated trip generation number.

18 So on this site, we have the residential
19 component and the commercial components, all of
20 which have their own trip generation factors. The
21 DOT reviews those trip generations to make sure
22 that we're consistent with what we're saying we're
23 doing. They have approved those. Then, we apply
24 those new trips to the existing network.

1 One of the things about the site design and
2 the location of this project, we have an entrance
3 here opposite the Walden Fields Drive and another
4 primary entrance here on Feura Bush Road and a
5 small right in and right out entrance here to get
6 access to this block.

7 The majority of the trips generated by this
8 project do not pass through this intersection. If
9 you are a resident here and you live or work in
10 downtown Albany, your path will be out and up
11 Elsmere Avenue, not into the bypass; or if you're
12 going to Glenmont, same thing, you'll come here
13 and go east on Feura Bush Road. If you're coming
14 from those destinations, similarly, you'll be able
15 to enter the project without going through the
16 intersection.

17 The other factor to consider from a practical
18 standpoint, although we did not take credit for it
19 in our analysis, is that a lot of the people, a
20 lot of the trip generations through the commercial
21 portion of this, we believe, will be from traffic
22 that's already in this traffic scheme.

23 So if one lives in Haswell Farms and your
24 normal commute would be down Elsmere Avenue and

1 through this intersection, you may duck into this
2 to pick up your laundry or your dry cleaning or
3 get whatever one of these services and then go
4 back out into the street. So that's a trip that
5 the site has generated but does not necessarily
6 add an extra vehicle to the existing traffic
7 network.

8 We're comfortable that this layout we have is
9 the best solution for development on this corner.
10 The DOT concurs with us and they have responded to
11 the Town affirming their acceptance of our traffic
12 reporting.

13 As Mike mentioned, we are donating a
14 five-foot piece of land along each edge so that if
15 one of these transportation upgrades/improvements
16 happens, that land will already be there. We are
17 incorporating that five feet in our setback here
18 and our setbacks along at the corner. Our
19 buildings are set back enough and designed with
20 the thought that this five feet would be
21 encumbered by the state right-of-way.

22 The code setback is 10 feet from the property
23 line. We're looking at 25 to 30 feet for the
24 residential building and then 15 to 20 for these

1 commercial buildings. Within that setback, in the
2 commercial component and the residential
3 component, will be the sidewalk which if any road
4 improvements are done, that would be the primary
5 use for that five-foot strip. So the sidewalk
6 part of that is already done if these future
7 improvements are made.

8 As far as the zoning compatibility, this is
9 in the hamlet zoning district. So there are
10 several points in the requirements of the Town
11 that we have to design to. One of the things they
12 encourage obviously is the ability to have
13 pedestrian access. We've provided a multitude of
14 sidewalks along the public right-of-way and within
15 the project for both residents of the project and
16 people in the neighborhood to use.

17 There's destinations that people will be able
18 to walk to and not have to walk on the road. They
19 will be on sidewalks.

20 Mixed use, multistory buildings: One of the
21 things that we are considering, these buildings
22 along the corner, we are proposing them to be
23 either two-story commercial or have the ability to
24 put residential units on the second floor. So

1 that would take a portion of the 110 units that
2 we're asking for, we're asking that eight be
3 allowed to be put over the commercial so if we
4 want to have that ability, we can. That's one of
5 the tenets of the hamlet zoning district.

6 Also, from an aesthetic standpoint, the
7 fronts of the buildings all face the main road,
8 the Elsmere Avenue, Feura Bush side. So these
9 residential buildings, we have elevations on the
10 side here illustrating those. The garages are
11 really at the rear. So when you're driving down
12 Elsmere Avenue, it will be very much like Delaware
13 Avenue right here where you see the front of the
14 building, porches, architectural features that
15 will show that this is the front, this is the
16 public side of the building. The garages are in
17 the back.

18 As far as the commercial component, again,
19 the front doors are all along the road, so that
20 sidewalk/pedestrian plaza area will be the front.
21 It won't be the back. The parking is relegated to
22 the rear of the building. So the principal
23 entrances would be similar to what you might see
24 at this four corners where the front of the

1 building, the front door is on the street.

2 As far as compatibility with the
3 neighborhood, this is, as everybody knows, a
4 single-family style neighborhood. The houses, the
5 residences in the immediate adjacent property are
6 twin homes, duplexes, however you want to call
7 them. They're two residential units per building.

8 I'll note that the building footprint for the
9 Walden Fields double units are very similar or
10 larger than the building footprints that we're
11 proposing within this project. 5,000 square feet
12 is our limit by the code. We cannot build a
13 building larger than a 5,000 square foot
14 footprint, which is largely fifty by a hundred.
15 So we're not as far as scale or mass any larger
16 than those buildings that are in existence. The
17 Hewitts is actually much bigger than what we're
18 doing.

19 We have prepared at the request of the
20 Planning Board a fiscal impact analysis just
21 outlining the positive fiscal benefits to the Town
22 from this style development. Multifamily
23 residential and commercial has very little, if
24 any, school children generation.

1 The published data indicates very low amounts
2 of school children, so the taxes you generate on
3 that more than offset any impact you have on the
4 school district. With the exception of the town
5 road, the remainder of it is privately held and
6 maintained so the town maintenance budget is not
7 negatively affected either.

8 So that's kind of the project in a summary.
9 The Board has not acted on anything yet. We've
10 submitted our complete application and plans.
11 We're working with them to review our comments and
12 we're hoping we can move forward with the project.

13 CHAIRMAN LEVEILLE: Thank you, Francis. I
14 just want to clarify one thing. Francis had
15 mentioned that the DOT and the Town had accepted
16 the traffic study. The word accepted doesn't mean
17 approved. It means that it's been given to us,
18 we've accepted it and we're reviewing it. So it
19 doesn't indicate there's been any approval or
20 anything at this point.

21 Okay. We're gonna now move to the public
22 hearing. This is your chance to speak. Let me
23 just ask you this; okay? Again, this is not us
24 interacting. This is us listening to you,

1 recording your comments and distilling all that as
2 we further consider this application.

3 I would just ask everybody to be respectful
4 of the speaker, respectful of their view. Please,
5 one person speaking at a time. When you come up
6 to the microphone, simply indicate your name and
7 address and try to limit your comments as best you
8 can to very concise points.

9 So just show a hand, I'll just quickly call
10 on people and we'll get started.

11 Mr. Joynt. Mr. Dawson's next.

12 MR. JOYNT: Thank you, Chairman. I just want
13 to make a couple of brief comments. I'm Bill
14 Joynt and this is Dave Kissinger. We are the
15 co-chairs of the Kendall Square Committee in the
16 neighborhood and we are delighted to be here at
17 the public hearing. It's an opportunity for the
18 citizens of the Town of Bethlehem to participate
19 in shaping their community.

20 Everyone here wants what is best for the
21 town, which we believe is a viable development
22 that represents the shared vision of the Planning
23 Board, the developer and the citizens of the town.
24 This vision can best be realized through good

1 dialogue at a venue like ours here tonight.

2 While the vision is a great starting point,
3 there are specific issues that must be resolved
4 and they are not necessarily easy. For example,
5 we need increased development to meet various town
6 needs and provide revenue for the community.
7 However, attention must also be given to issues
8 like traffic, infrastructure, density and the
9 impact on our schools and our neighborhoods.

10 We must not only assure that the development
11 meets Code but also consider the impact on the
12 surrounding community, what is best overall for
13 our town and the long-range implications of the
14 project. Hopefully, this hearing will assist in
15 this process. We appreciate the efforts and
16 kindnesses of those involved in the process to
17 date, the Planning Board members and the staff,
18 especially Chairman George Leveille, John
19 Smolinsky and Mike Morelli who have met with us
20 several times, I'm sure, many times to their
21 chagrin, and provided guidance and information, to
22 Lee Rosen and his folks, for their openness,
23 patience and professionalism and, of course, to
24 the residents of this community for their

1 enthusiasm, their dedication and their hard work,
2 especially our fellow committee members.

3 With all these meetings, discussions and
4 plans, several key points have emerged and I'd
5 like to ask David to briefly highlight some.
6 Thank you.

