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PLANNING BOARD
TOWN OF COLONIE

COUNTY OF ALBANY

REVIEW AND ACTION ON CONCEPT SUBMISSTION OF
THE PROPOSED CONSTRUCTION RELATING TO
SHAKER VETERINARY HOSPITAL 213 MAXWELL ROAD

THE TAPED AND TRANSCRIBED MINUTES of the above entitled
proceeding BY NANCY STRANG-VANDEBOGART commencing on
June 9, 2009 at 9:08 p.m. at the Public Operations Center 347
Old Niskayuna Road, Latham, New York 12110

BOARD MEMBERS:

THOMAS NARDACCI, Acting Chairman
MICHAEL SULLIVAN
GEORGE B. HOLLAND, JR.
CHARLES J. O'ROURKE
TIMOTHY LANE
PETER STUTO, Jr. Esq., Attorney for the Planning Board

Also present:

Joseph LaCivita, Director, Planning and Economic Development
Joseph Grasso, Clough Harbour & Associates
Mike Lyons, Planning and Economic Development
Tom Andress, ABD Engineers

1 MR. ANDRESS: Everyone but George is completely
2 new to this but this has gone through a number of
3 changes.

4 About 10 years ago, we expanded the original
5 building. The practice has been very successful and
6 they would like to be able to expand the building.

7 The way that the building sits now without
8 acquiring additional lands, you couldn't expand off
9 that building. Actually they're the only lands in the
10 commercial office district and that's because National
11 Grid also has a small easement on the other side.

12 The Zoning Board of Appeals had to take action on
13 the left side here (Indicating) because there is a
14 50-foot and 100-foot setback from that commercial
15 residential line. The 100-foot setback would have been
16 too close to the building so there was a zoning
17 variance that was granted that allows that building to
18 come closer. From the comments from Mike's office
19 collectively, the Planning Board would have to allow
20 for the pavement. We'll be contacting them that we have
21 a zoning action. And that is strictly for the pavement.
22 Using that would be a 50-foot setback. There are a
23 number of reasons why we created it; principally
24 because of National Grid. With the variances, it would
25 allow the building to be built in the configuration

1 that it is. It is a little twisted on the site. There
2 would have been probably preferred ways to set up the
3 building and we were only able to get this as close as
4 we could to the National Grid lines and we are near the
5 residential houses.

6 Just for the board's reference, this is a
7 veterinary hospital in front (Indicating). There is
8 parking behind it. The next property owner over is also
9 owned by the doctors. There are two private residences.
10 There is an access here (Indicating) that is not a
11 public road that provides access for the veterinary
12 facility.

13 The site is serviced by sewer for the veterinary
14 hospital and one of the houses. The other two houses
15 actually have wells. There is a public sewer line that
16 runs up the project drive and there is a proposal that
17 we have to actually run a public water main further
18 into the site.

19 We have gone through discussions with the concept
20 review. There is some debate between Latham Water and
21 the Fire Department. There needs to be a determination
22 of where the Fire Department wants a hydrant off that
23 road. Pure Waters doesn't have any issues with us.

24 Stormwater for the facility: Pretty much
25 everything flows into the ground. There are test pits

1 out there and it's all sand. Stormwater is going to be
2 a series of infiltration basins. The plan that you have
3 here is slightly different than the plan that we
4 submitted originally for the concept as we have been
5 working with the different agencies and trying to
6 respond back to the comments - - servicing the
7 stormwater over here (Indicating) and we've expanded it
8 out to address some of the comments that have come
9 through on concept to a larger area that accommodates
10 some access around it to try to get the retention and
11 infiltration areas a little larger.

12 Access is off the private drive. Some minor
13 modifications continue this as a one way. There is
14 parking all the way around and that's to make sure that
15 we have the traffic going the right way. There were
16 some questions partly due to the construction stage. So
17 we are proposing the area be a consistent parking lot
18 to expand that out to accommodate some of the parking
19 that will be taken up during construction.

20 That's all I have.

21 MR. GRASSO: We issued a comment letter on
22 May 19th. Coyote Avenue near Maxwell Road appears to be
23 narrow - approximately 18 feet and will accommodate
24 two-way traffic. We recommend expanding it to 24 feet.

25 Consideration should be given to aligning the

1 proposed access points between the two sites so that
2 it's easier for vehicles to circle between the sites
3 and pedestrians to circle the site, as well.

