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TOWN OF BETHLEHEM
Albany County - New York
ECONOMIC DEVELOPMENT AND PLANNING
BUILDING DIVISION

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February 3, 2022

Richard Hendrick
CEO
Port of Albany
106 Smith Blvd.
Albany, NY 12202

Re: Marmen and Welcon
309 River Road
Tax Map ID: 98.00-2-10.23
Glenmont, N.Y. 12077

Recently this office was asked to review the preliminary site plan for a proposed project at 309 River Road. Upon review of the materials for compliance with the Zoning Law of the Town of Bethlehem it has been determined that your proposal does not meet the minimum requirements of the Zoning Law.

- 1) Under Article XIII, Use and Area Schedules, Section 128-100, Schedule of Area, Yard and Bulk Requirements, the maximum height of a building is 60 feet. There are 4 buildings shown on the plans that will not comply. Building A has a total height of 100 feet, which is 40 feet more than what is allowed. Building B has a total height of 72 feet which is 12 feet higher than what is allowed. Building C has a total height of 83 feet which is 23 feet higher than what is allowed. Building D has a total height of 93 feet which is 33 feet higher than what is allowed.
- 2) Under Article XIII, Use and Area Schedules, Section 128-100, Schedule of Area, Yard and Bulk Requirements, the minimum required front yard setback is 100 feet. A 25 foot front yard setback is shown which is 75 feet shy of the required 100 foot setback.
- 3) Under Article VI, Supplementary Regulations, Section 128-53, Lots Bordering Streams (A): No building permit shall be issued for the construction or installation of any permitted or accessory use in any district within the 100 year flood plain of the Normans Kill Creek. The entire property is within a 100 year flood zone.
- 4) Under Article VI, Supplementary Regulations, Section 128-56, Off Street Parking and Loading (K): Any parking facility for more than 40 cars shall provide landscaped areas within the parking lot equal to at least 10% of the gross parking lot area. This landscape area requirement shall be provided by landscaped end islands and landscaped center islands within the parking area. Landscaped end islands shall be a minimum of 15 feet in width and landscaped center islands shall be a minimum of 18 feet in width. The current plan shows a total of 8.2% of the gross parking area provided with landscaped islands. This is 1.8% shy of the required 10%.

It should be noted that the number of parking spaces will comply due to an agreement and easement obtained from National Grid. At this time you either modify your proposal to meet the minimum

requirements, withdraw the application or you may apply to the Zoning Board of Appeals and try to obtain variances from the aforementioned Article and sections of the Code. If you have any questions regarding this determination letter please don't hesitate to reach out. Variance applications can be obtained by contacting Kathleen Reid, assistant to the Zoning Board.

Sincerely,

A handwritten signature in black ink, appearing to read "Justin Harbinger". The signature is written in a cursive style with a large initial "J" and "H".

Justin Harbinger
Building Inspector
Town of Bethlehem