7 MR. KISSINGER: Let me do this very briefly
8 and I think this will --

9 CHAIRMAN LEVEILLE: State your name for the
10 record.

11 MR. KISSINGER: Dave Kissinger. I'm from
12 Walden Fields.

13 What I'd like to do is to, at the conclusion,
14 or at the very end of the meeting, try to
15 summarize again some of the points that we think
16 are most salient. I think you'll hear about
17 questions of traffic here and -- or we've even
18 started with it already, questions of
19 compatibility of this project with the
20 neighborhood, I think, are key elements.

21 The question of financial benefit to the
22 town, we talked a little bit about that and I
23 think the question, even though it was addressed
24 earlier, I think it needs to be nailed down

1 further and that's the question of a master plan
2 in terms of this particular area of the town and
3 the town in general. And I will leave it up to
4 the next speaker to begin to develop those areas.

5 CHAIRMAN LEVEILLE: Thank you, Dave.

6 Charlie.

7 MR. DAWSON: Charlie Dawson. I live in
8 Patrick Square; formerly of Colonial Acres where
9 my wife and I raised two sons. I worked for the
10 mayor of Colonial Acres for a little while there.
11 I was here before there was a traffic light at
12 Wemple, before there was a traffic light at
13 Elsmere and Feura Bush. I remember those days and
14 Bob's been here even longer than I have.

15 I'm sorry, I have to run to another meeting.
16 I would have liked to have listened to all the
17 other comments. So I'm just gonna be very blunt
18 with you. I oppose this project. I do not think
19 that it adds anything to our town and to our
20 community. In fact, I think it detracts from it
21 and that's the way I feel on it and I think some
22 other people feel the same way.

23 (Applause.)

24 MR. DAWSON: I'm really sorry that I have to

1 leave and go to another meeting. I would have
2 liked to have heard what the rest of my
3 constituents have to say. I am a county
4 legislator from the area and this is a great
5 turnout. Thanks.

6 MS. RICHARDS: My name is Mary Richards and I
7 live on Feura Bush Road in Glenmont. I have a
8 couple of questions. Mr. Rosen spoke in terms of
9 the maintenance, that these would be private
10 roads. Do they, therefore, expect the Town to
11 plow them in the winter or to go along and wash
12 the sides as they've been doing this spring or
13 anything of that sort? Nothing has been said
14 about that in terms of maintenance. If these are
15 private roads, then they should also be
16 responsible for taking care of them.

17 I'm concerned about the entrances and exits
18 for the project. You speak of one on Elsmere
19 Avenue. You speak of another one just before the
20 light on Elsmere Avenue and you speak of one down
21 towards Hewitts.

22 I would like to point out that the distance
23 between the light at Elsmere Avenue and Wemple
24 Road is not much and they do pile up going in

1 either direction. Therefore, anybody trying to
2 get out of this project onto Feura Bush Road is
3 going to have problems. And then a light there,
4 which would be a light at Wemple, a light at that
5 entrance, a light at Elsmere and then just a short
6 ways up the street, we have Murray Avenue. It's a
7 rather questionable situation for coming in and
8 out.

9 At the last meeting, there was a woman who
10 stood up and talked in terms of the fact that this
11 project does not have the qualities of a hamlet
12 and even though this may seem to look very pretty,
13 to me, it looks like a housing project. All of
14 the buildings are going to be the same. There's
15 no variety.

16 I am not in favor of this project. I also do
17 not see where the commercial aspect is coming into
18 it. I can't believe that people will stop there
19 for their cleaning or for their -- you're asking
20 for a mom and pop kind of building maybe in an
21 area that is clearly a residential area. And we
22 have all of these buildings, all of those places
23 up by Orchard and all of the places along the
24 mansion, all of these other big projects. They

1 don't have any commercial thing there.

2 Now, you've already pointed out it's a little
3 over a mile down to the corner of Glenmont. Why
4 on earth would you go to some little place here
5 instead of going down to wherever you need to go
6 for gasoline, for your groceries, for whatever.
7 It doesn't make sense.

8 And to make it into a high class restaurant,
9 which was one of the things they talked about, it
10 ain't gonna happen. It won't work.

11 (Applause.)

12 CHAIRMAN LEVEILLE: For those of you coming
13 up to speak, these microphones are very sensitive.
14 It works best if you're about six inches away.

15 MS. JOYNT: My name is Marge Joynt. I'm from
16 Walden Fields. I belong to that guy there.

17 (Indicating)

18 I understood that the original acreage, the
19 whole total acreage, was 17 acres, in that range,
20 and we were told that after the green space was
21 taken out, there would be 12 acres for housing and
22 commercial. Now, we were just told, I think, that
23 65 percent of this would be green land. So that
24 brings your acreage for 110 units plus two

1 commercial buildings down to seven to eight acres.
2 How do you do that? It just doesn't compute.

3 Now, if I have my numbers wrong, somebody
4 please tell me.

5 My other thing is I understand there's just
6 one town road. And does that dead end; is that
7 correct?

8 CHAIRMAN LEVEILLE: Yes.

9 MS. JOYNT: Okay. And then the others feed
10 into it.

11 CHAIRMAN LEVEILLE: The idea would be that as
12 those subsequent properties are developed, the
13 road would be extended.

14 MS. JOYNT: Okay. So anyway -- oh, I do have
15 one other thing. When we come out of Walden
16 Fields in the morning to go to work, there is no
17 way -- it's going to increase the number of cars
18 at the corner, because you will not be able to
19 make a left. You'll have to make a right, go to
20 the corner and then go down to 9W. We already
21 have to do that sometimes.

22 It is really busy. If you hit it at the
23 wrong time, you cannot make a left out of there.
24 And the same thing is in the evening; the traffic

1 builds up and you can't make a left and you have
2 to go right and come around, which gives you more
3 traffic at the corner which I wanted you to be
4 aware of. Thank you.

5 CHAIRMAN LEVEILLE: Thank you.

6 (Applause.)

7 MS. COVART: Hi. I'm Liz Covart. I live
8 over in Milltowne Plaza. First, I'm a big fan of
9 the bike paths, because no one around here seems
10 to know how to drive with bikes on the road. So
11 if you could put those in, that would be great.

12 It seems to me we're talking about a lot of
13 roads that are like chickens -- you're counting
14 your chickens before your eggs are hatched. You
15 have all these planned conceptualized roads, but
16 you're gonna make the traffic congestion, it
17 seems, there a whole lot worse before years and
18 years from now, the state finally gets around to
19 approve funding to finish the roads.

20 The other issue is not everything, you know,
21 goes according to plan. It seems like we're being
22 really optimistic here about where these roads
23 come in and out. I was at one point told that the
24 reason for the 32 bypass was it was gonna help

1 ease congestion around to 9W for the soccer
2 fields. Well, we can't get in and out of our
3 development on soccer days, because everybody's
4 shooting through town trying to take the shortest
5 route possible.

6 So I'm not saying I'm totally against this
7 plan, but it seems like there should be more
8 infrastructure, more roads put into place before
9 it's actually built. Why make the problem worse?
10 That seems just a bit short-sighted. Thanks.

11 CHAIRMAN LEVEILLE: Thank you.

12 (Applause.)

13 MR. ZICK: Bob Zick, Colonial Acres,
14 ex-mayor. I want to point out that when we moved
15 here about the middle or early '60s, there was no
16 (inaudible) or any other subdivision around and
17 we had the same road as we do now. We're talking
18 about a new subdivision which I'm not totally
19 opposed to, but what's gonna happen to the other
20 cornfield across the street and behind Hewitts?
21 Are you gonna put more housing back there? And if
22 so, how much and what for and all about it?

23 This is not a single issue today. I see this
24 as just a continuing to grow issue and you've

1 grown, you've developed, but you haven't provided
2 road services. That's all I have to say. Mayor
3 signing out.

4 CHAIRMAN LEVEILLE: Thank you, mayor.

5 (Applause.)

6 MS. CHEESEMAN: Anne Cheeseman. I live on
7 Walden Fields Drive. I've been in town for 24
8 hours, 18 years in Elm Estates where when we moved
9 onto Fairlawn Drive, they said, "Don't worry about
10 all the traffic there. As the builder builds,
11 he's going to add an exit out and an entrance in
12 onto 32." Find it if you can. It's still not
13 there 25 years later.

14 We finally moved out of Elm Estates and onto
15 Walden Fields Drive and, hallelujah, got off of
16 Feura Bush Road where luckily none of us were
17 killed in all the travels that we did on that and,
18 again, out of Elm Estates, there was supposed to
19 be that phantom road going from Elm Avenue all the
20 way over to connect to 9W. Never happened. Still
21 isn't there.