4 There are some comments regarding the width of
5 the access road, relative to whether there is going to
6 be a hydrant and whether or not they qualify as fire
7 emergency access roads. They clarified that there isn't
8 going to be any exterior kennels or boarding on the
9 site. I know that they're addressing the access drive.

10 The two most significant comments that we have
11 touched on is comment number 7 in our letter. It says
12 that according to the site plan the project could
13 result in the removal of mature trees in the location
14 on a vacant parcel for the purposes of constructing a
15 pre-engineered metal warehouse building within 40 feet
16 of a residential parcel. Impacts including noise and
17 visual to the adjoining properties and natural
18 mitigation should be evaluated. The size and proximity
19 of the proposed building to the existing residences and
20 how that affects the character of those
21 properties -

22 How that gets addressed with this facility, I'm
23 not sure. That's a tough one. We don't have any
24 suggestion for plan changes there.

25 The other comment that we feel is significant is

1 regarding parking on the site. I know that it's
2 difficult to accurately predict what the parking
3 demands are going to be. They have provided some data
4 that they need 31½ spaces to be compliant with the
5 code. They said in their response letter that they have
6 provided 36 parking spaces in the base plan. It was 33
7 spaces and now it's 36.

8 MR. ANDRESS: Yeah, I think we've actually got
9 more. We got it up to 36.

10 MR. GRASSO: We went out there and took some
11 pictures of the site.

12 There are some pictures regarding the parking.
13 The existing site, which is right here (Indicating),
14 has 37 parking spaces. There were 56 cars there this
15 afternoon at 2:00. So, there were 19 cars parked either
16 along Coyote Avenue or within the site or further down
17 Coyote Ave, past the site. I don't know if today at
18 2:00 would be a peak parking demand for the facility. I
19 wouldn't think so, but there were still a lot of cars.
20 I know that they proposed an additional 36. So between
21 the two sites we're going to have 73 spaces to
22 accommodate all the cars between the two facilities. If
23 they have 56 today, it doesn't leave that much parking
24 to support any expansion of these which obviously,
25 given the size of this facility, I think that we're

1 looking at a substantial increase in the intensity of
2 use.

3 The problem with the parking is that if there
4 aren't enough parking spaces, we're going to get
5 vehicles parking out along Coyote Avenue or in front of
6 those adjacent residents. That's going to be a safety
7 issue because obviously we're going to have to get
8 emergency services into these buildings without being
9 obstructed along Coyote Avenue. Obviously we have to
10 address the impacts on the adjacent residential
11 properties. That's basically where we are at with our
12 review.

13 MR. LANE: Excuse me, Joe, so Coyote Avenue is a
14 private road?

15 MR. GRASSO: That's right.

16 MR. LANE: The town doesn't maintain this road?

17 MR. GRASSO: No.

18 MR. LANE: So where are all these cars coming
19 from that are parked there?

20 MR. GRASSO: They are from the vet.

21 MR. LANE: So these people are parked on a road
22 that is a private road that the town doesn't maintain.
23 Basically they're trespassing?

24 MR. ANDRESS: No, we own the road.

25 MR. LANE: So you folks maintain the road.

1 MR. ANDRESS: That's correct. There are cars
2 parked in that road at certain times. We recognize the
3 issue of parking which I think as Joe was going through
4 the widening and as we continue to modify the plan, we
5 have more spaces now.

6 Again, I'd like to bring to the board's attention
7 that if we could just build the building and double our
8 clientele by the building, everyone in the world would
9 double their size. We put in the narrative that we will
10 have four more additional employees. This is going to
11 allow the vet to have a lot of different functions.
12 There is a storage area within this area. There is a
13 very large area for indoor training.

14 Right now the veterinary practice has storage at
15 numerous facilities throughout the Colonie area. They
16 have to drive out to those facilities and bring those
17 supplies in. We're looking to try to centralize
18 everything. We're looking to be able to supplement the
19 outdoor training with indoor training which is much
20 more popular for both dogs and trainers. We look at the
21 total number that we're adding. I think that we have
22 over 70 spaces in total. So, we still have additional
23 spaces that are being provided for the minimal amount
24 of additional people that come to the facility. Because
25 again, this is double the size of the building. Again,

1 because we double the building, that doesn't mean we
2 double the clientele. We'd love to do that.

3 ACTING CHAIRMAN NARDACCI: Just with regard to
4 the parking: I was curious, what is the max staff right
5 now during the day?

