

TOWN BOARD
AUGUST 18, 1994

A special meeting of the Town Board of the Town of Bethlehem was held on the above date at the Town Hall, 445 Delaware Avenue, Delmar, NY. The meeting was called to order by the Supervisor at 7:30 p.m.

PRESENT: Sheila Fuller, Supervisor
Frederick C. Webster, Councilman
George Lenhardt, Councilman
Freeman T. Putney, Councilman
Doris M. Davis, Councilman
Bernard Kaplowitz, Esq., Town Attorney
Kathleen A. Newkirk, Town Clerk

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Presentation
of Master
Plan and
Consideration
of SEQR
Resolution

The Supervisor called the meeting to order indicating the meeting was called for the purpose of the presentation of the draft Master Plan with revisions and consideration of SEQR resolution.

Supervisor Fuller thanked the volunteers who have served on the Land Use Management Advisory Committee for at least 5 years. She noted some were in attendance, Mr. Lipnicky as Chairman, Martin Barr, Jim Blendell, Sam Messina, Freeman T. Putney, Lisa Sabatino. Past committee members who have served, Robert Alessi, Mary Blake, Doug Brownell, Mark Fitzsimmons, Sheila Galvin, Dr. Paul Griffin, Charles Gunner, John Mitchell, Marcia Nelson, Robin Reed, Sue Ann Ritchko, and Kathy Newkirk recording secretary. She thanked everyone for the many hours of dedication to the project.

Supervisor Fuller said Town Planner Jeff Lipnicky will give the presentation regarding this. She noted she would then open the meeting to questions from the Town Board and Planning Board. Then she noted if time permitted, questions will be taken from the audience. She noted the process will go on for a while with a public hearing held later. This meeting is the first step.

Town Planner and Chairman Lipnicky gave a lengthy presentation, including slides, on the Master Plan and revisions done following the public meetings. He said the process has a long way to go, noting the steps have been outlined for the Town Board members. He noted there was one other person he wished to acknowledge, Dave Jukins who is with the Capital District Transportation Committee. He said Dave acted as the transportation consultant on the plan along with his fellow employees at CDTC.

Mr. Lipnicky noted this meeting was to initiate the whole formal review process of the Master Plan. He indicated a local law has been drafted and presented to the Town Board. He said essentially, if adopted, the local law would adopt the Town of Bethlehem Master Plan. He noted the adoption of the local law would allow for the Master Plan to be used as an advisory document which is designed and intended to guide all public agencies, private individuals and organizations into making appropriate decisions for the orderly and practical development of the Town. He said the Master Plan will also serve as a guide to future policy decisions with regard to land use development and conservation in the Town and form the basis for future amendments to the Town zoning, subdivision and other land use controls.

Mr. Lipnicky said copies of the document will be available in areas throughout the Town -- the library, the Planning Department, the Town Clerk's office, copies at ARC in North Bethlehem, the South Bethlehem Post Office and the Selkirk Post Office. He said they also have loan copies which will be available. He noted the other thing is that a shortened version of the complete book will be done and will be available for purchase. This will be a summary report.

Supervisor Fuller asked if anyone on the Town Board had any questions. There were none. She then asked if anyone from the Planning Board had any questions. Chairman Barr said he just wanted to introduce the other members of the Planning Board. Supervisor Fuller proceeded to introduce the other Members of the Planning Board

who were in attendance -- Gary Swan, Joe Rooks, Jim Blendell and Doug Hasbrouck.

Supervisor Fuller asked if anyone in the audience had any questions. Questions were asked regarding increased traffic and the fact that Mr. Lipnicky said the problem will probably not dissolve until the year 2000. Mr. Lipnicky said in the Slingerlands area, the traffic is looked at at the peak hours. He said the solution will not come until the improvements are made to the highways. He noted the LUMAC recommendation was not to allow commercial growth until such time as the infrastructure improvements have been done.

Question was also raised regarding the use of the Master Plan as a guide and how much weight this would have with the Planning Board. Mr. Lipnicky said that question the attorneys should address. He noted it does have some benefit. Mr. Kaplowitz noted before it is adopted it has no weight at all, philosophically, but it will have some weight on the individual on the Board. Once adopted, Attorney Kaplowitz, said it is a guide and it can be amended.

Mention was made to the fact of the additional recommendations which emerged over the last year, after the draft of last August, and whether they will be put into appendix B in the recommendations and be considered with the Master Plan. Town Planner Lipnicky said it was not their intention to do so at this point in time. He said the appendix remains a part of the plan.