22 And Elsmere Avenue becoming a four-lane road?
23 You know, if we wanted to live on Delaware Avenue,
24 we would have lived there, but we don't want to

1 live on Delaware Avenue or Route 9 and they're the
2 only other two four-lane roads that we have around
3 here.

4 And I hope we're not allowing buildings, the
5 retail buildings, along Feura Bush Road and on
6 that corner only to have to widen the road and
7 inconvenience or take the property of the private
8 owners across the street on both sides. That
9 would be really terrible. I mean, before this is
10 built, let's try to push it back in.

11 And I hope that nobody's mistaken in the fact
12 that we think that the retail is bad. Small
13 retail is fine if somebody's gonna go into it. We
14 see an awful lot of small empty retail stores
15 around here right now.

16 (Applause.)

17 MS. CHEESEMAN: Putting it in the middle of
18 nowhere is not exactly what anybody has in mind.
19 And we all have a doctor already. We're not gonna
20 go to a doctor there. We all have a dry cleaner.
21 They pick it up at our door. You know, they
22 figured out how to get our business. So I don't
23 see it. I mean, we'd love to have some small
24 appropriate walk-to places that have walk-to land

1 around them for us to relax in.

2 Thank you for turning the buildings around.
3 We really didn't want to look at the back of the
4 apartment buildings. But a hundred apartments
5 there? I can't see it. I can't figure out how
6 that belongs in this area. We don't really see it
7 and we're not fooled by all the greenery on the
8 map. It's just the soggy grabble that's there
9 now. There's no trees. There's no life there.
10 And, you know, we hope that you give it a little
11 more consideration.

12 Quite frankly, we all knew that that was
13 zoned hamlet when we moved in. We don't have a
14 good eye for what you can do with that little bit
15 of space. We thought it might be a small strip
16 mall of some sort and way back in from the road
17 and not along the road. So I hope that it scales
18 back and is fully rented before it's built. Thank
19 you.

20 (Applause.)

21 MS. TRAVIS: Joan Travis also from Colonial
22 Acres lived there as long as Bob Zick, our mayor.
23 Thank you for your thoroughness. I, too, am
24 concerned about the traffic. It's hard to get out

1 of Colonial Acres now; it has been the past few
2 years. And with increased building, it will be
3 more difficult. And if you open the roads that
4 are in Colonial Acres, there will be more traffic
5 coming through, going in and out.

6 Also, I'm concerned about sidewalks from
7 Colonial Acres to 9W. There are beautiful new
8 sidewalks from Wemple Road to Elsmere. And then
9 we talked tonight about building more sidewalks by
10 going up to Elsmere Avenue. I think they're
11 really needed from Colonial Acres to 9W.

12 When my children were young --

13 CHAIRMAN LEVEILLE: That's actually in the
14 application. It takes you all the way to 9W.

15 MS. TRAVIS: Oh, I'm so grateful to hear
16 that.

17 CHAIRMAN LEVEILLE: It's the entire length
18 of Feura Bush Road; correct?

19 MR. MORELLI: Let me just clarify. There's
20 actually a portion from Wemple Road up to Colonial
21 Acres that's not part of the grant application,
22 because that grant application is for 2010-2015.
23 The Town is going to accelerate the sidewalk plan
24 between Wemple and Colonial Acres either this year

1 or 2011. That wasn't part of the application.
2 The Town's gonna take that on soon.

3 MS. TRAVIS: What about from Colonial Acres
4 to 9W?

5 MR. MORELLI: That's part of the grant
6 application. But from Colonial Acres to Wemple,
7 that would actually be connected all the way over
8 to Delaware Avenue. For that matter, that's not
9 part of the application. We're gonna accelerate
10 that components of the sidewalk program.

11 MS. TRAVIS: Well, I raised my children and
12 there were no sidewalks going out to 9W and I was
13 always fearful for them riding their bikes or
14 walking to get a candy bar or something, but now,
15 there are malls on every corner at 9W and I see
16 people walking all the time from Colonial Acres to
17 9W with bags, people with shopping carts, jogging,
18 a lot of joggers. Thank you again for your time.

19 MR. ROVER: I'm Steven Rover from Chadwick
20 Square. I think that it would probably be nice to
21 have the development in there, but there's already
22 a major issue with all the traffic. I drive along
23 Feura Bush and Elsmere to get to work. I work on
24 the Harriman Campus next to SUNY and, first off,

1 that corner was temporarily paved after they
2 couldn't sidewalk and people drive on it thinking
3 it is a turning lane and something needs to be
4 done to prevent people from driving on that.

5 Adding in housing there is going to create
6 way too much traffic and it's going to cause a lot
7 of problems for everyone that lives in this area.
8 If anything, if that is to be developed, it should
9 be developed into another park and any commercial
10 aspect could be anything relating to the park,
11 like small shops where people get ice cream and
12 stuff like that.

13 CHAIRMAN LEVEILLE: Thank you.

14 (Applause.)

15 CHAIRMAN LEVEILLE: Kristi.

16 MS. RIDER: I really appreciate the Comp
17 Plan; however I do believe that the integrity of
18 our area, be it Delmar, Glenmont, wherever, needs
19 to have some respect. And when you talk about
20 improvements, they shouldn't all be with regard to
21 sidewalks. They should also have keeping the
22 integrity of what's already there.

23 And as a matter of fact, with regard to
24 sidewalks, the sidewalk could, as we're talking

1 about, extend to 9W where we already have tons of
2 commercial and it does make sense, as someone else
3 was saying, that you go up to the corner of 9W and
4 Feura Bush and you can get your dry cleaning, you
5 can go get a lawn mower, you can go get potting
6 soil, you can go to the grocery store. There are
7 any number of things you can do up there. But a
8 few little commercial establishments, while it's
9 there, I believe, to comply with the definition of
10 a hamlet, it really doesn't make a whole lot of
11 sense to me.

12 (Applause.)

13 MS. RIDER: And also with regard to the
14 integrity of the area, it doesn't seem good in an
15 overall sense to sacrifice green space just in
16 order to bring the Comp Plan about, which brings
17 me to a question that I have.

18 Since the Comp Plan did not recommend this
19 area be best as a hamlet, how did you all decide
20 that it become a hamlet? Why did you decide it
21 become a hamlet?

22 I definitely feel that, you know, again, the
23 integrity of the area, keeping and respecting the
24 privately held homes in the area, you're really

1 infringing a lot with density that you're putting
2 110 or 100 apartments in.

3 And just for everyone to know, and you may
4 not be aware, DOT has rated that corner at Elsmere
5 and Feura Bush with an "F". So anything more
6 coming into that area is going to, what? Make it
7 an F-minus without improvements first?

8 Now, my last point that I want to make:
9 There's been some discussion, and I believe it
10 came early on and it seems to happen in every
11 meeting, which it probably should, about needing
12 to increase the tax revenue to the Town of
13 Bethlehem which we all agree that needs to happen.

14 When you compare an apartment complex to a
15 single family like Haswell, it is, indeed, the
16 case where you're going to have fewer children,
17 maybe none, so the revenue that you bring in is
18 not going to go toward paying for their school.

19 However, when you compare an apartment
20 complex like Kendall to Walden Fields or Chadwick,
21 which is where I live, you have a huge benefit to
22 the Town of Bethlehem. There are no children -- I
23 think there's not even a handful at Chadwick.
24 There are no children at Walden Fields directly

1 across that one section. And if I'm wrong,
2 George, tell me, because I haven't heard yet
3 anywhere or read anywhere any kind of estimate of
4 the tax benefit to Bethlehem that Kendall Square
5 has.

6 So the analysis that I did, if you
7 extrapolate Adams Station, those figures and
8 compare those figures on a smaller basis, Kendall
9 Square as an apartment complex, not including the
10 commercial -- I did not include that -- but just
11 for the revenue or tax assessment, I should say,
12 tax assessment will be 6 million-plus dollars.
13 Walden Fields, that one section, is 16 million
14 dollars with no children.

15 So those folks at Walden Fields are gonna be
16 paying -- or are assessed that -- different than
17 paying -- assessed at 10 million dollars more.
18 Now, indeed, it is a Town of Bethlehem road, but I
19 can't imagine that to plow that and keep that road
20 up and whatever else is involved with the
21 maintenance of Walden is gonna even come close to
22 10 million.

