

TOWN OF BETHLEHEM



John Clarkson
Town Supervisor

Planning Board Minutes

John Smolinsky
Board Member/Chairman

Tuesday, March 7, 2017
6:00 PM

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.

Attendee Name	Title	Status	Arrived
Brian Gyory	Board Member	Present	
John Smolinsky	Chairman	Present	
Leah Farrell	Board Member	Present	
Scott Lewendon	Board Member	Present	
Kate Powers	Board Member	Present	
Michael Moore	Planning/Zoning Board Counsel	Present	
Deborah Kitchen	Assistant to the Planning Board	Excused	
Robert Leslie	Director of Planning	Present	
Kenneth Kovalchik	Senior Planner	Present	
Kathleen Reid	Assistant to the Zoning Board of Appeals	Excused	
Leslie Lombardo	Senior Planner	Present	

II. Introduction of Town Staff Member - Leslie Lombardo

Chairman Smolinsky introduced Leslie Lombardo, Senior Planner, a new staff member in the Dept. Of Economic Development & Planning who will be presenting projects. Robert Leslie, Director of Planning noted that Leslie Lombardo is familiar with many of the projects because she reviewed them while serving as County Planner for the Albany County Planning Board. Prior to working for Albany County, Leslie served as a Planner for Rockland County. She is a resident of the Town of Bethlehem. The Town is lucky to have her on Board.

III. Public Comment on Regular Agenda Items - 10 Minutes

Bob Schmidt - 12 Salem Rd, Delmar

- thank you to the Waldenmaier Family for keeping the property wooded for so many years with out trespassing signs
- has seen a lot of people walking their dogs up and down the gravel road and in the woods
- has one issue and that is, even though it says highway by use, Leonard Drive has always been a road
- it is still a paved road throughout the woods
- when looking at the traffic it seems that the number of cars are low for size of the development
- makes sense to keep Leonard Drive attached to the new development and allow cars to flow thru it

- has been a big component of opening up the neighborhoods rather than fracturing them with dead ends
- Haswell Farms has been disconnected from Lauralanna Heights
- the kids have to go thru the woods or ride bikes on a busy road to get from one development to the other
- not ok with creating another cul-de-sac
- would like Spindler to be connected to Leonard to open up a path for the community, school buses, fire trucks, all of the other accesses that may be needed
- concerned about site visibility when taking a left turn on Feura Bush Road from Bain Drive

Mark Kaim - 19 Boylston Drive, Delmar

- first time he has heard of the meetings with regard to the project
- he resides 75 yards away from the project
- received a flyer from an activist in the neighborhood
- has young children
- must drive somewhere to get to a playground
- feels that a park would be a valuable part of the project

Joel & Donald Dzekiorios - 78 Hampton Street, Delmar

- a deeded right-of-way for the lots in the Stone Quarry Subdivision has not been addressed in the subdivision layout
- documentation related to the right-of-way was previously provided to the Town
- claims to have spoken to the builder who does not care
- owns 5 acres of land-locked
- his original address was Leonard Place not Hampton Street
- has driven on the road for 30 years
- has mowed the road
- prior owner (Tony Moreau) drove on the road for 50 years
- previously provided deeds showing right-of-way thru lands of Waldenmaier to Leonard Place

Grace Ashe - 7 Bedford Court, Delmar

- just learned about some of the proposed projects in the Town
- wants to know what is being done to include sidewalks
- if construction access is on Bain Drive who would pay to repair any damage that may occur to the road

IV. Minutes Approval

A. Tuesday, February 21, 2017

RESULT:	ACCEPTED [4 TO 0]
MOVER:	Brian Gyory, Board Member
SECONDER:	Kate Powers, Board Member
AYES:	Brian Gyory, John Smolinsky, Scott Lewendon, Kate Powers
ABSTAIN:	Leah Farrell

V. Public Hearings - NONE

None

VI. Action Items

A. Stonefield 29 Lot Major Subdivision -- Corrit Drive, Bain Drive and Hampton Street, Glenmont -- Possible Action to Adopt Park Fee Resolution Requiring Payment of Park Fee In-Lieu-Of Park Land Reservation

The proposed Subdivision application was before the Board for an update and possible action on the Parkland Resolution and Preliminary Plat Approval. Dave Ingalls of Ingalls & Associates and Michael Waldenmaier, one of the property owners, were present on behalf of the applicant, Charlew Buildings, to provide information and answer questions. Staff comments were provided by Kenneth Kovalchik. To date, the project was placed on the following Planning Board Agendas: 04/21/2016, 02/07/2017, 02/21/2017 and 03/07/2017.