6 MR. ANDRESS: About 30.

7 ACTING CHAIRMAN NARDACCI: I was just wondering.
8 I'm actually pretty familiar with the site. A few
9 people on the board are. I have a pet that goes there
10 so I've been there and parking is always an issue. It's
11 something that we talked about today.

12 How many staff are there and parked there and how
13 will this additional lot interplay within the existing
14 facility? What's going to be used for this new
15 facility? What is the potential use for customer-type
16 use?

17 MR. ANDRESS: Again, I think that the point is
18 well taken that we have a very committed number of
19 spaces that are kept. People bring their pets to the
20 facility. This will still be able to function that way
21 and now we'll have the larger parking and more spaces
22 that are closer to the front door. One of these
23 facilities will work essentially the same.

24 For a portion of that area we have a large
25 training area which is 4,000 square feet and that was

1 storage. Out of that 12, two-thirds of it is a big
2 building area with a storage area. It looks like a huge
3 building which there is 4,000 that is the vet area and
4 then the storage area, and then there is training.

5 ACTING CHAIRMAN NARDACCI: That's a single story
6 building?

7 MR. ANDRESS: Yes.

8 ACTING CHAIRMAN NARDACCI: Mike, any questions?

9 MR. SULLIVAN: I had a few questions. One of the
10 memos mentioned that there was a family burial plot
11 there and there is an unknown number of gravesites on
12 it. Has that been looked at?

13 MR. ANDRESS: We had an archeological study done
14 on the site and I believe that the gravesite is on
15 another property that's abutting.

16 MR. SULLIVAN: The other one Joe touched on as
17 well is the access for the fire services. Will the
18 roadway be widened?

19 MR. ANDRESS: Yes, we have proposed to widen that
20 and this reflects that to where the circulation is.
21 Then depending on the situation, as we worked out with
22 the Fire Department and Latham Water, we might have to
23 move the hydrant further back to allow access and room
24 for the emergency apparatus.

25 MR. SULLIVAN: There is also a mention of

1 limiting the type of tree near the proposed building so
2 that the ladder apparatus can reach it.

3 MR. ANDRESS: That's where we have a little bit
4 of conflict because I think that Joe's main points that
5 he brought up in his letter and that he was concerned
6 about was the next door neighbors. We are looking to do
7 some fairly extensive planning here.

8 On the other hand, the Fire Department says to
9 try to keep it all low for aerial access. I guess it's
10 something that we need to speak to them in reference
11 to. They haven't had an opportunity to look at the
12 building design. It's a metal roof and a one story. I'm
13 not sure that aerial access is going to be quite as
14 important.

15 MR. LANE: There was a contradiction in saying
16 that that access should be looked at. Pete was more
17 concerned with the greenspace issue, but I'm looking at
18 the building itself and the proximity of those other
19 buildings and it's a very Spartan looking building.

20 MR. ANDRESS: It's not really all a Spartan
21 looking building.

22 MR. LANE: So it's changed from this steel shed
23 that it seems to look like?

24 MR. ANDRESS: The colors of the building were
25 limited. We've provided colors to give it more

1 perspective.

2 This would be the front of the building and this
3 would be the side of the building. The building doesn't
4 have a lot of architectural features, but I think that
5 we can have a lot of windows and a lot of methods of
6 activities inside translate to the outside.

7 ACTING CHAIRMAN NARDACCI: Tim, did you have any
8 other questions?

9 MR. LANE: I just wanted to mention that while he
10 was on that subject.

11 MR. SULLIVAN: I was wondering how the new
12 alignment of Maxwell Road will affect this area.

13 MR. ANDRESS: I know that Maxwell Road is going
14 to go over more this way. It would just end up giving
15 us more space.

16 MR. SULLIVAN: I just want to make sure that it
17 has access for emergency vehicles so everything
18 accommodates the turning radius.

19 MR. ANDRESS: When that alignment is
20 done - obviously it would have to accommodate the
21 existing businesses along there.

22 MR. O'ROURKE: I have a few comments. I just hope
23 that it doesn't effect the cost of my dog's rabies
24 shots.

25 The water must dead-end presently?

1 MR. ANDRESS: The water does not come into the
2 site. It's just individual services.

3 MR. O'ROURKE: Right and there was talk of an
4 extension to the Latham Water District.

5 MR. ANDRESS: Those are two different things. The
6 extension to the Latham Water District isn't a
7 waterline. It's an extension of the district. This line
8 right here (Indicating) from that point down, that
9 property is within the district. From that point up,
10 it's not in the district. So, the building is out of
11 the district. We'll have to extend the physical
12 district to that property. That's not an extension of
13 the water line. We're just extending the district so
14 that the building is within the district.