23 So there is a better way to get increased
24 revenue in other types of development than

1 necessarily an apartment and, you know, it's so
2 out of character for that area.

3 (Applause.)

4 CHAIRMAN LEVEILLE: Thank you. Let me just
5 clarify a couple of items that Kristi raised. The
6 first one was: How did this wind up -- if it
7 wasn't specifically in the Comp Plan, how did it
8 wind up adopted?

9 The Comp Plan and zoning were done
10 simultaneously and the process began April,
11 2005 -- excuse me -- April, 2004. In April, 2005,
12 as the draft recommendations of the Comp Plan were
13 made public, the first zoning map was developed.
14 On that first zoning map on April, 2005, this site
15 and others, which were not specifically identified
16 in the narrative of the Comp Plan, were identified
17 as hamlets. That process went through public
18 hearings, a full environmental review. The Comp
19 Plan and the zoning were adopted the same night in
20 August, 2005. So they really were done the same
21 time, the same process. But you are correct that
22 in the Comp Plan narrative itself, it does not
23 specifically mention this site.

24 The rated "F", I think, just a point of

1 clarification, my understanding is the rated "F"
2 is for a one period of time during a.m. or p.m. --
3 p.m. peak. So the majority of the time, that area
4 functions at very desirable levels. It's at the
5 peak periods where we have bottlenecks.

6 An example would be all of those who have
7 struggled for years with 385 and Slingerlands and
8 trying to get through there, now, see what
9 happened with the improvements that have been
10 made. You went from an "F" to an A-plus, because
11 there was bottlenecks.

12 And so part of the solution in this area is
13 how to move people, either avoid that intersection
14 or find other routes that could be used, but it's
15 only rated "F" for a very small period of time;
16 granted, that's the time it inconveniences you, so
17 you know about it.

18 The third idea was that the fiscal impacts --
19 there is a fiscal study that's part of the
20 application. It's available in the planning
21 office if anybody would like to see it and it does
22 describe what the applicant projects in terms of
23 net revenues and, as was mentioned by Ms. Rider,
24 it does produce net positive cash flows, but

1 correctly, apartments yield less tax revenue than
2 other types of housing.

3 But that study is available for inspection.
4 And just before, the point of clarification I want
5 to make has to do with maintenance of roads.
6 The question was raised earlier by an earlier
7 speaker. The developer is responsible for all
8 maintenance of private roads. So there's one town
9 road that will go -- I believe one town road
10 crosses this property. The Town will have
11 responsibility for that road. Okay? All the
12 other installations will be the developer's
13 responsibility to maintain to standards that the
14 Town prescribes.

15 MS. DESTREICH: My name is Marilyn Destreich.
16 I'm a resident of Walden Fields. There's one
17 thing that I cannot quite wrap around and that is
18 again the traffic issue. But I'm looking at this
19 lovely drawing of a front-facing home on Elsmere
20 and the math is not anything I can quite grasp.

21 I think you talked about five feet in front,
22 if necessary, there's going to be a 20 or 25-foot
23 setback and an additional five feet that you're
24 giving to whomever for the possibility of making a

1 four-lane roadway.

2 So when we bought our home, we were told that
3 this area might be developed into community
4 gardens. I thought that was great. I was looking
5 forward to that. However, if I were to buy that
6 house, would the owner of -- the seller of that
7 house tell me at the time that that lovely home
8 was facing Elsmere and that there's a possibility
9 that my front porch might be overlooking a
10 four-lane roadway? It's a rhetorical question,
11 really. Thank you.

12 CHAIRMAN LEVEILLE: Mike, I think we might
13 want to clarify here that there is no plan that I
14 am aware of or you are aware of that involves four
15 lanes on Elsmere Avenue. Is that correct?

16 MR. MORELLI: That is correct. We're talking
17 strictly about movement of vehicles. The way you
18 could solve that and the way DOT could solve that,
19 you take two-lane roads and you make them four
20 lanes. That's not being suggested here. It's a
21 two-lane state-owned road. There's not enough
22 right-of-way. The west side where Walden Fields
23 is has already been developed. DOT did not seek
24 anything more than a five-foot strip from the

1 applicant of Kendall Square.

2 If they were looking to make that four lanes,
3 they would be asking for 25 feet. So there's no
4 proposal to make that a four-lane road.

5 CHAIRMAN LEVEILLE: Thank you, Mike.

6 MS. KILGALLON: Hi. Forgive me, I have
7 bronchitis and I'm not feeling up to par tonight,
8 so I won't talk long. I do have a couple things
9 to say.

10 One of them is just on a comment you just
11 mentioned about the fact that there is only one
12 town road which, of course, is part of the
13 problem. This is the antithesis of a hamlet,
14 because it hasn't grown up over time, because it
15 isn't made of lots of individual lots, because
16 it's being created by one developer with basically
17 one kind of housing and that is not what a hamlet
18 is.

19 But that having been said, I just want to
20 reiterate again also that we do have failing roads
21 even if it is only during a peak time. To add
22 even one car is an issue and it has to be resolved
23 in advance before you actually proceed.

24 And I'd like to note that Mr. Smolinsky noted

1 that, you know, it's important to have a balanced
2 tax base, but I have to question at what quality
3 to the cost of our life? And for 25 years, Mr.
4 Morelli noted having added 1,800 housing units
5 without, frankly, holding developers accountable
6 for road improvements. So I think it's time to
7 say that we expect our developers to take some of
8 their profits and make those roads safe before we
9 actually put in these developments.

10 And although this zoning map may have been
11 created at the same time as the Comprehensive
12 Plan, there was a Comprehensive Plan map and on
13 that map, also, it did not show the hamlet so it
14 wasn't just in the verbiage, but it was also on
15 the map.

16 And the common areas that Mr. Bossolini
17 mentioned that they have added, those common areas
18 at this point, I believe, are still a part of the
19 apartment complex and that again would not really
20 be in keeping with a hamlet where they should be
21 actually amenities that are open to the town.
22 Should a particular developer or owner of that
23 apartment complex decide they don't want the
24 public using those amenities, then they would be

1 closed off from the public, so that is not in
2 keeping with the hamlet either. They should be
3 for public use and deeded.

4 And my last comment is just that a five-foot
5 right-of-way is very minimal. Even the sidewalk
6 that we've already put in is residential in scale.
7 Five feet is a residential sidewalk and, yet,
8 you're proposing a hamlet with a commercial strip
9 and you're putting in residential scale sidewalks.
10 It really should be larger, closer to 10 to 12
11 feet, and not just five feet. And I guess that's
12 about it.

13 CHAIRMAN LEVEILLE: Kindly state your name
14 for the record.

15 MS. KILGALLON: Susan Kilgallon, registered
16 architect, New York State certified building code
17 official and a homeowner in Colonial Acres. Thank
18 you.

19 (Applause.)

20 MR. TAFT: Ed Taft. I live in Chadwick
21 Square. I'm not sure it's a valid assumption to
22 assume that all of our residents in that area
23 would like to walk to the store at all times.
24 We moved to that area recognizing that we have to

1 drive. Again, I'd like to -- you know, I think
2 the site plan on the screen here is even more
3 distressing than what I heard about before in that
4 the buildings look like they're crammed up against
5 Elsmere Avenue and Feura Bush Road.

6 We mentioned some of the traffic at Feura
7 Bush Road and Elsmere Avenue that is during rush
8 hour. And I'd like to have some of you guys go
9 out there on a Saturday morning or well into the
10 day Saturday, it's even worse on Saturday than it
11 is on weekdays.

12 The traffic is already backed up through the
13 light on Wemple Road heading westbound or
14 southbound on Feura Bush Road.

15 And, finally, I think we already have a
16 surplus of vacant stores, small size, in Delmar,
17 Saratoga Shoe Depot, the pharmacy, I don't know
18 how long that's gonna be vacant, and down in
19 Glenmont also. Thank you.

20 (Applause.)

21 MS. DEL BELSO: My name is Laraine Del Belso.
22 I live on Walden Fields Drive, which is located on
23 the corner of Elsmere and Walden Fields Drive, so
24 the development affects me directly.

1 I just have a few points and comments that
2 I'd like to make. The change that Mr. Rosen made
3 in his plan by adding two buildings with four
4 units as town homes is just throwing us a crumb.
5 This is nothing. And I would like to see at least
6 50 percent of the plan be developed as town homes.

