

Town Supervisor

John Clarkson

Town Board Members

Joyce Becker

David VanLuven

Doris Davis

Julie Sasso

TOWN OF BETHLEHEM

Town Board Agenda

Wednesday, August 23, 2017
6:00 PM



I. Pledge of Allegiance

Attendee Name	Title	Status	Arrived
Joyce Becker	Board Member	Present	
John Clarkson	Town Supervisor	Present	
Julie Sasso	Board Member	Present	
David VanLuven	Board Member	Absent	
Giles Wagoner	Board Member	Present	
Nanci Moquin	Town Clerk	Present	
James Potter	Town Board Counsel	Present	

II. Announcements

III. Public Comments

None

IV. Minutes Approval

1. Wednesday, August 09, 2017

RESULT: ACCEPTED [3 TO 0]
MOVER: Giles Wagoner, Board Member
SECONDER: Joyce Becker, Board Member
AYES: Joyce Becker, John Clarkson, Giles Wagoner
ABSTAIN: Julie Sasso
ABSENT: David VanLuven

V. Line Items

- **REQUEST FROM THE DIRECTOR OF HUMAN RESOURCES TO APPOINT CAROLINE BARRETT TO THE 2017 PART-TIME CLERK POOL AS A PART-TIME CLERK I AT \$15.71 PER HOUR.**

A motion to approve the appointment of Caroline Barrett to the 2017 part-time clerk pool as a Part-Time Clerk 1 at \$15.71 per hour was offered and approved as follows:

RESULT: APPROVE [UNANIMOUS]
MOVER: Julie Sasso, Board Member
SECONDER: Joyce Becker, Board Member
AYES: Joyce Becker, John Clarkson, Julie Sasso, Giles Wagoner
ABSENT: David VanLuven

- **REQUEST FROM THE CHIEF OF POLICE FOR THE BOARD TO APPOINT RICHARD VANDERBILT TO THE POSITION OF SCHOOL CROSSING GUARD**

A motion to appoint Richard Vanderbilt to the position of School Crossing Guard was offered and approved as follows:

RESULT: APPROVE [UNANIMOUS]
MOVER: Giles Wagoner, Board Member
SECONDER: Julie Sasso, Board Member
AYES: Joyce Becker, John Clarkson, Julie Sasso, Giles Wagoner
ABSENT: David VanLuven

- **REQUEST FROM THE DIRECTOR OF HUMAN RESOURCES TO APPOINT GEORGE KANSAS AS THE INTERIM HIGHWAY SUPERINTENDENT FROM 9/9/2017 TO 12/31/2017 AND PROVIDE A STIPEND OF \$5,000.**

A motion to appoint George Kansas as the Interim Highway Superintendent from 9/9/2017 to 12/31/2017 and provide a stipend of \$5,000 was offered and approved as follows:

RESULT: APPROVE [UNANIMOUS]
MOVER: Julie Sasso, Board Member
SECONDER: Giles Wagoner, Board Member
AYES: Joyce Becker, John Clarkson, Julie Sasso, Giles Wagoner
ABSENT: David VanLuven

- **APPOINTMENT OF JOHN SHERMAN ON THE CONSERVATION EASEMENT REVIEW BOARD TO FILL THE SEAT PREVIOUSLY HELD BY STUART LYMAN, WITH A TERM ENDING DECEMBER 31, 2017; THIS IS AN UNCOMPENSATED POSITION**

A motion to appoint John Sherman on the Conservation Easement Review Board, an un-compensated position, to fill the seat previously held by Stuart Lyman, with a term ending December 31, 2017 was offered and approved as follows:

RESULT: APPROVE [UNANIMOUS]
MOVER: Julie Sasso, Board Member
SECONDER: Giles Wagoner, Board Member
AYES: Joyce Becker, John Clarkson, Julie Sasso, Giles Wagoner
ABSENT: David VanLuven

- **REQUEST FROM THE DIRECTOR OF HUMAN RESOURCES TO APPROVE THE BETHLEHEM POLICE SUPERVISORS ASSOCIATION, INC., LOCAL 786 CONTRACT FOR 2015-2017**

A motion to approve the Bethlehem Police Supervisors Association, Inc, Local 786 Contract for 2015-2017 was offered and approved as follows:

RESULT: APPROVE [UNANIMOUS]
MOVER: Julie Sasso, Board Member
SECONDER: Giles Wagoner, Board Member
AYES: Joyce Becker, John Clarkson, Julie Sasso, Giles Wagoner
ABSENT: David VanLuven

- **REQUEST FROM THE BOARD OF AMBULANCE COMMISSIONERS, DELMAR-BETHLEHEM EMS AND TOWN COMPTROLLER'S OFFICE TO OBTAIN A PARTIAL WAIVER OF INSURANCE CO-PAYMENTS & DEDUCTIBLES FOR RESIDENTS WITHIN THE TOWN OF BETHLEHEM AMBULANCE DISTRICT**

Resolution # 2017-34

**RESOLUTIONS AUTHORIZING THE PARTIAL WAIVER OF
INSURANCE CO-PAYMENTS AND DEDUCTIBLES FOR RESIDENTS OF
THE TOWN OF BETHLEHEM AMBULANCE DISTRICT**

WHEREAS, the Town of Bethlehem Ambulance District (“District”) was established by lawful resolution of the Town Board of the Town of Bethlehem; and

WHEREAS, the District was established as a special district to provide a financial base for the provision of emergency and general ambulance services in an area co-extensive with the boundaries of the Town of Bethlehem; and

WHEREAS, the Town of Bethlehem maintains a town-wide certificate of ambulance operating authority from the New York State Department of Health Bureau of Emergency Medical Services for emergency and general ambulance service and is intent upon delivering a uniform level of care to all residents of the Town; and

WHEREAS, the Town of Bethlehem on an annual basis levies taxes upon all taxable parcels in the District on an ad valorem basis to provide financial support the provision of Advanced Life Support Services (ALS) and Basic Life Support Services (BLS) within the District; and

WHEREAS, pursuant General Municipal Law §122-b the Town of Bethlehem contracts with the Albany County Sheriff’s Office and Delmar-Bethlehem EMS respectively for the provision of ALS and BLS services and authorizes that users of those services and/or their insurers and guarantors be charged the usual and customary fees for such services; and

WHEREAS, the Town of Bethlehem Town Board has by prior resolution consented to the waiver of collection of copays and deductibles from residents of the Town by the service providers upon the grounds that said residents through annual property tax assessments are subsidizing the provision of ALS and BLS in the District, and

WHEREAS, in both current and former ALS and BLS contracts with the its service providers, the Town of Bethlehem has acknowledged as part of the Town’s Obligations that a portion of the Town of Bethlehem’s annual contractual payment for services to the service providers was comprised in part of an amount reasonably calculated to reimburse the service providers for revenue not collected as a result of the Town’s waiver of collection of insurance co-payments and deductibles (“copays and deductibles”) from District residents; and

WHEREAS, at the inception of the Town’s initial resolution to forego collection of copays and deductibles from residents for ambulance services provided, the amounts of copays and deductibles were typically twenty-five dollars (\$25.00) to one hundred dollars (\$100.00); and

WHEREAS, over time to the present day the amounts of copays and deductibles have risen precipitously to amounts in the several hundreds to thousands of dollars to a point where the excluded amounts of copays and deductibles can exceed the total amount of the service charge for the ALS and BLS services provided; and

WHEREAS, the District Board of Ambulance Commissioners has reviewed and studied the effects and implications of the Town’s existing waiver of copay and deductible process on the long-term fiscal sustainability of ALS and BLS services in the District and has determined that a modification of the existing policy of waiving copays and deductibles would be in the best interests of the Town of Bethlehem to provide for a more equitable implementation of service charges to District resident’s using the services; and

WHEREAS, by unanimous resolution dated June 8, 2017, the District Board of Ambulance Commissioners recommended that the Town Board of the Town of Bethlehem consider changing from the current policy of waiving the entire amount of copays and deductibles of District residents’ ALS and BLS service charges to a policy that provides for the waiver of copays and deductibles to District residents of any amount in excess of one hundred dollars (\$100.00); and

WHEREAS based upon the recommendation of the District Board of Ambulance Commissioners it would be in the best interests of the taxpayers of the Town of Bethlehem, assist in the prolonged sustainability of the Town’s emergency medical services (“EMS”) delivery system, and provide for a more equitable implementation of ambulance service charges upon residents utilizing the services to end the existing policy of waiving copays and deductibles in their entirety and authorize the billing and collection of no more than one hundred dollars (\$100.00) in copays and deductibles from District residents who use the ALS and BLS services and whose health insurance imposes copays and deductibles upon District residents.