15 MR. O'ROURKE: So how do you get water to it?

16 MR. ANDRESS: That's the first part. The second
17 part is that we're proposing to bring hydrants in and
18 bring in a six inch line with a hydrant and then take
19 the service off of that. Right now, that would be the
20 public water extension. We would extend that line.
21 Latham Water is questioning if we need to do that.
22 They're saying that they may not want us to do that and
23 that they may want us to put a hydrant out here.

24 MR. O'ROURKE: Right, but then how are you going
25 to loop that line so that it doesn't dead-end?

1 MR. ANDRESS: If you had a line from Maxwell into
2 the site, it wouldn't be looped because it's a service
3 line.

4 MR. O'ROURKE: So it's a smaller service line.
5 That's different. It's a six-inch main.

6 MR. ANDRESS: That's what we are proposing now
7 until Latham Water goes through with the Fire
8 Department and makes a determination.

9 MR. O'ROURKE: Okay, so if a six-inch main goes
10 in and a hydrant -

11 MR. ANDRESS: Then it will dead-end. That's why
12 we're speaking with Latham Water in reference to how
13 far to bring it in to dead-end it.

14 MR. O'ROURKE: Okay that was the first thing. The
15 second thing which Tom hit on a little bit: The parking
16 is absolutely 100% insufficient right now. It's a vet
17 that I know all my neighbors use. Everybody uses them.
18 Unfortunately your animals end up there and sometimes
19 you have to park on Coyote and if there is a fire in
20 one of the buildings, that's going to be difficult.

21 I think that Joe hit it right on the head. Today
22 at 2:00 there is parking problems so by doubling the
23 size, it's going to double the parking problem, in my
24 estimation.

25 What I think the problem is the economy of scale.

1 I think that possibly the building size should be
2 looked at. A 12,000 foot building - you might have to
3 look at the size of the building. Certainly, although
4 there are only two residents but to put that building
5 there, which I disagree - I think that's a hideous
6 building. I would hate to see that.

7 With regard to some of the standards that we're
8 holding people to - the Crisafulli project that just
9 came up is certainly a different standard than what
10 that building is. I would 100% look for upgraded
11 facades, upgraded building materials instead of metal
12 and certainly be more than 40 feet away from a
13 residence to expand.

14 MR. ANDRESS: Again, 40 feet - - we're not 40
15 feet from a residence.

16 MR. O'ROURKE: From the property then.

17 MR. ANDRESS: From the property line. And that
18 was after we successfully obtained the variance to
19 build there.

20 MR. O'ROURKE: I understand that, but those two
21 folks that own those homes, their home values, when
22 this goes up are going to go down. Again, I just think
23 that we have to take into account that you guys are
24 abutting residents.

25 MR. ANDRESS: We're abutting the residential use

1 of a commercial zone.

2 MR. O'ROURKE: Right. Mr. Crisafulli worked with
3 those neighbors. I certainly want to hear from those
4 neighbors if they are here, but I would like to see the
5 doctor's facility - which I would support doing a
6 facility but I just think that it's an economy scale
7 issue that probably needs to be looked at.

8 The last thing that I had was the removal of
9 those trees. I also would be bothered with knocking
10 those down and just putting that building there by
11 itself and then not having the sufficient parking. I
12 could just see a bad thing down the road. That's all I
13 had.

14 ACTING CHAIRMAN NARDACCI: Just in relation to
15 what C.J. just said: Has there been discussions with
16 the other two abutting residential neighbors at any
17 point that you know of?

18 MR. ANDRESS: I believe that the doctors have
19 constant conversations with the two abutting neighbors.
20 I think one is a friendly neighbor. The other one, I
21 don't know. They have had conversations with them but
22 I'm not sure where it's gone.

23 ACTING CHAIRMAN NARDACCI: George?

24 MR. HOLLAND: No further questions.

25 ACTING CHAIRMAN NARDACCI: On this parking issue,

1 have you looked at different sizes of the building? Is
2 this something that they have thought about in
3 relationship to how tricky that placing a building of
4 this size would be?

5 MR. ANDRESS: There is a 4,000 square foot area
6 under the veterinary practice and then there is storage
7 area and this area here (Indicating) would be able to
8 have them have supplies there as opposed to having
9 supplies at some other area.

