I. Call to Order
A Regular Meeting of the Planning Board of the Town of Bethlehem was held on the above date at the Town Hall Auditorium, 445 Delaware Avenue, Delmar, NY. The Meeting was called to order at 6:00 PM.

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
<th>Arrived</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brian Gyory</td>
<td>Board Member</td>
<td>Present</td>
<td></td>
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<tr>
<td>John Smolinsky</td>
<td>Chairman</td>
<td>Present</td>
<td></td>
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<tr>
<td>Leah Farrell</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Scott Lewendon</td>
<td>Board Member</td>
<td>Present</td>
<td></td>
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<tr>
<td>Kate Powers</td>
<td>Board Member</td>
<td>Excused</td>
<td></td>
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<tr>
<td>Michael Moore</td>
<td>Planning/Zoning Board Counsel</td>
<td>Excused</td>
<td></td>
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<tr>
<td>Deborah Kitchen</td>
<td>Assistant to the Planning Board</td>
<td>Present</td>
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<tr>
<td>Robert Leslie</td>
<td>Director of Planning</td>
<td>Present</td>
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<tr>
<td>Kenneth Kovalchik</td>
<td>Senior Planner</td>
<td>Excused</td>
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II. Announcements
A. Introduce New Planning Board Member - Brian Gyory - Appointed by Town Board 01/11/2017
Chairman Smolinsky introduced the newest Planning Board Member, Brian Gyory. He noted that Brian is a Landscape Architect with the NYS Environmental Facilities Corporation, and has expertise in Stormwater and water issues. He also noted that Mr. Gyory owns a business in Town.

III. Public Comment on Regular Agenda Items - 10 Minutes
None

IV. Minutes Approval
A. Tuesday, January 03, 2017
RESULT: Accepted [3 TO 0]

MOVER: Leah Farrell, Board Member
SECONDER: Scott Lewendon, Board Member
AYES: John Smolinsky, Leah Farrell, Scott Lewendon
ABSTAIN: Brian Gyory
EXCUSED: Kate Powers

V. Discussion/Information Items

A. Meadowview II Subdivision - Initial Presentation on Proposed Amendment to Final Plat Approval for Limitations on Impervious Area

The project was before the Board for an Initial Presentation. William Swift, of Swift Builders, the applicant, Paul Hite of Hite Surveying, Luigi Palleschi, of ABD Engineering, and Jared George of Gordon Development, were present to provide information and answer questions. Staff comments were provided by Robert Leslie. To date, the project was placed on the following Planning Board Agendas: 01/17/2017.

Discussion / Information Items

-applicant is seeking relief from Condition 9.I of the Final Plat Approval (Cert 241) for the Meadowview II seven (7) lot Major Subdivision, granted 09/01/2009, related to the preparation of a SWPPP and construction of a post-construction stormwater management practice

-applicant is seeking approval to remove the limitations for impervious surface area by constructing a bioretention area at the end of Schoonmaker Road to be owned and maintained by the Town

-five (5) Building Permits (12 Jasmine Drive and 67, 73, 78, and 82 Schoonmaker Road) have been issued

-in 2009 NYS DEC Regulations allowed 5 acres with less than 25% impervious limit

-max limit on impervious surface was included in the approval document but was not noted on the drawing

-bioretention system meets NYS DEC Regulations and would eliminate restrictions on impervious surface

-the system will only have water in it when it rains

-soil media allows infiltration, filters the stormwater runoff, and is collected by under drains and releases out to the Dowerskill

-there would be no changes to subdivision layout

-the applicant has notified the homeowners about the impervious surface issue

-three (3) homes have been built

-two (2) homes are under construction

-two (2) lots (11 Jasmine Drive and 66 Schoonmaker Road) remain undeveloped

-more impervious surface area was used during construction than expected
- if approval is not granted homeowners will be limited to amount of impervious surface for typical improvements on residential lots such as sheds, pools, etc.

**Board Member / Staff comments**
- wondered if there was a need for plantings / screening
- noted that an inlet was added to lot 66 to work with the existing natural swale
- sizing was designed according to DEC regulations
- soil media will allow for proper infiltration
- bioretention has its own soil media to allow infiltration, testing is not required
- this is a unique situation because the lots were already sold and there is no place to put bioretention within the subdivision boundary so the bioretention area will be placed on Town property
- construction costs will be borne by the developer
- at time of 5th building permit, staff realized that impervious calculation had not been submitted
- placement of bioretention area does not restrict construction of North / South Collector Road
- topography dictates direction of drainage
- the remaining two lots are at the highest elevation on the site
- SWPPP shows disturbance of .03 acres
- inspections will be done to make sure the bioretention area complies with regulations
- at present stormwater drains off the road and is not treated before reaching the Dowerskill
- the improvement will address issues related to quality and quantity of stormwater runoff
- a TDE will review the SWPPP to make sure everything is in order

Further discussion of the project was tabled.

**B. Town Squire 2 Shopping Plaza, Route 9W - Initial Presentation on Site Plan Amendment for 5,000SF Albany Medical Center EmUrgentCare**

The project was before the Board for an Initial Presentation. Jamie Easton of MJ Engineering, Charles Jesmain and Eric Larner, President of Schuyler Companies, the applicant, were present to provide information and answer questions. Staff comments were provided by Robert Leslie. To date, the project was placed on the following Planning Board Agendas: 01/17/2017.