Discussion / Information Items:

- public hearing held 02/21/2017
- comments at public hearing were summarized in a staff memo
- written comments / emails were submitted to the Town as late as 5:30 p.m. today
- many of the comments were addressed during the SEQR process and at prior meetings
- applicant will need to assess the traffic at the Bain Drive and Salem Drive intersection to determine if a stop sign is warranted
- an existing turn-around at the end of Leonard Drive will be retained
- Leonard Drive will not be connected to Spindler Court except for a 5' wide paved trail / pedestrian connection between Spindler Court and Leonard Drive will be provided
- a portion of Leonard Drive is a highway by use that is only 12' wide and does not meet town standards
- the town does provides services and maintains Leonard Drive
- access to the subdivision will be provided via Bain Drive, Hampton Street and Corrit Drive
- the property owner on Leonard Drive does not support deeding the highway by use portion of the road
- the town did not want to make further improvements to Leonard Place
- the homes on Leonard Drive, closest to Feura Bush Road, are not set back far enough to allow road widening / improvements
- concerns related to speeding will be addressed when / if an issue arises
- the town has four speed radar signs that can be deployed if needed
- the Highway Superintendent is aware of concerns raised about speeding and could install a speed limit sign
- concerns raised about runoff were addressed
- post development run-off rates cannot exceed pre-development rates
- the proposed dry pond is expected to drain within a 24 hour period

- construction traffic will be directed over Bain Drive while the utilities, highway, etc. Are being installed
- after the utilities are installed, and the roads are dedicated to the Town, any of the roads can be used for construction of the new homes
- enforcement will be handled by the Building Dept.
- Concerns raised about the functioning of existing catch basins can be reported to the Town <https://ny-bethlehem.civicplus.com/requesttracker.aspx>
- the sewer line will need to be extended on Corrit Drive approximately 90'
- it is not known yet whether there is bed rock where the gravity sewer extension is needed and what method will be used to install it
- the sewer connection does not alter the subdivision layout
- Town staff will look at previous records from the Haswell Farm project to see if there is information about the type of soil at this location
- easement at rear of lot of the Stonefield Subdivision will provide access to 12' deeded right of way along western boundary of Stone Quarry Subdivision (1838) provides access to five lots on Leonard Place from Feura Bush Road
- sidewalks not required within the proposed subdivision
- there is a long range plan to extend sidewalks along Feura Bush Road to the Town Park
- Mr. Leslie noted that funds collected for fees in lieu of parkland is used to purchase new parks and improve existing parks
- Mr. Intent of the Parkland law adopted in 2001 is that each subdivision should be considered for parkland
- applicant provided a traffic analysis
- applicant to contribute funds toward traffic improvements to nearby intersections
- speed limit on Feura Bush Road was reduced based on previous study
- proposed scheduling of the project
- applicant planning to balance the earthwork to minimize construction traffic and the need to bring in or remove fill
- some of the homes will have walk-out basements and others will have garden windows where the grade will be approximately 4' down
- the Board has 62 days to take action on the Preliminary Plat following the close of the public hearing
- once the Board takes action on the preliminary plat, the applicant has 180 days to submit the final plat

Board Member / Staff Comments

- concerns raised about the extension of the gravity sewer line with the existing sewer on Corrit Drive will be noted as a condition in the Preliminary Plat Approval

- Counsel noted that the issue of right-of way via Leonard Place for the owners of the lots in the Stone Quarry Subdivision is a private property matter
- the developer would be responsible for the cost of repairing Bain Drive if damage were to occur during construction
- construction entrance signage on Feura Bush Road would be handled by NYS DOT
- applicant to identify existing trees that can be preserved, outside of the limits of disturbance, on the grading & landscaping plan
- Ms. Farrell noted that pocket parks do not always make sense

Following a discussion the Board took action on the Parkland Resolution and Preliminary Plat Approval.