7 (Applause.)

8 MS. DEL BELSO: This would provide us with a
9 more settled group of residents rather than
10 transient apartment dwellers.

11 Also, there should be a berm on the Elsmere
12 side of the plan. A precedent has already been
13 set with berms at Walden Fields itself, at
14 Wal-Mart and Lowes down on 9W, the Glenmont
15 school, and Adams Station as well has a berm.

16 The benefits from a berm: It provides
17 privacy for the new resident that would be living
18 there and it provides a sound and pollution
19 barrier, and it helps to beautify the area.

20 And, of course, there's the traffic problem
21 as has been duly noted this evening. Mr. Rosen
22 said that the entrance would be right across from
23 Walden Fields Drive. This would definitely need a
24 traffic light to control the traffic there. But I

1 would like to suggest that if that is not a
2 possibility, then we would need a mirror across
3 the street so that you could see the traffic that
4 was coming down from Feura Bush, because when the
5 traffic is backed up, you cannot see what's coming
6 down. You have to pull out into the middle of the
7 road to see what's coming.

8 We would also need signs by Walden Fields
9 Drive, Dalton and probably Sedgewyck as well that
10 say "Do not block side roads" because traffic just
11 blocks it. You cannot get out.

12 And I think you've already seen by the
13 turnout tonight that our community is proud of our
14 neighborhood and we do not want to see our
15 property values decline. So please keep that in
16 mind when you make your decision on this. Thank
17 you.

18 (Applause.)

19 MS. DRUCKER: My name is Ann Drucker from
20 Colonial Acres. It's my understanding that the
21 shops are supposed to be for the community and I
22 have to say that in regard to traffic, coming from
23 Colonial Acres, the only way to get back home
24 would be to make a left turn somewhere and with

1 the traffic the way it is, I just don't see that
2 as a viable option and I, speaking strictly for
3 myself, would never shop there, because the
4 traffic would just be too difficult.

5 (Applause.)

6 CHAIRMAN LEVEILLE: Thank you.

7 MR. BARRETT: My name is Tim Barrett. I live
8 on Feura Bush Road near -- down the road anyway.
9 There are two things that have interested me and
10 I'm not promoting one way or another. But from
11 the first open meeting, I was impressed with the
12 fact that while there's been a 25-foot setback,
13 that's not very much setback, and as I've driven
14 by the mansion a number of times, I've tried to
15 imagine their setback to this setback and it
16 really impresses me.

17 The other thing is because of the layout,
18 just from an aesthetic point of view, all the
19 emphasis on the aesthetics within the park and so
20 forth, but for the aesthetics of the community,
21 that's a very dense wall of buildings that close
22 compared with the berms on the other side and, as
23 was mentioned by a previous speaker, the berms on
24 Chadwick Square, all the other areas, this is

1 going to kind of come out at you every time you go
2 through that area aesthetically. I don't have a
3 solution for the problem, but that is something
4 that's kind of stuck in my craw this whole time.

5 The second thing is the commercial element
6 and, frankly, I don't understand the hamlet
7 concept enough to know, but 25 years ago when I
8 was in retail on Delaware Avenue, we had a thing
9 called the Delaware Avenue Task Force. I don't
10 know if anybody remembers that. There was great
11 concern that too much business would go on
12 Delaware Avenue and there were two things that
13 struck me in that.

14 One was everybody said all the new business
15 owners will be out on 9W. At that point, there
16 was no development out there and every time some
17 new smaller business, like a hardware store or
18 something, came in out in that area, it didn't
19 survive. There's been enough development to allow
20 that to develop.

21 The other thing that came out of that was
22 people have a laundry list of all the things we
23 ought to have in town and it struck me that it's
24 nice to think, oh, isn't it wonderful, we ought to

1 have this, and I see this as sort of we ought to
2 have a little hamlet here, we ought to have some
3 commercial. But one of the things about
4 developing business, and I've had my own business
5 now for over 20 years in town, is to find a need
6 and fill it. And a lot of times, as residents, we
7 get the idea that somehow, you know, you just
8 build it and somebody's gonna put their place in
9 there, but you're not gonna go there unless you
10 can generate sufficient breadth of traffic.

11 I can go in great detail because I've
12 observed the development of business in Delmar and
13 having worked with the Chamber of Commerce, even
14 within the framework of the business community, a
15 lot of people don't appreciate what it takes to
16 sustain a business.

17 And I would say that this has been designated
18 hamlet and that requires, if I understand, some
19 commercial, but maybe this is the case where it
20 either shouldn't be designated, should be
21 de-designated or there should be an exception
22 made, because from a business point of view, I
23 can't comprehend the viability of any small
24 businesses surviving within that context with

1 the -- actually, traffic is gonna have to come in
2 through the complex to get to it for driving.
3 It's not convenient. You're not gonna have direct
4 access. You're not gonna have that much immediate
5 local population to sustain it and I just
6 encourage the Board to take a look at that. I
7 don't know what you can do about it, but at least
8 try to back off and look at it from the business
9 point of view, not from the idea of a nice
10 beautiful idea or scheme. Thank you.

11 CHAIRMAN LEVEILLE: Thank you.

12 (Applause.)

13 CHAIRMAN LEVEILLE: Would anybody else like
14 to address the Planning Board?

15 Mr. Tazinski (phonetic), you're up.

16 MR. TAZINSKI: Bob Tazinski, Bender Lane.
17 First off, I'd like to say I'm for this
18 development, so I'm gonna make a lot of people
19 unhappy that's sitting here. But I'm concerned
20 with the fact that if anything -- if this goes
21 down and doesn't go as a hamlet, which it has been
22 designated, you're gonna set a precedent for other
23 areas in the town.

24 As a matter of fact, as I say this, I wonder

1 if all these people are gonna appear at the other
2 Planning Board, or is this just local? I mean,
3 where have they been? It's only because of their
4 area. So I caution you, I mean, I respect what
5 they want. I understand it. But, hey, I could
6 have got up when Walden Fields was proposed and
7 said, "I don't like it, I live on Bender Lane, I'm
8 gonna see their turkeys or their deer eat up my
9 bushes and everything." But they have a right.
10 They have a right to live and people have a right
11 to do what they want. I believe in landowners'
12 rights.

13 Perfect example I'll tell you is we had a
14 chance on 9W, and this goes back maybe before some
15 of you people, maybe even before a few were born,
16 when we had a chance to get a state facility type
17 where the box stores are. Maybe you remember
18 this, George. I don't know. But they wanted to
19 take the towers down, put a semi site center in.
20 Oh, my God, everybody was up in arms and
21 everything. Well, now, you got a box store. You
22 got Wal-Mart. You got buses and everything. So
23 be careful what you wish for, because it may come
24 back and bite you.

1 And as far as holding the builder responsible
2 for the state roads and highways and county roads,
3 you can't do that. I mean, have these
4 organizations, these people, gone to the state?
5 Have they written? I mean, you had their
6 legislator standing up here. Have they gone to
7 him personally and said, "Look, we want the county
8 to come down and the state and fix these problems
9 we're having?"

10 And as far as sidewalks go, I was against
11 sidewalks. I've always been against them because
12 of the money and the maintenance. And, oh, it's
13 beautiful to go out today and walk on that
14 sidewalk. As a matter of fact, I even think of
15 doing it myself. But what do I do with the other
16 six months of the year when the snow is coming,
17 the wind, the rain and it's cold and everything?
18 You think I'm gonna walk down Elsmere over Feura
19 Bush and go to 9W? I know I ain't gonna make it,
20 but it's not gonna happen.

21 You almost see this area close down as winter
22 comes in, late fall, and we're gonna get snow in
23 the hill towns tonight. I mean, wake up, people.
24 You know, I mean, people have a right, the

1 landowner has. He has a right to as long as he
2 meets the requirements of the hamlet, the town
3 zoning and that's what counts. And the board has
4 done a good job as far as zoning goes. It looked
5 at these projects. They've had this builder move.
6 I mean, if you take him from when he first started
7 to what he has done now, my God, it's a whole
8 almost new plan. And I have great faith in Mike
9 Morelli, I have faith in this board. I've seen it
10 come down. I haven't agreed with it, but you've
11 made good decisions, you've made it to the best
12 that you feel responsible for, and I commend you
13 for it.