**Discussion / Information Items**
- applicant owns the Town Squire Plaza
AMC interested in constructing a 5,000 sf medical office / urgent care facility at 378 Route 9W behind Trustco Bank & 16 Handles

Original site plan approved in 2003

Potential impacts, utilities and underutilized parking spaces were taken into consideration when designing the concept layout

Angle of repose includes intermittent water course which runs down the center of the building

Existing slope would be reduced from 1/1 to 2/1, dropping approximate 20' to watercourse

Building would act as a retaining wall

.5 acre of disturbance

Plan to utilize existing stormwater basin designed to NYS DEC Regulations in 2003 for water quantity and quality

Required number of parking stalls in 2003 was 144 spaces, 148 were constructed

Parking requirement was reduced under the new code

Only 124 spaces required at present time with additional 5,000 sf building

Slope stabilization study not yet completed

Watercourse in Town easement is currently fed by an existing 24' pipe from approved sub at 171.5 elevation

Town would prefer to take over culvert pipe and maintenance

Existing angle of repose is next to SEFCU Bank

Setback from existing subdivision is 140'

To build beyond the angle of repose would place the building 230' back from pavement

Site line visibility from Route 9W when determining the building location

Approximate 2,000-3,000 yards of fill would be needed with current location

More would be needed to cross the ravine and push the building further back from Route 9W

Foundation to eliminate concern of slope failure

Soil has been untouched for many years

Soil and geotechnical report will address slippage concerns

Flattening the slope and adding building / retaining wall will eliminate slippage

Would need 300' of roadway to develop the back property which consists of 14 acres

Had looked at redeveloping 99 Delaware but was not able to modify the building due to erosion issues

ACPB reviewed the plans submitted to the Town which shows the culvert and retaining walls to cross the watercourse

ACPB recommended an alternate location for the building
-applicant would like ACPB to review the proposal from an Engineering standpoint
-applicant needs to show what would be needed to construct the roadway
-waiver would have to be issued by Planning Board, not Town Engineer
-zoning would allow 100,000 sf office with 140’ setbacks
-developer trying to lessen impacts to existing residential neighborhood
-applicant willing to sell the vacant land or develop it for office space
-applicant willing to provide additional information to support a 5,000 sf bldg that serves the community, utilizes the existing parking and reduces fear of slope stability
-members encouraged to drive by the site
-possible options: 1) existing proposal; 2) modify parking to reduce impact on stream

Board Member / Staff Comments
-drainage (from subdivision and higher ground on the parcel) stream is dry at certain times of the year
-soil analysis for slope stability
-ACOE was ok with soil analysis / ground testing / clearing
-existing overflow for shopping center runs thru a 12" stormwater pipe and discharges into the watercourse
-stormwater converges from shopping center, adjacent subdivision and undeveloped parcel
-retaining wall on plan shows drainage from Farm Family property
-how much of building elevation / foundation would be visible
-site line from Route 9W is not a big argument, static condition from across the street
-concerned about hydrology, erosion, additional parking,
-rear elevation needs further consideration, i.e., delivery area
-slope protection / combination of foundation, abutments, slope protection will be dramatic
-if the Planning Board were to approve the current location it would need to be done with a super majority (4-1 vote) and justification would need to be provided to the ACPB
-traffic impacts would need to be addressed
-missed opportunity to create a campus on other side of ravine
-landscaping plan
-reduction in parking

Next Steps
-applicant to provide drainage map
-applicant to provide alternative layout that shows everything relevant to slope and hydrology and minimizes impacts to existing watercourse

-applicant to provide photo simulation showing topography and exposed foundation

Further discussion of the project was tabled

VI. New Business

A. 2016 Amendments to the Zoning Law and Subdivision Regulations

Mr. Leslie noted that the 2016 Zoning Law and Subdivision Regulations Amendments were adopted by the Town Board on 12/14/2016 (SEQR Resolution 2016-050 / Local Law 5-2016) and filed with the NYS Dept of State on 12/21/2016. The revisions were published by eCode360 on 01/01/2017 and paper copies would be made available to Planning Board Members if they do not wish to use the electronic version.

Link to Current Subdivision Regulations - Chapter 103

Link to Current Zoning Law - Chapter 128

B. Town of Bethlehem Website - Planning Board Webpage

Chairman Smolinsky noted that the Times Union published an article written by Cathleen Crowley on Sunday, 01/15/2017, which ranked the Town of Bethlehem's website as one of the best government websites. He also mentioned that the website was enhanced with biographies and pictures of the Planning Board.

Link to Town of Bethlehem Website
http://www.townofbethlehem.org/

Link to Town of Bethlehem Website - Planning Board Webpage
http://www.townofbethlehem.org/141/Planning-Board

VII. Adjournment

Motion To: Adjourn - Next Meeting 02/07/2017 at 6:00 p.m.

RESULT: ADJOURN [UNANIMOUS]
MOVER: Scott Lewendon, Board Member
SECONDER: Leah Farrell, Board Member
AYES: Brian Gyory, John Smolinsky, Leah Farrell, Scott Lewendon
EXCUSED: Kate Powers