**PLANNING BOARD
TOWN OF BETHLEHEM
ALBANY COUNTY, NEW YORK**

**RESOLUTION
RESERVATION OF PUBLIC PARKLAND / FEE IN LIEU OF REQUIREMENT**

**STONEFIELD SUBDIVISION
BAIN DRIVE, CORRIT DRIVE, HAMPTON STREET AND SPINDLER COURT, GLENMONT
CHARLEW BUILDERS, INC.**

WHEREAS, the Town of Bethlehem Planning Board has received an application from Charlew Builders, Inc. for a subdivision of property located on Corrit Drive, Bain Drive and Hampton Street, in order to create 29 single-family lots from one existing lot; and,

WHEREAS, approval of the subdivision would result in 29 vacant single-family building lots; and,

WHEREAS, Chapter 103 of the Code of the Town of Bethlehem provides the Town Planning Board with the authority to review and approve subdivision applications; and,

WHEREAS, Local Law No. 7 of 2001 adopted by the Town Board on June 13, 2001 and §103-29 of the Town Code of the Town of Bethlehem authorize the Town Planning Board to require the reservation of land for public park, playground, or recreation purposes, or the payment of a fee in lieu of parkland, as a condition of subdivision approval for residential developments requiring such approval; and,

WHEREAS, said Local Law was adopted by the Town Board after careful consideration of the impacts that new housing development is having on the Town's park and recreation facilities, as outlined in a memorandum from the Town Planning Division dated May 15, 2001; and,

WHEREAS, the Planning Board has considered the project site and its potential for accommodating a park site for active recreation use;

NOW, THEREFORE, BE IT RESOLVED,

that the Town Planning Board hereby finds that the proposed Stonefield Subdivision presents a proper case for the requirement of public parkland, but that a suitable park of adequate size, which meets the criteria outlined in Local Law No. 7 of 2001 and Chapter 103 of the Code of the Town of Bethlehem, cannot be properly located on the Subdivision parcel; and,

BE IT FURTHER RESOLVED,

that the Planning Board of the Town of Bethlehem hereby requires that a fee be paid in lieu of parkland reservation for the proposed Stonefield Subdivision the amount and payment of which shall be made in accordance with Local Law No. 7 of 2001 and Chapter 103 of the Code of the Town of Bethlehem.

On a motion by Ms. Farrell, seconded by Mr. Lewendon, and by a vote of five (5) for, zero (0) against, zero (0) abstained, and zero (0) absent, this RESOLUTION was adopted on March 7, 2017.

RESULT: APPROVED [UNANIMOUS]
MOVER: Leah Farrell, Board Member
SECONDER: Scott Lewendon, Board Member
AYES: Gyory, Smolinsky, Farrell, Lewendon, Powers

B. Stonefield 29 Lot Major Subdivision - Corrit Drive, Bain Drive and Hampton Street, Glenmont - Possible Action on Preliminary Plat Approval - Certificate 275 P

**PLANNING BOARD
TOWN OF BETHLEHEM
ALBANY COUNTY, NEW YORK**

PRELIMINARY PLAT APPROVAL

**STONEFIELD SUBDIVISION
BAIN DRIVE, CORRIT DRIVE, HAMPTON STREET AND SPINDLER COURT, GLENMONT
CHARLEW BUILDERS, INC.**

CERTIFICATE NO. 275-P
DATE: March 7, 2017

THIS CERTIFIES THAT:

1. The PLANNING BOARD of the TOWN OF BETHLEHEM, Albany County, New York, at a Board meeting held March 7, 2017 APPROVED a PRELIMINARY PLAT for the Stonefield Subdivision consisting of the following drawings:
 - A. "Preliminary Plat, Stonefield Subdivision, Corrit Drive, Hampton Street and Spindler Court, Tax Map 97.00-1-1, Town of Bethlehem, Albany County, New York", dated 11/24/15, last revised 2/22/17, and prepared by Ingalls and Associates, LLP, Engineering, Environmental, Surveying, Schenectady, New York. (Sheet 3 of 12)
 - B. "Grading Plan, Stonefield Subdivision, Corrit Drive, Hampton Street and Spindler Court, Tax Map 97.00-1-1, Town of Bethlehem, Albany County, New York", dated 11/24/15, last revised 1/19/17, and prepared by Ingalls and Associates, LLP, Engineering, Environmental, Surveying, Schenectady, New York. (Sheet 4 of 12)
 - C. "Utility Plan, Stonefield Subdivision, Corrit Drive, Hampton Street and Spindler Court, Tax Map 97.00-1-1, Town of Bethlehem, Albany County, New York", dated 11/24/15, last revised 1/19/17, and prepared by Ingalls and Associates, LLP, Engineering, Environmental, Surveying, Schenectady, New York. (Sheet 5 of 12)
2. This Approval was requested by the Owner, Charlew Builders, Inc., on December 14, 2015, said request being delivered to the Board by David Ingalls, P.E. as agent for the Owner.
3. Approval was granted following a PUBLIC HEARING held February 21, 2017, at which the Preliminary Plat was displayed and the plan of subdivision described by David Ingalls, P.E. as agent for the Owner.
4. Basic details of the proposed subdivision follow:
 - A. LOCATION: South of Feura Bush Road, east of Salem Road and Bain Drive, west of Corrit Drive and Egmont Court.
 - B. ACCESS: Provided from Corrit Drive, Hampton Street and Bain Drive, existing Town roads.

C. DISTRICTS IN WHICH LOCATED: Residential A Zone District, BS202 Sewer District, Elm Avenue-Feura Bush Road 205 Water District, Delmar Fire District, Bethlehem Central School District.

D. AREA OF PARCEL (ACRES): 20.47 +/- acres.

E. NUMBER OF LOTS PROPOSED: 29 residential building lots and 3 stormwater management lots.

5. Prior to granting this Approval, the Planning Board--

A. Determined that no portion of the proposed subdivision is located in a New York State Department of Environmental Conservation Designated Wetland.

B. In compliance with the State Environmental Quality Review Act (SEQRA):--

(1) On February 7, 2017 determined that the proposed subdivision was an Unlisted action pursuant to 6 NYCRR Part 617.6.

(2) On February 7, 2017 assumed lead agency status and issued a Negative Declaration pursuant to the SEQRA regulations.

C. Considered the following recommendation from the Albany County Planning Board dated May 19, 2016:

Modify local approval to include:

1. Review by Albany County Department of Health for realty subdivision required permits.
2. Any wetlands disturbance will require notification to and review by the U.S. Army Corps of Engineers for permits under Section 404 of the Clean Water Act.
3. A Notice of Intent filed with the New York State Department of Environmental Conservation affirming that a Stormwater Pollution Prevention Plan has been prepared is being implemented or submission of a Stormwater Pollution Prevention Plan that is consistent with the requirements included in the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges (GP-0-15-002, January 29, 2015) for construction activities that disturb more than one acre of land.

6. The Area Approved, which is also referred to herein as the Approved Area, is the area shown within the solid RED line on the copy of the Preliminary Plat on file with the Planning Board.
7. This Approval has been granted for a total of no more than 29 residential building lots within the Approved Area.
8. This Approval has been granted with the following MODIFICATIONS which shall be shown on the plat of the subdivision next submitted to the Planning Board:
 - A. Any modifications as may be required by the Town Engineering Division and Town Designated Engineer regarding the stormwater management system.
 - B. The following modifications:
 - (1) On Sheet 9 of 12 (Offsite Mitigation Plan and details) show the full extent of the Carriage Hill Subdivision, Brookside Meadows Subdivision and Stonefield Subdivision wetland mitigation areas. Label each of the wetland mitigation areas, size of the areas and any additional deed restricted areas associated with the wetland mitigation.
 - (2) On Sheet 4 of 12 (Grading Plan) install a 3 feet tall berm around 3 sides (east, west and south) of the Leonard Drive turnaround. The berm should be designed with a separation in the middle to allow for a 5 feet wide paved pedestrian trail connecting the Spindler Court cul-de-sac to Leonard Drive. Two bollards should be placed on either side of the trail, north and south side of the berm, in order to prevent vehicular traffic from using the trail. The design of the trail connection should be curvilinear, in order to prevent vehicular traffic from using the trail. Landscaping on the berm should include a mix of trees and shrubs.
9. The following CONDITIONS may be required by the Planning Board in submission of the final design and/or approval of the Final Plat of the subdivision:
 - A. Prior to the Planning Board consideration of Final Plat approval the Owner shall have a professional engineer prepare a report that outlines the manner in which the connection to the existing sanitary sewer along Corrit Drive will be undertaken. This should include but not be limited to results of test pits to determine the extent of existing bedrock located under the roadway, estimated amount of bedrock to be removed, timeframe and hours of operation to remove the rock, how impacts to adjacent landowners will be mitigated, and expected timeframe to complete the sewer connection. This report shall be reviewed and approved by the Town Engineer.