14 And I ask you this time, yes, there's only
15 been a couple people, I think three, that have
16 spoken with me, two and myself, that makes three,
17 I mean, I got five fingers. I can still count.
18 Thank you very much.

19 CHAIRMAN LEVEILLE: Thank you.

20 (Applause.)

21 MS. KATZ: Hello and thank you. I'm
22 Elizabeth Katz from Chadwick Square. I just have
23 three quick points. The first is we're all aware
24 that Bethlehem has a real need for senior housing.

1 Will these buildings have elevators? Because if
2 they don't, then they're, in fact, not for senior
3 housing or people with any kind of mobility
4 impairment. And I wish the Town Planning Board
5 would look at that, not just here but overall.
6 What can we do to make our town more welcoming to
7 seniors and mobility-impaired?

8 My second concern is traffic. I see a lot of
9 children bike riding, walking along Feura Bush all
10 the way up to the stores at the corner of Feura
11 Bush and 9W. I worry for them. They do it at
12 night, they're in dark clothes. That's a real
13 problem.

14 But my main concern is if I drive on Elsmere
15 or Feura Bush and I go a mile either way, there's
16 lots of vacant storefronts. There's lots of empty
17 buildings. There's places being let go. If I
18 drive either way, I see lot of for rent signs,
19 houses. I also know Adams Station and the mansion
20 all have vacancies. Has anyone done any kind of
21 financial impact study?

22 (Pause in the proceedings.)

23 MS. KATZ: So my concern is going either way
24 on Elsmere or Feura Bush, apartments, peoples'

1 houses and, of course, the big complexes, Adams
2 Station, the mansion, all have vacancies. There's
3 lots of empty storefronts, empty offices. So I
4 feel rather than take vacant land which you can
5 never make unclaimed and natural land again, why
6 build there? Why not, instead, try to fill these
7 empty stores, fill these apartments, get people
8 to come to our town and use what we have? Thank
9 you.

10 (Applause.)

11 CHAIRMAN LEVEILLE: Thank you very much.

12 MS. ABRIEL ROOK: I'm Sally Abriel Rook and I
13 live in Walden Fields now. I've lived in Delmar
14 for over 40 years and I've seen complaints and,
15 yes, Mr. Tazinski, there were complaints before
16 Walden Fields was able to be built. There have
17 always been complaints about change in Delmar.

18 I'm concerned because I'm not gonna be able
19 to make a left turn out of my development once
20 Kendall Square goes in. They will have the
21 right-of-way to make a right turn to get over to
22 Route 32 or into Delmar and I'll have to wait for
23 all of them after waiting for the other traffic.

24 I have one concern that no one has mentioned

1 up until now, and that is if these businesses that
2 you think are gonna survive, these small
3 businesses that we think are gonna survive in
4 Kendall Square, I don't know where you're gonna
5 get them from, because just this past year, we
6 lost three small businesses at four corners, as
7 someone mentioned before. Two were there for
8 years and then we lost Saratoga Shoe Depot. We've
9 had Sue Mullins sell out to the bigger CVS.

10 I don't know of any doctors, lawyers or
11 dentists that can afford to fly by the seat of
12 their pants in a one-person office. They just
13 can't do it anymore. There's a new office
14 building going up if you approve the Walgreen's
15 where the old A&T building used to be and where
16 some medical offices are now, there's gonna be a
17 lot of medical offices upstairs in that building
18 over Walgreen's, is my understanding.

19 One of the doctors I know is moving from town
20 to go over to New Scotland Road to those buildings
21 over there rather than get involved in that. I
22 want to know what these businesses are going to do
23 for signage, because I know how particular
24 Bethlehem is about signs even in the buildings

1 along the Delaware Avenue corridor.

2 How are you gonna have signs on Elsmere
3 Avenue for these small businesses that we're
4 reading are gonna come in? That's all I wanted to
5 mention.

6 CHAIRMAN LEVEILLE: Thank you very much.

7 (Applause.)

8 MS. VINING: I'm Kim Vining. I live in the
9 Dowerskill area. I pretty much just want to step
10 forward tonight and say that I appreciate being
11 able to watch the public hearing and see how it
12 kind of works in action. This is my first public
13 hearing for the town and I look forward to the
14 opportunity to have a public hearing for the
15 development that's proposed for our area as there
16 are a lot of us in the community there that have
17 concerns and issues that we'd like to be able to
18 discuss in this kind of detail with you all
19 tonight. Thank you.

20 CHAIRMAN LEVEILLE: Thank you, Kim.

21 MR. BEE: I'm John Bee (phonetic). I was on
22 the BPAC plan from the beginning and I'm kind of
23 perplexed by the way this is going, because I
24 thought that we had something going here with this

1 hamlet district because it allows -- first of all,
2 let's think about it.

3 Most of the people I saw up here are kinda
4 like me. They got a little gray up there. But
5 the young people are what we're worried about in
6 this town with jobs for them and so on and so
7 forth. So, now, if you're gonna have a little
8 business, let's have a little business for the
9 young people.

10 And then go back to the lady here saying
11 about she'd like to see the green space, well, the
12 green space is a hayfield and the guy cuts the hay
13 off of it and the bales of hay are still there
14 from last year. So you think they're making a lot
15 of money on that? That doesn't pay taxes. These
16 people need something there that pays taxes. They
17 don't need a hayfield.

18 As a matter of fact, I'm a farmer, too. One
19 farm per day is going out of business in New York
20 State. And if you think the farm is gonna stay
21 like that, you're sadly mistaken, because
22 something else has to go there because there's not
23 gonna be -- there's not hardly any farmers in the
24 Town of Bethlehem anyway, but that's not going to

1 stay as a farm and a whole lot of other areas
2 aren't gonna stay as a farm.

3 So you've kind of got to get off this idea
4 that everything is gonna have to stay the way it
5 was, because it's not going to. And we're not
6 gonna live to see a whole lot of it anyway. We're
7 all old people now.

8 The other night, I was here at the Planning
9 Board meeting and, for instance, it bothered me a
10 little bit, I was at the Planning Board meeting
11 and once the Kendall Square theme was over with,
12 this place cleared right out. That says to me
13 that the people that were here are only thinking
14 of themselves. They don't stay for the rest of
15 the things that were going on with the Planning
16 Board. They just cleared right out of here and
17 there was only a few of us left, but we stayed til
18 the end, because this is our town and we're
19 interested in it and we want to see more than
20 whatever happens over on Elsmere Avenue. We want
21 to see what happens to the rest of the town.

22 So you gotta keep your eye on not yourselves
23 but you need to keep your eye on the town as a
24 whole. And I think that this plan -- because it

1 meets all the criteria, it meets all the criteria
2 that we went over in the BPAC plan. You've got
3 support group around this area. You have -- let's
4 see. You've got Chadwick Square and you've got --
5 let's see. You've got some more over on Wemple
6 Road, but you have some on -- what is the name of
7 that place over there at the end of Murray?
8 Haswell Farms. You've got Haswell Farms. That's
9 quite a group of people there when you start
10 figuring all of those people in there.

11 You want a walkable community. You've got
12 sidewalks now. They'll probably build more
13 sidewalks. That will make a walkable community
14 over there. As a matter of fact, you people may
15 want to go over there for an ice cream or
16 something yourself or whatever they're gonna do
17 there, because you won't have to leave -- you
18 won't have to get in your car -- because I keep
19 hearing you say you're gonna get in your car and
20 drive down to Glenmont. Well, you see after
21 supper or something, you want to go over there,
22 just go over -- as a matter of fact, I listened to
23 him the other night. He told how they're gonna
24 build some outside things there, probably some

1 picnic tables or something. You can sit out there
2 and eat ice cream or whatever. There will be
3 little pocket parks. Is that what I heard you
4 say? Not maybe a pocket park but a little place
5 to -- what do they call that thing? Well, anyway,
6 there's a little place there for you to go.

7 So what I'm saying is that don't keep your
8 head in the sand, because this thing here will do
9 you some good. This thing is gonna be good for
10 you as well as the other people. There probably
11 will be a little problem with traffic there at the
12 end of the day, but that's not the end of the
13 world either, you know.

14 Probably a lot of people go out of there, go
15 with a different group up to the bike paths, a lot
16 can go the other way, because you're gonna have
17 roadways off onto 32 and a roadway off onto
18 Elsmere Avenue. I see it as being a plus, so I'm
19 in favor.