Councilman Davis indicated if anyone had not read the appendices, she recommends that they do. The questions and information in there are well represented of concerns being discussed. One resident agreed, however, indicated the copies have not been available.

Another question was asked regarding the maps being included in the summary. Mr. Lipnicky noted the summary includes the proposed land use map, the proposed transportation corridor map and the proposed mapping for the bicycles and sidewalks. The answer, according to Mr. Lipnicky, is that most of the mapping is not in the summary report.

One individual indicated it might be helpful to have one summary containing the maps. Another question was asked regarding the bicycle and sidewalk maps. Mr. Lipnicky said there is an addressing by regional planners regarding these types of things.

Councilman Lenhardt commended the amount of information contained, but, suggested that the updated revisions be dated for ease of identification and possibly add tabs in the document. Additionally, he mentioned the savings if 2 sided copies can be utilized. Mr. Lipnicky said these are all points well taken and they will try and incorporate it into any future items done.

The Supervisor thanked everyone for joining the Town Board and hoped to have a public hearing in the near future, indicating the dates will be well publicized. She said letters and phone calls are all accepted, urging as much public involvement as possible.

Supervisor Fuller said the next item would be to adopt a resolution for the SEQR. The following resolution was presented for adoption by Mr. Putney and seconded by Mrs. Davis:

LOCAL LAW NO. 8 OF 1994
ADOPTING THE TOWN OF BETHLEHEM MASTER PLAN
SEQR RESOLUTION
DETERMINATION OF SIGNIFICANCE

Adopt Local
Law No.8,
1994
SEQR
Resolution
Master Plan

WHEREAS, The Town Board of the Town of Bethlehem is considering adoption of Local Law No. 8 of 1994, which would adopt a Town Master Plan as the official guide to future development in the community; and,
WHEREAS, the Master Plan was prepared by the Town's Land Use Management Advisory Committee with professional assistance from the Town Planning Department and the Capital District Transportation Committee; and,

WHEREAS, the Town Law at Section 272-a authorizes the Town Board to adopt a comprehensive plan for the future development of the Town; and,

WHEREAS, adoption of the Town Master Plan by the Town Board of the Town of Bethlehem will not ensure the implementation of recommendations contained in the Plan nor commit the Town Board to any specific recommendation in the Plan; and,

WHEREAS, adoption of a Master Plan which does not commit an agency to specific actions contained in the Plan, is not required to be subject to the State Environmental Quality Review Act Regulations (SEQR) found in 6 NYCRR Part 617; and,

WHEREAS, notwithstanding satisfaction of its SEQR obligations, the Town Board has nevertheless determined that it will follow the SEQR process with regard to adoption of the Master Plan in order to enhance opportunities for public input and comment; and,

WHEREAS, the State Environmental Quality Review Act regulations found at 6 NYCRR Part 617.3(a) require that no agency shall carry out, fund or approve an action until it has complied with the requirements of SEQR; and,

WHEREAS, 6 NYCRR Part 617.5(a) requires that as soon as possible in an agency's formulation of an action it proposes to undertake it shall determine: (1) whether the action is subject to SEQR; (2) whether other agencies are involved; (3) the appropriate classification of the action; and, (4) whether a short or long environmental assessment form (EAF) is necessary; and,

WHEREAS, 6 NYCRR 617.6(a) indicates that when a single agency is involved that agency shall be the lead agency and determine the significance of the action; and,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Bethlehem hereby determines that adoption of Local Law No. 8 of 1994 is a Type I action subject to SEQR and that there are no other involved agencies with respect to this action; and,

BE IT FURTHER RESOLVED, that the Town Board hereby determines that it is lead agency with respect to this action; that the proposed action may have a significant impact on the environment; and therefore, that a Draft Generic Environmental Impact Statement (DGEIS) shall be prepared; and,

BE IT FURTHER RESOLVED, that this determination shall be considered a Positive Declaration made pursuant to Article 8 of the Environmental Conservation Law; and,

BE IT FURTHER RESOLVED, that a copy of this determination shall be filed in the Office of the Town Clerk and appropriate notice shall be given as required by law.

On a motion by Mr. Putney, seconded by Mrs. Davis, and by a vote of 5 for, and 0 against, this RESOLUTION was adopted on August 18, 1994.

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The motion was made by Mr. Webster and seconded by Mr. Lenhardt to adjourn the Special Meeting of the Town Board at 9:10 p.m. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney, Mrs. Davis.
Noes: None.

Kathleen A. Newkirk
Town Clerk