NOW, THEREFORE, it is hereby

RESOLVED, that pursuant to General Municipal Law §122-b, the Town Board of the Town of Bethlehem authorizes the providers of ALS and BLS services in the District to end the practice of waiving the full amount of insurance copays and deductibles to District

residents effective August 31, 2017; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Bethlehem authorizes the providers of ALS and BLS services in the District to waive the amount of any insurance copays and deductibles of District residents in excess of one hundred dollars (\$100.00) on a per call basis, as such copays and deductibles may be imposed or required by the District residents' insurers, effective September 1, 2017; and

BE IT FURTHER RESOLVED, that effective September 1, 2017, the contracts between the Town of Bethlehem and its service providers for ALS and BLS be, and the same are deemed amended, to reflect the foregoing limited waiver of copays and deductibles in excess of one hundred dollars (\$100.00) and that future payments from the Town to said service providers will and are deemed to provide that a portion of the Town of Bethlehem's annual contractual payment for services to the service providers was comprised in part of an amount reasonably calculated to reimburse the service providers for revenue not collected as a result of the Town's limited waiver of collection of insurance copays and deductibles from District residents.

A motion to adopt the resolution was offered by Councilwoman Sasso, seconded by Councilman Wagoner and approved on August 23, 2017 with the following vote: 4 AYES, 0 NOES, 1 ABSENT

Terry Hannigan, one of the Board of Ambulance Commissioners, presented.

A motion to adopt the Resolution to obtain a Partial Waiver of Insurance Co-Payments & Deductibles for residents within the Town of Bethlehem Ambulance District was offered and approved as follows:

RESULT: ADOPTED [UNANIMOUS]
MOVER: Julie Sasso, Board Member
SECONDER: Giles Wagoner, Board Member
AYES: Joyce Becker, John Clarkson, Julie Sasso, Giles Wagoner
ABSENT: David VanLuven

- **APPROVE A MODIFIED CONTRACT FOR 2017 WITH DELMAR-BETHLEHEM EMS TO IMPLEMENT THE MODIFIED WAIVER POLICY AND AUTHORIZE THE SUPERVISOR TO SIGN SUCH CONTRACT**

A motion to approve the modified contract for 2017 with Delmar-Bethlehem EMS to implement the modified waiver policy and authorize the Supervisor to sign the contract was offered and approved as follows:

RESULT: APPROVE [UNANIMOUS]
MOVER: Giles Wagoner, Board Member
SECONDER: Julie Sasso, Board Member
AYES: Joyce Becker, John Clarkson, Julie Sasso, Giles Wagoner
ABSENT: David VanLuven

- **REQUEST FROM FLEET MANAGER TO AUTHORIZE THE PURCHASE OF ONE 2018 FORD TRANSIT VAN XL 150 FOR \$29,957.24 FOR THE POLICE DEPARTMENT ANIMAL CONTROL VAN**

A motion to approve the purchase of one 2018 Ford Transit Van XL 150 for \$29,957.24 for the Police Department Animal Control Van was offered and approved as follows:

RESULT: APPROVE [UNANIMOUS]
MOVER: Giles Wagoner, Board Member
SECONDER: Joyce Becker, Board Member
AYES: Joyce Becker, John Clarkson, Julie Sasso, Giles Wagoner
ABSENT: David VanLuven

- **REQUEST FROM FLEET MANAGER TO AUTHORIZE THE PURCHASE OF ONE 2018 CHEVY 1500 PICKUP FOR \$23,003.10 AND ONE 2018 CHEVROLET EXPRESS 2500 VAN FOR \$24,473.10 FOR DPW FIELD OPERATIONS**

A motion to approve the purchase of one 2018 1500 Chevy Pickup for \$23,003.10 and one 2018 Chevrolet Express 2500 van for \$24,473.10 for DPW Field Operations was offered and approved as follows:

RESULT: APPROVE [UNANIMOUS]
MOVER: Julie Sasso, Board Member
SECONDER: Joyce Becker, Board Member
AYES: Joyce Becker, John Clarkson, Julie Sasso, Giles Wagoner
ABSENT: David VanLuven

- **REQUEST FROM FLEET MANAGER TO AUTHORIZE THE PURCHASE OF ONE 2018 FORD FLEX FOR \$27,162.67 FROM THE NEW YORK STATE VEHICLE MARKETPLACE FOR THE SENIOR SERVICES DEPARTMENT**

A motion to approve the purchase of one 2018 Ford Flex for \$27,162.67 from the New York State Vehicle Marketplace for the Senior Services Department was offered and approved as follows:

RESULT: APPROVE [UNANIMOUS]
MOVER: Joyce Becker, Board Member
SECONDER: Giles Wagoner, Board Member
AYES: Joyce Becker, John Clarkson, Julie Sasso, Giles Wagoner
ABSENT: David VanLuven

- **REQUEST FROM THE DEPUTY COMMISSIONER OF PUBLIC WORKS TO AWARD THE DIRECTIONAL DRILLING TERM CONTRACT TO DRILLING TECHNOLOGIES INC. AND AUTHORIZE THE SUPERVISOR TO SIGN THE CONTRACT DOCUMENTS.**

A motion to award the Directional Drilling Term Contract to Drilling Technologies Inc and authorize the Supervisor to sign the contract documents was offered and approved as follows:

RESULT: APPROVE [UNANIMOUS]
MOVER: Julie Sasso, Board Member
SECONDER: Joyce Becker, Board Member
AYES: Joyce Becker, John Clarkson, Julie Sasso, Giles Wagoner
ABSENT: David VanLuven

- **REQUEST FROM TOWN ENGINEER TO ACCEPT EASEMENT AT 99 DELAWARE AVENUE**

A motion to accept the easement at 99 Delaware Ave. was offered and approved as follows:

RESULT: APPROVE [UNANIMOUS]
MOVER: Julie Sasso, Board Member
SECONDER: Giles Wagoner, Board Member
AYES: Joyce Becker, John Clarkson, Julie Sasso, Giles Wagoner
ABSENT: David VanLuven

- **INFORMATION ITEM: DISCUSSION ON PLANNING BOARD RECOMMENDATION RESOLUTION REGARDING THE APPLICATION TO REZONE 657 DELAWARE AVENUE FROM CORE RESIDENTIAL DISTRICT TO HAMLET DISTRICT**

Rob Leslie, Director of Economic Development and Planning presented.

- **REQUEST FROM DIRECTOR OF PLANNING FOR TOWN BOARD TO APPROVE THE SEQR NEGATIVE DECLARATION RESOLUTION ASSOCIATED WITH THE APPLICATION TO REZONE 657 DELAWARE AVENUE FROM CORE RESIDENTIAL DISTRICT TO HAMLET DISTRICT**

Resolution # 2017-35

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

**SEQR RESOLUTION
DETERMINATION OF SIGNIFICANCE/NEGATIVE DECLARATION**

**APPLICATION TO REZONE LANDS OF JOSEPH A. & ANNE P. HUGHES, 657 DELAWARE AVE,
DELMAR
FROM CORE RESIDENTIAL DISTRICT TO HAMLET DISTRICT PER LOCAL LAW NO. 3 OF
2017**

WHEREAS, the Town Board of the Town of Bethlehem has received an application, Environmental Assessment Form and conceptual site plan from Joseph A. and Anne P. Hughes., to rezone 657 Delaware Avenue, 0.50 acres (tax parcel identification 85.18-4-14) from Core Residential (CR) to Hamlet (H) zoning district; and,

WHEREAS, Joseph A. and Anne P. Hughes have submitted a conceptual plan for development of the property that entails the construction of 6 multi-family units within 2 buildings; and,

WHEREAS, the concept plan pertains to the following drawing entitled: "Map of Street No. 657 Delaware Avenue, Portion of Lands of Joseph A. & Ann P. Hughes, Proposed Rezone, Town

of Bethlehem, dated January 5, 2016, revised June 1, 2017, prepared by Paul E. Hite
Licensed Land Surveyor, Delmar, NY.”