10 A large portion of the building is in fact an
11 indoor training area. It's a demand that the practice
12 has seen and that the community is looking for. They
13 have an outdoor training area now. They would like to
14 continue using it now and work in the open evening and
15 have a number of things that people like to have indoor
16 training facilities for.

17 So, that's where the program lies. There is
18 obviously a lot of site work that needs to be done. As
19 was said, there is a fair amount of clearing. The land
20 was previously mined at one point in time.

21 We had an archeological review of it and
22 obviously the trees have grown back since then. We
23 certainly are looking to do all the proffering that we
24 can but the rendering that was provided doesn't do
25 justice for what the building is going to look like. We

1 can work on the elevation.

2 ACTING CHAIRMAN NARDACCI: Any other comments
3 from the board?

4 Mike do you have anything?

5 MR. LYONS: This plan that is shown today is a
6 little different than the plan that the department and
7 the board had received. And as you're showing some of
8 the temporary additional parking behind the existing -

9 MR. ANDRESS: Yes, we did get this in as
10 temporary.

11 MR. LYONS: And that can be moved?

12 MR. ANDRESS: Yes, you could certainly move that
13 if that's one of the concerns of the board to put that
14 in this.

15 MR. LYONS: Because you're putting a commercial
16 use on that property and that might be something that
17 the board could entertain at this point.

18 The second item is that this board has to grant a
19 waiver to the side yard setback.

20 ACTING CHAIRMAN NARDACCI: Any other comments?

21 ***(There were no other comments.)***

22 ACTING CHAIRMAN NARDACCI: I'd like to open it up
23 to the public now. Are there any residents that would
24 like to make a comment?

25 MS. KNORR: My name is Gloria Knorr. I own 13

1 acres and the legal address is 238 Old Niskayuna Road.
2 There is 7 acres on this side (Indicating) and five
3 acres over here (Indicating) on the other side of mine.
4 I'm trying to get an access to it. The thing is that
5 the volunteers are walking their dogs on my property.
6 The Niagara Mohawk line is here (Indicating) and I'm
7 behind there. What I'm concerned about are the kids
8 that go back there and they pile the stones up and
9 paint on it war zone here and war zone there. What I
10 don't want is the animals, if they are walking, to have
11 the kids causing a problem to the dogs. I don't really
12 want the dogs there and I don't want the kids there.

13 To begin with, if this was a residential area,
14 I'm wondering how Brizzell's nursery and the
15 veterinarian have that zoned that way. Now it's
16 commercial use. What I hoped someday to have happen to
17 my land is a senior rental complex. I am concerned
18 about if they were walking the dogs on my land for the
19 outdoor training area that they wouldn't walk them that
20 close. It's not good on my end for potential buyers. I
21 can walk this line to my property to the right of the
22 line. I'm just concerned about it.

23 ACTING CHAIRMAN NARDACCI: Are there any other
24 members of the public that would like to make a comment
25 or ask a question?

1 MS. PUCKETT: Rosemary Puckett. I'm at 6 Coyote.
2 I'm in this house here (Indicating); the one that
3 sits back here.

4 This gentleman hit it on the head about the
5 trees. All the trees that are in here (Indicating) - I
6 don't know if there was anybody over there taking any
7 pictures of the wildlife in there but there are a lot
8 of turkeys. I have an unbelievable amount of turkeys.
9 They come over on my land. They sit over here
10 (Indicating) and they are all over. My property is
11 around here (Indicating) and I agree that when I get
12 up, I don't want to see that building. I want to see
13 trees and the wildlife. If the building has to go in, I
14 still would like to have some kind of tree line so that
15 I don't have to constantly look at it.

16 They're talking about a training center and I'm
17 worried about the noise. If it's a metal roof on a
18 building, what kind of noise am I going to have?
19 Because this training area - any time they're out there
20 I can hear them; Saturday mornings, Sunday mornings or
21 anytime, I can hear them.

22 You know that parking has been an issue for
23 years. Trying to get down here (Indicating) - they put
24 two no parking signs here so they park here
25 (Indicating). So, when they go down on this side, they

1 park here (Indicating). So then you have to switch over
2 on this side to go down here (Indicating). Now, they're
3 coming down all the way to in front of Mark's house and
4 then down to here parking on one side.