20 CHAIRMAN LEVEILLE: We'll take a few more
21 comments.

22 MS. COVART: Hi. Liz Covart again from
23 Milltowne Plaza. I'm just gonna state this,
24 because it was said. We, Tim and I, live in a

1 community with a lot of young people with young
2 families and we have signatures that they're not
3 in favor of this because of the traffic issue.
4 And the only reason they're not here tonight --
5 well, you remember what it was when you had kids.
6 You gotta feed them. You gotta put them to bed
7 and bathe them, let them watch a little TV and
8 play, not necessarily in that order. Try making a
9 6:00 o'clock meeting. That's not gonna happen.

10 I'm not saying that there's a great time to
11 have a meeting. There's always gonna be some
12 conflict. But when you look at it, having a
13 meeting on a weekday night around 6:00 o'clock is
14 really tough for people who work and only get out
15 of work at 5:00 o'clock or they don't get home at
16 5:00 o'clock, because they're sitting in traffic
17 on Feura Bush and Elsmere Avenue, so they're
18 getting home at 5:35.

19 (Applause.)

20 MS. COVART: So I think peoples' heads aren't
21 in the sand, but not everybody can make a
22 meeting at a convenient time when they're working
23 and have young families, so thanks.

24 (Applause.)

1 CHAIRMAN LEVEILLE: Thank you.

2 What I'd like to do is I'd like to maybe ask
3 Dave Kissinger now to come up and wrap up. We're
4 kind of getting into around and around. I'd like
5 to kind of hear your final comments and see if we
6 can bring this to a close.

7 MS. RIDER: Can I just say in response to
8 the gentleman's comments I'm not for farm because
9 it's not realistic; okay? But the green space I
10 was referring to is instead of having such a high
11 density of residents there, looking more like
12 Walden.

13 CHAIRMAN LEVEILLE: Thank you. Go ahead,
14 Dave.

15 MR. KISSINGER: Thank you, George. What I'm
16 going to try to do is to summarize a lot of what
17 we've said and also with our committee meets that
18 we've had, we've been talking about this and had
19 many meetings and so forth.

20 It seems to me we have come down to a series
21 of questions that we posed to the Planning Board
22 recognizing that you are in a difficult situation,
23 because you do have the need of the community to
24 build more tax base for us to relieve the taxes in

1 this town, but you also have a responsibility to
2 the community, too, and you set the standard for
3 how things go here in terms of what building goes
4 on and the way traffic runs, that sort of thing.
5 So it's a juggling act, I think.

6 I broke it down to about four questions,
7 really. Basically, the first one is the question
8 of traffic. Adding vehicles to a road that has
9 failing or near-failing grades during rush hour
10 constitute a problem really that we've talked
11 about it in and out, all kinds of alternatives of
12 how to deal with it, but the problem hasn't been
13 solved as yet and it does need to be solved at
14 some point.

15 There seems to be an ambivalence about the
16 nature of the roadway about Elsmere. Is it gonna
17 be pedestrian-friendly or is it going to be a
18 commuter artery?

19 We hear Mike talk about bicycle crossings and
20 children crossing and being pedestrian-friendly,
21 but on the other hand, we also hear not plans but
22 proposals or rumors and, in fact, our purchasing
23 plan at Walden Fields, Elsmere is a four-lane
24 highway. So it's there and it's not there. We

1 can talk a little bit more about that.

2 So there's an ambivalence about it and I
3 don't think the Town's decided as yet and I think
4 the Town needs to decide. If that's going to be a
5 hamlet as we know it, we know it to be, then
6 pedestrians have to be able to access it. But if
7 you have that kind of traffic jam up that you have
8 there, they're not going to be able to do that.
9 It has to be resolved, and particularly when you
10 get more development on Wemple Road and off Wemple
11 Road. You not only have to look at Kendall
12 Square, but you have to look at what's going to
13 happen in the immediate neighborhood.

14 The second question, and a big one for me, is
15 the question of compatibility, and that's
16 compatibility with the surrounding neighborhood,
17 and the surrounding neighborhood has been
18 suburban, rural, not urban. Although it is likely
19 that this project will meet the code, and that's
20 for you to determine, of course, it directly
21 contradicts the identity and the character of the
22 neighborhood. It has greater density at the
23 edges. Commercial properties are right on the
24 street. Buildings are too close together.

1 Setbacks are not compatible with the neighborhood.
2 There's been easement in that setback. I'm glad
3 to hear that. And commercial property has mass
4 parking rather than neighborhood parking. Again,
5 if you look at the surrounding area, none of the
6 neighborhoods have that.

7 The third question we have is the question of
8 financial benefit to the Town. At the last
9 meeting, the developer indicated the project would
10 have negligible financial gain for the Town. At
11 least, it wouldn't be a negative. It would be a
12 positive.

13 The developer is vague about target of
14 development. He's talked about empty nesters or
15 young professionals. This plan seems not
16 particularly oriented to either group but unique
17 characteristics. The kind of buildings that would
18 be appealing to young professionals would probably
19 not be appealing to an empty nester and vice
20 versa. Perhaps, in this kind of general way, it
21 would be attractive to neither group.

22 Commercial development, again, is extremely
23 vague with little research into what kind of a
24 business might be interested in a small strip mall

1 location. That's basically what the commercial
2 development ends up to be is a small strip mall.
3 And we kind of know how those things work out in
4 this area.

5 It makes a pretty big difference in our view,
6 the implication in terms of who wants to be there
7 and who's gonna land in there in terms of who
8 wants to live in a development. Do you really
9 want to live in a development that has 24-hour
10 pizza service or do you want to live in a
11 development that has some other offices around
12 you? And, of course, the traffic is also
13 generated by the business and we don't know what
14 that would be either.

15 In contrast to that, the Town has good
16 experience with the residential development across
17 the street, which is Walden Fields, of course,
18 which brings good tax revenue with little cost to
19 the Town. It's geared for the population there.

20 The fourth question that we've had some
21 discussion of tonight, which I was delighted to
22 hear, and that is the question of a master plan
23 for the town. Some are less thoughts about what
24 the future will hold, but the building or traffic

1 pattern do not have to be altered or changed
2 because there's nothing to coordinate them. Lack
3 of information -- and I think alive with that
4 point is the lack of information about the ability
5 of the infrastructure to accommodate future
6 development.

7 We've had only -- at least from the meetings
8 that I've attended and so forth, we've only had
9 vague assurances that the town can handle it.
10 This past year has shown problems with sewage on
11 Elsmere Avenue. In fact, the trucks were out
12 there at the junction of 32 and Elsmere for most
13 of the year and, at some point, they were carting
14 sewage down to our area in order to get rid of it.

15 We have only vague assurances that the town
16 can handle it. How many houses or apartment units
17 can our sewers handle? Do we have water
18 resources? Could we handle the runoff?

19 I'm sure there's answers some place to that,
20 but we're not aware of that and I'm hopeful that
21 you can answer those questions or have those
22 questions answered for you.

23 Where did the master plan come from? Who is
24 responsible? It seems to me if not the Planning

1 Board, in conjunction with a town planner. Even
2 though you may not do a formal planning document
3 and so forth, you are in effect stewards of that
4 plan. You have to have some idea.

5 Finally, one of the things that constantly
6 came up in our meetings was: What's a hamlet?
7 And where is the hamlet in here?

8 We've had some description of that tonight,
9 although I think the difference between a hamlet
10 and a hamlet district is still kind of vague.

11 The Comprehensive Plan indicates that this
12 site is designated a hamlet and describes various
13 characteristics of a hamlet taken from the
14 Saratoga Associates' document that the Town used.
15 Code, however, does not require very many of these
16 characteristics to qualify an area for a hamlet
17 except for something like mixed use and placing
18 an element on the site of a commercial building
19 and I guess it can only be 35 feet high or
20 something like that, and there are other minor
21 regulations.

22 In other words, there's no -- as far as I can
23 tell, there was no specified amount of commercial
24 building that must be in place for it to qualify

1 as a hamlet. You can have one mom and pop store,
2 I guess, and that would probably do it. Saratoga
3 Associates did not recommend that this site be a
4 hamlet, but we've had some discussion about that,
5 but somehow it was labeled as such when the
6 Comprehensive Plan was adopted. Our best guess
7 is, and after looking at the property, that this
8 site might not have been the best site for a
9 hamlet.