WHEREAS, Zoning Law §128-93 of the Code of the Town of Bethlehem contains procedures for the amendments to the Zoning Law, and said procedures authorize the Town Board to amend the Zoning Law upon referral to, and recommendation of, the Town Planning Board; and,

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

WHEREAS, in accordance with the SEQR regulations at 6 NYCRR Part 617.6(a), the Town Board at its meeting of March 8 2017: (1) determined that the rezone application constituted an "action" subject to SEQR; (2) identified other involved agencies for the purpose of coordinated review; (3) made a preliminary classification of the project as a "Unlisted" action; (4) required a short Environmental Assessment Form to assist the lead agency in its determination of significance; and (5) determined that the proposed action was not located in a certified agricultural district and therefore not subject to the provisions of the Agriculture and Markets Law; and,

WHEREAS, in accordance with the SEQR regulations at 6 NYCRR Part 617.6(b) the Town Board at its meeting of March 8, 2017 also initiated a coordinated review of the action, declared its desire and intent to be lead agency for SEQR review, and subsequently circulated the rezone application and short EAF to all involved agencies. No involved agencies have objected to the Town Board serving as Lead Agency; and,

WHEREAS, the Town Board at its meeting of March 8, 2017 also referred the rezone application to the Planning Board for a recommendation on both the application and on a SEQR Determination of Significance; and,

WHEREAS, the Town Board has reviewed and considered the PDD application, the full Environmental Assessment Form and supporting materials submitted by the applicant; and,

WHEREAS, the Planning Board, satisfied that its identified areas of environmental concern have been adequately addressed by the applicant, adopted a Resolution at its meeting of June 6, 2017, and said Resolution recommends that the Town Board issue a SEQR Negative Declaration with respect to the application and approve the rezoning to Hamlet District; and,

WHEREAS, the Town Board has independently reviewed and considered the rezone application, the Full Environmental Assessment Form and supporting materials prepared by the Town, Department of Economic Development and Planning, Town Engineering Division, Town Designated Engineer as well as comments received from involved agencies, addressing

potential areas of environmental concern for the rezone application; and,

WHEREAS, the Town Board has concluded that the applicant has adequately addressed identified areas of concern and will provide appropriate environmental mitigation for the project; and,

NOW, THEREFORE, BE IT RESOLVED,

that the Town Board of the Town of Bethlehem hereby confirms that it is lead agency with respect to SEQR review of the application for 657 Delaware Avenue to rezone the property from Core Residential District to Hamlet District; and,

BE IT FURTHER RESOLVED,

that based upon its review of the rezone application, the short EAF and other supporting materials submitted by the applicant; its own independent analysis of the application; and comparison with the Criteria for Determining Significance found at 6 NYCRR Part 617.7, the Town Board hereby concludes that approval of the rezone application to amend the current zoning district boundaries for 657 Delaware Avenue to Hamlet District for the purpose of constructing up to 6 multi-family units comprised of 2 buildings, constitutes an action which will not have a significant impact on the environment; and,

BE IT FURTHER RESOLVED,

that this Determination of Significance shall be considered a Negative Declaration made pursuant to Article 8 of the Environmental Conservation Law; and,

BE IT FURTHER RESOLVED,

that this recommendation is based upon the following facts and conclusions:

1. The rezone application consists of 0.5 acres of land located at 657 Delaware Avenue. The applicant also owns 0.25 acres of land located at 653 Delaware Avenue immediately west of the proposed rezone application, which is currently zoned Hamlet District.
2. The site is situated along the north side of Delaware Avenue and is bordered to the east, south, and north by lands also zoned Hamlet District. These lands include the Stewarts Shop (convenience store), Allstate Insurance, Cherry Arms apartments (16 units), and Cherry Avenue apartments (4 units), Delmar Presbyterian Church, Kensington Condominiums (multi-family), and Village One Apartments (multi-family). Located to the west of the site is the Swift Preserve (20 acres) owned and maintained by the Mohawk Hudson Land Conservancy. Located to the south, across Delaware Avenue, is the Bethlehem High School

athletic fields and two single family homes (also zoned in the Hamlet district). Additional multi-family units are located in the vicinity of the intersection to the west and south consisting of Keystone Apartments and The Cedar Apartments.