5 Emergency vehicles that are looking to get down
6 there - it would be absolutely impossible. An ambulance
7 would be impossible to get down there. According to my
8 deed, we're supposed to have a 20 foot easement or
9 right of way. I don't know if that's 20 feet with cars
10 or without the cars.

11 ACTING CHAIRMAN NARDACCI: That's 20 feet on
12 Coyote Avenue?

13 MS. PUCKETT: Yes. That's what my deed says.

14 Mark, I think that your deed says the same.

15 I don't know how this works with the water
16 because I have a well. My home is less than 45 feet.
17 I'm worried about what goes in here (Indicating) and
18 where it's going to seep into. I've been here since '64
19 and I have, knock on wood, never had any kind of
20 problems with the water or anything in there.

21 MR. O'ROURKE: Joe, did anybody look at that?

22 MR. GRASSO: No.

23 MR. O'ROURKE: Anybody look at the fact that
24 those two are on wells?

25 MR. GRASSO: I didn't realize that they were.

1 MR. O'ROURKE: Possible problem?

2 MR. GRASSO: It's just something that we have to
3 address through the design and leach field.

4 ACTING CHAIRMAN NARDACCI: The current width of
5 Coyote Avenue is - ?

6 MR. O'ROURKE: 18 feet.

7 MR. GRASSO: There is a part and I don't know if
8 it gets wider or further in, but I think that what we
9 did was we measured out closer to Maxwell Road at 18.

10 ACTING CHAIRMAN NARDACCI: Cars that are parking
11 on Coyote Avenue - how can that satisfy their deeds?
12 They have a 20 foot access but with the parking -

13 MR. PUCKETT: Ten year ago or whenever it was
14 when they doubled the size of this building, we went
15 before the board and we told them that there wasn't
16 enough parking and that there would never be enough
17 parking. Some of them said, no, there's plenty of
18 parking there. There never was.

19 MR. GRASSO: Excuse me. Just to clarify: They may
20 have a 20-foot wide ingress/egress easement, but it's
21 not to say that the whole 20-foot width needs to be
22 improved with pavement.

23 ACTING CHAIRMAN NARDACCI: But it shouldn't be
24 obstructed.

25 MR. GRASSO: You would assume that.

1 MR. O'ROURKE: Emergency services was looking for
2 24 feet.

3 MR. GRASSO: Yeah, 24 or 26.

4 MR. WINNE: Nothing from here (Indicating) down
5 is paved and I didn't pave anything in here because I
6 was told that I shouldn't because of the wetlands. I
7 have no pavement back here (Indicating).

8 MR. PUCKETT: You know, we should be entitled to
9 get access to our homes. You know, you get home from
10 work and you can't even get down the driveway. You got
11 to worry about zigging in and out to get down the
12 driveway between cars.

13 People park here (Indicating) and they have to go
14 to this building because this lot is full. They're
15 going to park here. It's the nature of people. They're
16 lazy. They're going to park on the road because they've
17 done it for years.

18 What are the hours of operation when they're
19 going to do construction? Is it going to be 7:00 in the
20 morning until 5:00 at night? Is it going to be Sundays?

21 ACTING CHAIRMAN NARDACCI: Do you have the hours
22 of operation of the new facility?

23 MR. ANDRESS: I think that you're talking about
24 construction and that's limited by the town. Usually
25 it's 7:00 in the morning until 6:00 at night. There

1 will be restrictions on the weekend.

2 ACTING CHAIRMAN NARDACCI: How about hours of
3 operation after construction?

4 MR. ANDRESS: Probably the same hours as the
5 hours of operation. It's 8:00 to 11:00 Monday through
6 Friday and 8:00 to 5:00 on Saturday. 12:00 to 5:00 on
7 Sunday.

8 ACTING CHAIRMAN NARDACCI: How about the lighting
9 around the new building?

10 MR. ANDRESS: We propose low lighting in a
11 residential style. There will be a minimal amount of
12 security cameras and the lighting that's required by
13 the town.

14 ACTING CHAIRMAN NARDACCI: Any other questions or
15 comments?

16 MS. PUCKETT: You mentioned something about the
17 property value once this is put in - it would probably
18 drop down.

19 MR. O'ROURKE: I made that statement.

20 MS. PUCKETT: I was going to bring it up before
21 he even mentioned it that I mean, down the line if I
22 want to sell, nobody would want this.

23 MR. O'ROURKE: The doctor probably would. He'd
24 probably buy it from you right now.

25 MR. PUCKETT: What happens to the parking during

1 construction?