- B. The Planning Board will require as a condition of Final Plat Approval that the grading plan identify trees which may be preserved during the construction of the subdivision. Isolated trees over 12 inches in diameter at breast height and clusters of large trees should be preserved to the greatest extent practicable.
- C. The Applicant will be required to comply with the recommendations of the Albany County Planning Board dated May 19, 2016 (See Item 5.C above).
- D. The Owner will prepare and submit engineering reports for the proposed Municipal Water System and Municipal Sanitary Sewer System Improvements.
- E. The Owner will prepare and submit draft metes and bounds descriptions for the storm water management areas, highway right-of-way and any other proposed conveyances to the Town, as well as for all proposed utility, drainage and maintenance easements that are to be granted to the Town.
- F. The Owner will be required to submit draft metes and bounds descriptions associated with the 12' wide ingress/egress easement across Lot 4 as shown on the Preliminary Plat identified in Item 1 above.
- G. The Owner will be required to submit draft metes and bounds descriptions associated with the easement on the portion of the Leonard Drive turnaround located adjacent to Lot 14 as shown on the Preliminary Plat identified in Item 1 above.
- H. The construction entrance for the site shall be from Bain Drive, as indicated on the Erosion and Sediment Control Plan (Sheet 10 of 12) until such time the subdivision roads have been dedicated to the Town.
- I. Temporary barricades shall be installed at the property lines where Hampton Street and Corrit Drive are proposed to be extended and at the end of Leonard Drive in order to prevent construction vehicles from using these roads for construction access. The barricades shall remain in place until such time the Town Board accepts the roads as dedicated Town roadways.
- J. The Planning Board will require as a condition of Final Plat Approval that the subdivision be developed in compliance with the Blasting Plan, dated January 5, 2017, prepared by Maine Drilling and Blasting, Inc.
- K. The Planning Board will require as a condition of Final Plat Approval that the Erosion and Sediment Control Plan show the location of orange construction fencing along the limits of disturbance in order to identify the proposed disturbed areas at the rear of adjacent lots.

These areas shall also be identified in the SWPPP as they relate to construction sequencing.

- L. This Preliminary Plat Approval is contingent upon the acceptance of a final Storm Water Pollution Prevent Plan by the Engineering Division and the issuance of a signed NYSDEC MS4 SWPPP Acceptance Form by the Stormwater Management Officer.
- M. The Planning Board will require as a condition of Final Plat Approval that the Owner obtain all necessary permit coverage required by NYSDEC under GP-0-15-002. In addition the Owner will be required to provide the Town a copy of the Notice of Intent (NOI) that will be submitted to NYSDEC, as well as the acknowledgement of NOI for SPDES coverage.
- N. The Owner will include an appropriate notice in the deeds to any lot containing federal regulatory wetlands -- the purpose of said notice would be to inform prospective buyers of development constraints associated with said wetland areas and that any encroachment and impacts to said wetland areas would require approval from the Army Corps of Engineers.
- O. Prior to the Planning Board consideration of Final Plat approval the Owner shall have a professional engineer complete an engineering assessment according to guidance provided by the latest edition of the MUTCD to determine the need for a stop sign at the intersection of Salem Road and Bain Drive. The assessment shall be submitted to the Town Economic Development and Planning Department and Town Highway Superintendent for review.
- P. The Owner shall submit to the Planning Board with submission of the Final Plat, for the Board's review and approval, a plan showing erosion control measures, which will be employed to protect wetlands, streams, drainage channels and other appropriate areas from the effects of erosion and sedimentation. Said plan shall also incorporate appropriate measures to protect wetlands from physical disturbance during project construction.
- Q. As per the February 3, 2017 email from Corey Lewandowski, and the February 7, 2017 SEQR Determination of Significance, the Owner/Applicant has agreed to make a fair share monetary contribution to an escrow account to be established by the Town for mitigation of traffic impacts at the intersection of Feura Bush Road/Elsmere Avenue. This escrow account would be established for the sole purpose of funding intersection improvements that contribute to reducing vehicle delay at the intersection. The amount of the Owner's contribution would be based on the number of PM peak hour trips that travel through the intersection, which are estimated at 11 vehicles in the project's traffic assessment report. Previous Town practice has been to apply a \$ 1,000.00 rate for each new trip the project would generate through the intersection during the weekday PM peak hour. The Owner/Applicant is to provide the funds to the Town in the amount of \$11,000 prior to any land disturbance occurring on the site.

- R. As per the February 3, 2017 email from Corey Lewandowski, and the February 7, 2017 SEQR Determination of Significance, the Owner/Applicant has agreed to make a fair share monetary contribution to an escrow account to be established by the Town for mitigation of traffic impacts at the intersection of US Route 9W and Feura Bush Road. This escrow account would be established for the sole purpose of funding intersection improvements that contribute to reducing vehicle delay at the intersection. The amount of the Owner's contribution would be based on the number of PM peak hour trips that travel through the intersection, which are estimated at 2 vehicles in the project's traffic assessment report. Previous Town practice has been to apply a \$ 1,000.00 rate for each new trip the project would generate through the intersection during the weekday PM peak hour. The Owner/Applicant is to provide the funds to the Town in the amount of \$2,000 prior to any land disturbance occurring on the site.
- S. In accordance with the requirements of Sec. 103-29 of the Town of Bethlehem Subdivision Regulations, the Planning Board will require as a condition of final plat approval that a fee in lieu of public park land reservation be paid to the Town of Bethlehem, said fee to be paid at the time of building permit application for each lot and in an amount (\$1,550 per lot) as specified in the fee schedule found at Sec. 103-29(I)(2).
10. No construction work, which includes land disturbance of any kind as defined by the Subdivision Regulations and Town Zoning Law, shall be started on the proposed subdivision prior to the approval of the plat in final form (FINAL PLAT) by the Board, unless specific permission for the start of such work has been granted by the Planning Board AND ALSO by any concerned Town departments. Such specific permission may not be granted by the Board prior to the submission of the Final Plat to the Board for approval.
11. Any plats of this subdivision submitted to the Board subsequent to the receipt of this approval by the Owner(s) shall list the changes made in the plat since the last submittal-- with a corresponding date for each such change.
12. This approval of the stated Preliminary Plat does NOT authorize:
- A. The filing of the Plat in the Office of the Albany County Clerk, or
- B. The issuance of Building Permits in respect to the proposed building lots shown on such Plat.
13. The drawings cited in Items 1.A above shall constitute the Preliminary Plat.
14. Pursuant to the provisions of the Town Code, §103-14.O, Planning Board approval of a preliminary layout submission shall expire six months after the date the decision is filed with the Town Clerk. Upon written request of the applicant, the Planning Board may extend the time for expiration of the preliminary plat by two additional 90 day periods.

15. CERTAIN REQUIREMENTS IN RESPECT TO OBTAINING FINAL PLAT APPROVAL FOR A SUBDIVISION ARE STATED IN THE ATTACHED "ADDENDUM."

BY ORDER OF THE PLANNING BOARD

John Smolinsky, Chairman

RESULT: APPROVED AS AMENDED [4 TO 1]
MOVER: Leah Farrell, Board Member
SECONDER: Kate Powers, Board Member
AYES: John Smolinsky, Leah Farrell, Scott Lewendon, Kate Powers
NAYS: Brian Gyory

VII. Discussion/Information Items

A. Albany Medical Center - 99 Delaware Avenue, Delmar - Site Plan Application - Project Update

The project was before the Board for an update. Stanley Hayes, Architect, of Hyman Hayes was present on behalf of the applicant, Albany Medical Center, to provide information and answer questions. Staff comments were provided by Kenneth Kovalchik. To date, the project was placed on the following Planning Board agendas: 12/06/2016 and 03/07/2017.

Discussion / Information Items

- Albany Medical Center seeking site plan approval for change of use from general office to medical offices at 99 Delaware Avenue
- three tenants include physical therapy, phlebotomy & general office and outpatient bariatrics
- Zoning Board Appeals granted two area variances / one for a reduction in the number of parking spaces / one for the reduction of end island and center island widths
- applicant submitted a revised layout & landscaping plan
- one of three access points to be eliminated to allow for additional parking
- trees will be planted in the islands
- bus stop will be relocated to the center of the property, a bench will be provided
- building is 330' long with sidewalks in front
- facade will consist of stone and two types of siding materials
- water line that currently enters from the rear of the building will be relocated to the front of the building
- any land disturbance within the angle of repose requires a waiver from the Town Engineer or Planning Board subject to Geotechnical Report confirming that the improvements will not have an impact on public safety, welfare or property in the area
- applicant must show the angle of repose on the drawing

- the Town's Engineering Division will need to determine if the trees in the islands can be installed in the sewer easement
- the owner of the property may be required to replace the landscaping if the Town needed to remove it
- sidewalk at west end of building will jog out around the electric pole and guide wire
- there will be handicap ramps at each end of the sidewalk and in the center for the connection to the sidewalk
- plantings would be 3-4" caliper at time of planting
- applicant open to suggestions with regard to type of shade trees
- not planting a tree in the island closest to power lines
- existing trees to be removed
- applicant working on internal fit-up for bariatrics office and expected to complete renovations by end of April
- seeking approval for proposed building materials / facade and signage
- potted plantings at entry ways will not be installed due to maintenance, snow removal

Board Member / Staff Comments

- facade and landscaping improvements
- traffic flow / one way entrance at east end
- recommending shade trees in landscape islands
- applicant should consider the type of maintenance when selecting the type of shrub
- plantings should not be on the invasive species list
- impacts from daily traffic volume / trips generated per day
- staff is not aware of any discussions regarding additional traffic signals on Delaware which is a State highway
- safety and health of plants during winter snow storage / removal
- plantings (male vs female) to avoid odors
- applicant to provide a logical termini at east end of sidewalk that directs pedestrian back into the site
- a crosswalk on Delaware Avenue is not proposed because of the type of accidents that could occur on 4-lane highways with a crosswalk
- crossing Delaware Avenue when a patient arrives by public transportation

Next Steps

- applicant to consider ADA requirement for bus stop
- applicant to update notes and planting plan as recommended by the Board

Further discussion of the project was tabled.

B. SevenZocks Nursery and Garden Supply - 1277 Route 9W, Selkirk - Site Plan Amendment Application (SPA 171) - Initial Presentation

The project was before the Board for an initial presentation. Matthew Kazakiewicz, the applicant, was present to provide information and answer questions. Staff comments were provided by Kenneth Kovalchik. To date, the project was placed on the following Planning Board agendas: 03/07/2017.

Discussion / Information Items

- site plan amendment for existing business, SevenZocks Nursery & Garden Supply at 1277 Route 9W
- special use permit and site plan approval was originally granted in 2011
- applicant proposing to add a 2,268 sf garage (48 x 36 + 18 x 30) at rear of site
- business has grown and the need for storage has increased
- garage will be used to store delivery trucks, loading machine, seasonal product, pallets, pots, soil, holiday items etc.
- applicant is currently storing items behind the greenhouse, on pallets covered with tarps
- applicant also storing items at his home as well as the garage he uses for his landscaping business
- having items stored at multiple locations is inconvenient
- applicant submitted plans to NYS DEC in March 2016 and obtained approval last month
- mulch bins surround the property
- building placement was selected because it will not interfere with existing parking
- 75% of the business is mulch, top soil & stone
- there is never a large volume of customers at the nursery at the same time
- applicant has been operating the nursery at this location for 5 years and has never had a problem with parking
- applicant believes that the building color is consistent with barn / nursery and aesthetically pleasing
- original approval allowed for a Port-A-John for sanitary service
- applicant met with representative from Albany County Dept of Health regarding bathroom facility

Board Member / Staff Comments

- existing foundation on the site

- site located (150 yards on Right past Route 396 adjacent to Victoria Real Estate)
- shed & pergola in front of building breaks up the facade

Next steps

- applicant to provide letter from Albany County Dept of Health that approves the continued use of a Port-A-John
- project will be reviewed by the Albany County Planning Board

Further discussion of the project was tabled.

VIII. New Business

See Item II of the agenda.

IX. Adjournment

Motion To: Adjourn

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