3. The potential for the application to represent spot zoning was reviewed by the Planning Board (as indicated in its June 6, 2017 resolution), who determined the rezone application does not represent spot zoning since the change to a Hamlet district reflects an extension of the existing zoning district designation adjacent to the site (Hamlet). The requested zoning change is compatible with the adjacent zoning district designation, and permits the same land use rights as the adjacent properties. In 2005 lands surrounding the Cherry Avenue/Elm Avenue/Delaware Avenue intersection were zoned Hamlet District, and it appears this parcel was not included in the Hamlet District designation for no other reason than to provide a uniform Hamlet zoning district boundary line. At that time the applicant owned both 657 and 653 Delaware Avenue. As a result of the 2005 Zoning District amendments 653 Delaware Avenue was zoned Hamlet and 657 Delaware Avenue was zoned Core Residential.
4. The applicant's proposal and request is to rezone the property to Hamlet District for the purpose of merging the property with 653 Delaware Avenue (0.75 acres total when combined, also owned by Hughes) to construct 6 apartment units located within two buildings (3 units per building). This proposal would not exceed the maximum 8 dwelling unit per acre for the Hamlet District. Currently, one single family home is permitted on the 657 Delaware Avenue lot, and the 653 Delaware Avenue lot is permitted several uses including residential (single-family, multi-family), commercial (retail and office) and mixed uses as allowed by the Hamlet District.
5. It is recognized that rezoning the property to Hamlet District will allow for all commercial and residential uses permitted in the Hamlet district pursuant to Zoning Law 128-99, which include but are not limited to: bank, business office, convenience store, restaurant no drive-through, service business, etc. Future development of the property for both the proposed multi-family use and commercial uses will be subject to site plan approval by the Town Planning Board, which would address any potential adverse effects of the proposed development such as drainage, density, design, and other site plan approval criteria, as well as consider appropriate modifications and conditions to the applicant's specific site proposal.
6. The proposed action is not located in or adjacent to an agricultural district or historic district or structure.
7. The proposed action is located in the existing public water and sanitary sewer district.
8. The proposed action is not expected to have a significant effect on the character of the area. The proposed multi-family development is consistent with adjacent multi-family units in the vicinity of the adjacent intersection as identified in Item 2 above (i.e. Cherry

Arms apartments, Keystone Apartments). Compatibility of any other proposed commercial development with the surrounding neighborhood will be addressed as part of the site plan approval by the Town Planning Board.

9. In June 2015, Bagdon Environmental conducted a site visit to identify the location of federally regulated wetlands on the site. The review located wetlands at the northwest corner of the site, which will not be disturbed, based on the proposed multi-family development site plan. Any impacts to wetlands related to any other proposed commercial development will be addressed as part of the site plan approval by the Town Planning Board and require a permit from the Army Corps of Engineers. The site consists of a maintained lawn area, which would not accommodate habitat for endangered, threatened, or rare flora or fauna.

10. A preliminary assessment of stormwater infiltration was conducted by ABD Engineers, LLP on May 4, 2017 through two test pits and percolation tests, and documented in correspondence dated May 11, 2017. The assessment concludes that the onsite soils are capable to handle the stormwater runoff with an infiltration stormwater management system. Any development on the site will have to comply with Zoning Law 128-49 C related to stormwater quantity control.

11. In correspondence from NYSDEC, dated March 21, 2017, the NYSDEC stated they have no objection to the Town Board assuming lead agency status for the action. The letter references the possible DEC permits including Section 401 Water Quality Certification, SPDES Wastewater Permit, SPDES Stormwater Discharge from Construction Activity Permit, Public Water Supply Permit that may be applicable. Due to the site's size of less than 1 acre, the minor presence of wetlands in the northwest corner of the lot, allowed uses in the Hamlet District, and location within the Town water district - the possible permits outlined by DEC are not applicable. Based on this determination, consultation with NYS OPRHP is not needed.

12. Site access will be provided from Delaware Avenue. One full access curb cut is proposed along Delaware Avenue (NYS Route 443) at the location of an existing curb cut. The expected trip generation from the proposed multi-family development consisting of 6 apartment units will result in 3 trips during the AM peak hour and 4 trips during the PM peak hour. It is expected that the trips would be distributed to and from the east via the Delaware Avenue/Cherry Avenue/Elm Avenue intersection and would not have a significant impact on the intersection.