2 MR. O'ROURKE: No, they have to have a variance
3 to do any temporary parking because of the use changes
4 from residential to commercial.

5 MR. WINNE: Right now there's a small area here.
6 There is like 10 or 12 areas for cars. When
7 construction starts, where do all those cars go?

8 MR. O'ROURKE: I'd like to make a motion to table
9 this because Joe wasn't aware of the wells of those
10 houses. I think that there are some safety things.

11 ACTING CHAIRMAN NARDACCI: Okay, is there anyone
12 else that would like to comment or ask questions?

13 MR. WINNE: Basically parking is the big issue.
14 They just don't have enough parking. They didn't back
15 then and now we're going through it again. I can't get
16 down my street and I get mad. I was the disgruntled
17 neighbor.

18 ACTING CHAIRMAN NARDACCI: It seems to me that
19 there's a 20-foot roadway that your deed says that you
20 have an unobstructed access through that has to be
21 taken into consideration.

22 MR. WINNE: I thought that it would have been ten
23 years ago, but it wasn't.

24 MR. ANDRESS: We don't want to be argumentative
25 but we would actually have to plot the 20-foot access

1 easement that they have. It may not be in correspondent
2 with the roads. From the standpoint of where that
3 20 feet is, it's not necessarily where that road is
4 right now. It's certainly our intent to widen the road.
5 We certainly want to respond to the parking in the
6 completed area, the gravel area, so that we can
7 maintain parking during the construction.

8 ACTING CHAIRMAN NARDACCI: I think with regard to
9 the pavement and the access, I think that in addition
10 to addressing the concerns raised by highway and by the
11 TDE, I think that you need to take into account the
12 plan for working collaboratively with these residents.
13 There is obviously ongoing parking.

14 When I was there, I probably parked on that
15 roadway myself and I didn't even realize that there is
16 a place where we shouldn't be parking, really. I think
17 that there needs to be some policing and maybe to
18 increase signage.

19 MR. WINNE: They put up signs years ago and then
20 they all parked on the other side of the street and
21 then they get down past the signs and they park where
22 they want.

23 ACTING CHAIRMAN NARDACCI: I think that
24 additional signage, to make it absolutely clear, I
25 think needs to be part of what that discussion is

1 because whatever happened ten years ago - we're looking
2 at this now with an eye on moving forward, working with
3 you collaboratively for you to develop a parcel of land
4 that you own, but also fixing any problems that maybe
5 weren't fixed. I think that if you have a chance to
6 make things better, I think that's the way that we
7 should address that.

8 FROM THE FLOOR: I live on Coyote Ave as well.
9 Because the road is so narrow, when somebody is parked
10 right here (Indicating), you can't even swing into your
11 driveway. So, if we could get signage right here
12 (Indicating) so that nobody could park there, at least
13 we could get into our driveway. If somebody is parked
14 right here, I can't even swing into there.

15 MR. LANE: That would have to be brought to the
16 sign board.

17 MR. ANDRESS: I think that we could be
18 accommodating with that signage.

19 MR. LYONS: Or it could be designated as a fire
20 lane. It could be a sign approved by the Town Board and
21 then have it enforceable by the Police Department where
22 they would actually ticket the car.

23 MR. ANDRESS: I don't even want to get to there.
24 I'd like to come back with the correct parking and the
25 correct signage so that can be resolved.

1 ACTING CHAIRMAN NARDACCI: Are there any other
2 comments from the public or questions?

3 ***(There were no other questions.)***

4 ACTING CHAIRMAN NARDACCI: As C.J. mentioned, I
5 think that we're going to not take action tonight.
6 Based on the comments that we've given, the comment
7 that you have heard from the residents, particular with
8 regard to emergency access, the TDE will take a look at
9 the position of wells and the impact that stormwater
10 has. There is an issue of the roadways and we'll get
11 with Joe and we'll have you come back in.

12 Thank you very much.

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15 ***(Whereas the proceeding concerning the above***

16 ***entitled matter was adjourned at 9:57 p.m.)***

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CERTIFICATION

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*I, NANCY STRANG-VANDEBOGART, Notary Public in
and for the State of New York, hereby CERTIFY that the
record taped and transcribed by me at the time and
place noted in the heading hereof is a true and
accurate transcript of same, to the best of my ability
and belief.*

NANCY STRANG-VANDEBOGART

Dated June 20, 2009