10 Nevertheless, we feel the project would be
11 much better in scale with the neighborhood if it
12 were developed as a true hamlet rather than a
13 small strip mall attached to an apartment complex.

14 In conclusion, for the above reasons and
15 others, we strongly recommend that the Planning
16 Board continue to table this project recommending
17 that the design needs to be revisited with a
18 professional landscape architect so that a true
19 hamlet compatible with the neighborhood could be
20 built and probably that would be in the interior
21 of the property, and so that a small commercial
22 area likely would evolve in the natural setting.
23 And that's our recommendation. Thank you.

24 (Applause.)

1 CHAIRMAN LEVEILLE: Thank you.

2 I'd like to move now towards closure. If
3 someone would like to speak and has some viewpoint
4 that has not been expressed repeatedly to date, I
5 welcome you to come on up, please.

6 MS. TAZINSKI: Linda Tazinski. I was
7 involved a lot in the Comprehensive Plan, which I
8 believe is our master plan. We took a lot of time
9 to get that in place to decide on things. This
10 was designated as a hamlet area and I think the
11 design that's there is a good hamlet design.

12 Much discussion during the BPAC meeting was
13 to have green space, undeveloped space, in these
14 developments. And in order to do that, you need
15 to put your houses and your dwelling units closer
16 together, and that's exactly what they've done
17 here. Sixty-five percent to be undeveloped is
18 wonderful. It's a great amount. And I think it's
19 private property now, which means nobody can go on
20 it, but it will be open for people to walk on it
21 and picnic and that kind of thing. So I think
22 that's a really great thing for the neighborhood.

23 We also talked a lot about how you need to
24 have diversity in your housing and you don't want

1 to necessarily put your senior citizens over in
2 their development and your kids over in their
3 development and your professionals over in their
4 development. There is a whole scenario about all
5 of them living together so that the young kids can
6 learn from the older folks that are living in the
7 area and that kind of thing. This can accomplish
8 that.

9 The fact that it's not all town roads that
10 are coming up is great, too, because the Town's
11 not gonna have to maintain that. That will be
12 maintained by the developer. That's less cost to
13 the townspeople.

14 I didn't even know we had some ideas of the
15 different roads that might go through at one point
16 and we did that on the 9W study where we said, you
17 know, we'd like to see a road along this way at
18 some point.

19 And the traffic there, it always amazes me
20 that people come out of Price Chopper and say, "I
21 can't make a left-hand turn on 9W." Well, then
22 don't go that way. Go around the other way, come
23 out to the red light where you can make a left
24 turn.

1 I think the same thing will happen here.
2 People will find a way around it. It gets
3 congested because of extra traffic which I don't
4 think you'll really see that. People go down
5 Murray Avenue. You know, if they're coming 9W,
6 they'll go the other way. There are ways to get
7 around it. I don't see a whole lot of more
8 traffic because of this.

9 The retail or commercial or whatever you want
10 to call it that's gonna go in there is really
11 gonna take the neighborhood people. And to be
12 able to walk to -- we talked a lot about
13 walkabouts, because these people are not gonna
14 walk to 9W. They can get milk in a little store
15 or pizza there or whatever else may be. There are
16 going to be new doctors looking for doctors'
17 offices. There are going to be new lawyers out
18 there. I think half the people in this town are
19 lawyers. And, certainly, state workers are going
20 to have less money to spend, because we're getting
21 furloughed.

22 But I think this is a great design. I think
23 the developer has gone out of his way. This
24 developer has done Walden Fields, which everybody

1 seems very happy with where they live. So, you
2 know, I think we should go ahead with it. And I
3 think you need to go ahead with it soon, because
4 we can employ people. We can get construction
5 people and everyone else that will be building it
6 and working there and we need some jobs right now
7 to get started. Thank you.

8 CHAIRMAN LEVEILLE: Thank you.

9 (Applause.)

10 MR. WALDENMYER: My name is Mike Waldenmyer
11 (phonetic) and I live in Glenmont. I guess I want
12 to ask everybody here how many people went through
13 the Comp Plan process, went to all the different
14 meetings?

15 Well, there were exactly 12 public workshops,
16 14 planning advisory committees and two written
17 surveys. And in the surveys, 78 percent of the
18 people agreed that the Town should encourage a
19 diversity of housing types for singles, families,
20 empty nesters and seniors.

21 Now, a hamlet -- like somebody told me one
22 time, you don't make a hamlet. A hamlet grows.
23 And that area is a hamlet that's growing. We
24 already have Walden Fields. We have Chadwick

1 Square. We have Colonial Acres. We have Haswell
2 Farms. We have everything going down Wemple Road.
3 Then, we have commercial adjacent. We have
4 Hewitts. So this is just another part of this
5 piece of pie.

6 We will now have apartments. We will have
7 some commercial. You know what? Everybody knows
8 I want Trader Joe's, but we're not gonna get that
9 here. I keep pointing that out to them and they
10 won't come.

11 If we could get like a -- I don't know how
12 many people have been to Manchester, Vermont and
13 seen the Stewart's there. It doesn't have gas
14 pumps and doesn't have a drive-through. That's
15 what we can have here. This was not designed as
16 rural, because it is not rural.

17 I'm 62 years old. I was there before
18 (inaudible). My sister actually baby-sat for
19 Michael the night before one of their twins
20 drowned in a pool. So I've been around a lot
21 longer than some of you people, but I've lived
22 here all my life.

23 I property shouldn't say this, but this
24 property has been in our family for 98 years

1 between my great uncle, my aunt, my father, now my
2 family. I have grandchildren that are probably
3 gonna stay in this town. So I wouldn't have
4 picked Lee Rosen to do this if I didn't think he'd
5 do a quality project, because we did have other
6 people come to us and show big figures and you
7 know what? I wasn't comfortable with any of those
8 people.

9 So, you know, you should realize this is not
10 just a hamlet right here, and there was other
11 things. 58 percent of the people in the survey
12 said we should do development compact multiple
13 mixed neighborhood. Well, I do a lot of walking.
14 I walk by Walden Fields at 6:30, 5:30 in the
15 morning. Most of you people are sleeping. I
16 usually get your sprinklers blasting me on the
17 sidewalk, but that's fine. I can handle that.

18 But when we did the Comp Plan, everyone
19 wanted everything walking. When the Town came to
20 us and asked to put that sidewalk on Feura Bush
21 Road, they wanted an easement, we said, "Fine." I
22 wish I owned the land all the way to the town
23 park, because the town park has been here since
24 the '70s and we still don't have a sidewalk to get

1 our kids to that town park safe. But then they
2 didn't need it, because they found they had four
3 yards instead of three yards.

4 So the bottom line is I think this conforms
5 to what the hamlet design is and I'm sorry if
6 people don't like it. I think Walden Fields is
7 nice. Colonial Acres, I think that's the nicest
8 development there is here. I mean, it's woods.
9 It's not vinyl. I'm sorry, but I'm for it. Thank
10 you.

11 CHAIRMAN LEVEILLE: Thank you.

12 (Applause.)

13 CHAIRMAN LEVEILLE: Okay. I'd like to thank
14 everybody for participating tonight. The Planning
15 Board will go back and digest the testimony that
16 we've gathered tonight. And if you just kind of
17 take a look at our agendas on the website, you'll
18 see when this is going to be up again for review
19 and, of course, there will be public comment
20 period that night before the meeting for an
21 opportunity to speak to us before we make a
22 decision.

23 So I want to thank everybody for coming and
24 I'd like to get a motion to close the public

1 hearing.

2 MR. SMOLINSKY: So moved.

3 CHAIRMAN LEVEILLE: Second?

4 MR. RICE: Second.

5 CHAIRMAN LEVEILLE: All in favor?

6 (Affirmative responses.)

7 CHAIRMAN LEVEILLE: The public hearing's
8 closed.

9 (Whereupon, at 8:18 p.m., the public hearing
10 was closed.)

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C E R T I F I C A T I O N

I, **THERESA L. KLOS**, Shorthand Reporter and Notary Public within and for the State of New York, do hereby CERTIFY that the foregoing record taken by me at the time and place noted in the heading hereof is a true and accurate transcript of same, to the best of my ability and belief.

THERESA L. KLOS

Dated: May 31, 2010.

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