13. NYSDOT will review the proposed site driveway location through their Highway Work Permit process for any work within the state road right-of-way. The applicant also proposes a sidewalk along Delaware Avenue to connect to Cherry Avenue. The sidewalk will provide access to CDTA Bus Route 18 and 719 located along Cherry Avenue, and Route 18 located along Delaware Avenue. The proposed rezone to a Hamlet zoning district is consistent with CDTA's transportation goals of land uses supporting a transit environment.

14. Albany County Planning Board reviewed the application at their April 27, 2017 meeting and provided a recommendation to defer to local consideration.

15. The proposed amendment is in harmony with the Comprehensive Plan in the following manner:
 - A. The purpose of the hamlet district is to encourage compact, mixed use commercial and residential development or redevelopment in identified hamlet centers. Hamlet zones are mixed use high-density zones of a variety of scales and designs. These zones encourage a variety of housing types and mixed-use buildings. Pedestrian connections to neighborhoods is important.

 - B. Core residential areas border hamlet zones - the rezone of the parcel will maintain a Core Residential district boundary.

 - C. The Town should allow for and promote a mix of housing options in the hamlets. Greater housing diversity is a community goal, and will be increasingly important as demographic trends continue to shift toward an aging population and smaller household sizes. Much of the town's need for housing diversity can be accomplished in the hamlet centers.

16. Review of the site in the field and with available environmental data revealed no environmentally sensitive characteristics of the parcel (such as State designated wetlands, topography, floodplains, threatened or endangered species, etc.) or other areas requiring greater study.

On a motion by Councilwoman Sasso, seconded by Councilman Wagoner, and a vote of 4 for, 0 against, 0 abstained and 1 absent, this RESOLUTION was adopted on August 23, 2017.

A motion to adopt the Resolution approving the SEQR Negative Declaration Resolution associated with the application to rezone 657 Delaware Avenue from Core Residential District to Hamlet District was offered and approved as follows:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Julie Sasso, Board Member
SECONDER:	Giles Wagoner, Board Member
AYES:	Joyce Becker, John Clarkson, Julie Sasso, Giles Wagoner
ABSENT:	David VanLuven

- **REQUEST FROM DIRECTOR OF PLANNING FOR TOWN BOARD TO SCHEDULE A PUBLIC HEARING ON THE APPLICATION TO REZONE 657 DELAWARE AVENUE FROM CORE RESIDENTIAL DISTRICT TO HAMLET DISTRICT FOR SEPTEMBER 13, 2017 AT 6PM**

NOTICE OF PUBLIC HEARING
TOWN OF BETHLEHEM, ALBANY COUNTY

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem, Albany County, New York will hold a public hearing on Wednesday, September 13, 2017 at 6:00pm, at Town Hall, 445 Delaware Avenue, Delmar, NY to solicit comment on the application to rezone 657 Delaware Ave. from Core Residential to Hamlet District.

All parties in interest and citizens will have an opportunity to be heard at the said hearing.

BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM

Nanci Moquin

TOWN CLERK

Date: 08/24/2017

A motion to schedule a Public Hearing on the application to rezone 657 Delaware Avenue from Core Residential District to Hamlet District for September 13, 2017 at 6PM was offered and approved as follows:

RESULT: APPROVE [UNANIMOUS]
MOVER: Giles Wagoner, Board Member
SECONDER: Julie Sasso, Board Member
AYES: Joyce Becker, John Clarkson, Julie Sasso, Giles Wagoner
ABSENT: David VanLuven

- **PRESENTATION BY NYSDEC HUDSON RIVER ESTUARY PROGRAM - "HABITATS AND WILDLIFE IN THE TOWN OF BETHLEHEM"**

Ingrid Haeckel from the NYSDEC Hudson River Estuary Program presented.

VI. New Business

none

VII. Adjournment

Motion To: Adjourn

RESULT: **ADOPT [UNANIMOUS]**
MOVER: Joyce Becker, Board Member
SECONDER: Julie Sasso, Board Member
AYES: Joyce Becker, John Clarkson, Julie Sasso, Giles Wagoner
ABSENT: David VanLuven

A motion to adjourn at 7:05 pm was offered and approved as follows: