

1 PLANNING BOARD COUNTY OF ALBANY
2 TOWN OF COLONIE

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5 HEARING REGARDING THE PROPOSED BOGHT COMMUNITY
6 FIREHOUSE AT CANTERBURY CROSSING PRELIMINARY
PRESENTATION AND DISCUSSION

7 THE TAPED AND TRANSCRIBED MINUTES of the above
8 entitled proceeding BY NANCY STRANG-VANDEBOGART
9 commencing on August 25, 2009 at 8:27 p.m. at the
Public Operations Center 347 Old Niskayuna Road,
Latham, New York 12110

10 BOARD MEMBERS:

- 11 TOM NARDACCI, ACTING CHAIRMAN
- 12 MICHAEL SULLIVAN
- 13 ELENA VAIDA
- 14 GEORGE B. HOLLAND, JR.
- 15 CHARLES J. O'ROURKE
- 16 TIMOTHY LANE
- 17 PETER STUTO, Jr. Esq., Attorney for the Planning
- 18 Board

16 Also present:

- 17 Joseph LaCivita, Director, Planning and Economic
- 18 Development
- 19 Mike Lyons, Planning and Economic Development
- 20 Brad Grant, Barton & Loguidice
- 21 Lynn Sipperly, Sipperly and Associates
- 22 Dale (Skip) Francis, C.T. Male Associates, PC
- 23 Richard A. Campagnola, C.T. Male Associates, PC
- 24 Donald Zee, Esq.
- 25 Ken Urquhart, Boght Community Fire District

1 ACTING CHAIRMAN NARDACCI: The third item
2 on the agenda this evening is the presentation
3 and discussion of the Boght Community
4 Firehouse at Canterbury Crossing, 1035 Loudon
5 Road and this is an amendment of the planned
6 development district PDD to replace a 30,000
7 square foot office building with a 26,747
8 firehouse and EMS station.

9 Joe, do you want to start this?

10 MR. LACIVITA: What you have before you
11 this evening a project for this PDD and this
12 board has made the recommendation to the Town
13 Board for acceptance of the PDD for the
14 Canterbury Crossings.

15 The developer had been working with the
16 Boght Fire Department community to move that
17 parcel into the property. They talked about
18 this over time. Now I believe that there is
19 stimulus funding and some other things that
20 they have available to the Boght community
21 that has made it attractive for the Boght Fire
22 Department to overtake that parcel that was
23 once approved under a PDD for an office
24 complex and convert that to the Boght
25 community.

1 I believe that Lynn Sipperly and Don Zee
2 are here to talk a little bit about this as we
3 move forward. I'll turn it over to you guys.

4 MR. SIPPERLY: Mr. Chairman and the
5 Planning Board, these folks have filed a
6 request for the Town Board to do an amendment
7 to the Canterbury PDD to allow a substitution
8 of what was proposed for a 30,000 square foot
9 office building now to be occupied by the
10 Boght Community Fire facility.

11 The footprint for where the building is
12 going is the same parcel that was outlined for
13 the office building. There is no additional
14 environmental impacts with regard to wetland
15 impacts or buffer impacts. It's all within the
16 same footprint that was there for the office
17 building.

18 In fact, if you flip this up, you can see
19 the office building outline.

20 There are a lot of civil areas also; not
21 so much in the land uses but maybe in the
22 density. We had proposed a 30,000 square foot

1 office building. What is proposed now is a
2 26,700 square foot facility that would be for
3 the Fire Department and the EMS facility for
4 Colonie.

5 What I'd like to do is just present where
6 this is located and also just identify what
7 the application is before the Town Board to
8 amend the PDD to allow this land use.

9 The PDD has approved land uses that were
10 proposed as it was presented to the Town
11 Board.

12 There are just a few other things with
13 regard to the office building. Naturally the
14 office building would function five days a
15 week with traffic at the a.m. and p.m. peak
16 hours. That is not the situation with the
17 firehouse. So there are some benefits to this
18 use here in that we have reduced the impacts
19 that we had. Again, the firehouse operates
20 typically during an emergency for sure, and
21 then in their other hours there would be
22 meetings.

23 What I'd like to do at this point, if it
24 works well with the board, is to actually turn
25 it over to C.T. Male who are the designers for
our facility here. I'll let them go through
the actual particulars.

MR. CAMPAGNOLA: My name is Rich
Campagnola and I'm a principal architect with
C.T. Male. I'd like to briefly go over the
building and then turn it over to the site
engineer to discuss the land use.

Basically the intent of the Boght
Community Fire District is to relocate the
program that's currently functioning at the
Loudon Road site which exists with three
separate buildings; the apparatus or
firehouse, a fire hall for social events and
administrative office building and turn it
into a single functional facility. The fire
district has been looking at the use for some
time as well as the condition of the their
existing properties. They have come to the
decision that those buildings and systems are
reaching the end of their service and no
longer are accommodating the functions of a

1 modern day firefighting facility. It's coming
2 to the point where they have to make a
3 decision whether it's worth the repair and
4 maintenance of those facilities or to locate
5 all of the facilities into a single combined
6 unit. This would have the same function, the
7 same number of people that are currently on
8 those sites in three separate building into
9 one modern facility and will also accommodate
10 modern apparatus and firefighting needs.

11 In conjunction with this, we're looking
12 at a shared services facility combining the
13 current functions of EMS Station 4 and the
14 Town of Colonie into this facility. This will
15 be a similar operation to the Midway Station 2
16 where there are bunking facilities for the EMS
17 personnel.

18 With regard to the architectural design
19 for this facility, we're looking at a
20 structure that will need to accommodate higher
21 loading requirements for snow and wind
22 performance. So, this structure will be built
23 to meet those building code requirements. It
24 also needs to be a maintenance free structure
25 so that the firefighters and the personnel can
concentrate on their activities rather than
the maintenance of the structure. We wanted to
design this in the context of the PDD and the
residential character. While we must have high
bays to accommodate the apparatus, we're
talking 14-foot high apparatus doors and the
ability to lift cabs within the building. That
takes approximately 19 or 20 feet of space.
So, we recognize that we're going to have a
high level area to accommodate those garage
uses.

26 One thing that we didn't want to do is
27 basically have the frontage that looks like an
28 auto service center with multiple doors
29 combined. So, part of the set up of the
30 building is to allow EMS to exit and enter the
31 building from a separate direction and fire
32 apparatus to have a front apron which allows
33 them to pull out in front of the building for
34 entering the road as well as the need for
35 responder parking.

1 You have the first responders that show
2 up into a radio room location right in the
3 front of the building, and then the main
4 number of responders responding to the call
5 need to have direct access into the apparatus
6 bays. EMS will enter from a separate direction
7 as their calls may be different. Some might be
8 combined. They need to come in on separate
9 directions. So, we provide basically three
10 entrance points. First there will be an
11 apparatus apron. Then, a responder entrance
12 which also ties into the original access road
13 to some retail development along the PDD which
14 also will have access with EMS, public and
15 other activities. There will be a
16 non-responder entrance so that there will be
17 parking for the fire hall, training activities
18 and other non-responder personnel within the
19 building.

20 With the height of the building to
21 accommodate the garages, we're looking at a
22 maximum height of between 24 and 28. We want
23 to put a parapet around this to incorporate
24 where we can put some roof topping equipment
25 for the views. But the remainder of the sides
of the structure especially facing a
residential area will be single story sloped
roofs for residential character.

MR. FRANCIS: I'm Skip Francis. I'm a
civil engineer for C.T. Male. I just want to
go over a couple of particulars at the site.

We did present this site layout
information to a DCC meeting on August 12th.
I'd like to just summarize some of the
highlighted comments that were made there.

A future plan will show an accessory
structure in the rear for lawn care equipment,
a small garage for lawn care equipment and a
pavilion for outside training facilities for
leisure use by the Fire Department.

One concern that was raised was the
existing vegetation through the existing
owners back here (Indicating) and we plan to
complement some of the existing vegetation to
enhance a visual buffer.

We discussed the parking area for the
first responders. As Rich mentioned, there is

1 a necessity to have it near the apparatus
2 phase. This is contrary to the Land Use Law,
3 but the DCC and Planning Department are
4 comfortable with that remaining as well as
5 enhancing the landscaping out front to enhance
6 the area.

7 Stormwater will be routed to the site,
8 collected and discharged across the street
9 into the proposed stormwater basin as part of
10 the PDD. So, the stormwater treatment
11 detention requirements will be met by that
12 basin. It won't be on this parcel, itself. The
13 master SWPPP will be amended. Our SWPPP will
14 amend the master SWPPP addressing this
15 specific site. So, it will provide all the
16 numbers for this district to the overall
17 development of stormwater.

18 No fire trucks will be routed to the rear
19 of the building. As you can see by the layout
20 there are no pull-through bays. So, all the
21 fire apparatus will be right here in front
22 (Indicating).

23 There will be a flagpole and monument
24 area out front. It will be similar to one that
25 is of the existing type now.

Sanitary water features the existing
district line running in the back of this
parcel (Indicating) for interconnection to the
water service. It's a proposed water service
at this time for a PDD development within the
infrastructure right of way there. I
understand that the water district extension
has to be approved for this facility to tie
into it.

We did have discussion about having a
fire hydrant directly in front of this
facility and will coordinate that.

There is a traffic signal in front of the
existing EMS facility, just south of the
intersection of Preston Drive. That traffic
signal will be relocated to the intersection
of Preston Drive and Route 9 as this facility
is developed.

That, in summary, are some of the
highlights. We're still waiting for the formal
release of those DCC comments. We wanted to at
least introduce the project to you. We would

1 be glad to answer any questions that you may
2 have.

3 ACTING CHAIRMAN NARDACCI: Just a
4 question for Joe.

5 Tonight we're just looking at a
6 preliminary presentation. The next step will
7 be a concept submission and we'll have to go
8 through the full process and then make a
9 recommendation to the Town Board to act and
10 change the PDD.

11 MR. LACIVITA: That's absolutely correct.

12 ACTING CHAIRMAN NARDACCI: How far are
13 you from a concept submission?

14 MR. FRANCIS: Probably within the next
15 30 days for sure.

16 MR. LACIVITA: This has also actually
17 been referred to us by the Town Board. There
18 was a letter.

19 MR. ZEE: Regarding the time frame:
20 Unfortunately we have a real definitive time
21 period that we're working with. We appreciate
22 coming here this evening before the DCC
23 comments are actually typed up, but there is
24 stimulus money that is available and with that
25 stimulus money there needs to be some sort of
approval in place. We were hoping to work with
the town and we would meet back at your next
meeting to hopefully lift the burden on
C.T. Male to be able to address the comments
from the DCC meeting. We are able to address
them but we don't have all the comments so
that we could have a formal list. We were
hoping to be back before the Town Board
hopefully toward the end of September because
there needs to be, from my understanding in
talking to the attorney for the board, some
sort of approval from the Town Board in place
before the end of September so that there is
sufficient reason for the town to receive the
stimulus money. That would to my
understanding, take up just about the entire
site development construction of the building.

26 ACTING CHAIRMAN NARDACCI: So, Joe, our
27 review is concept acceptance and then
28 recommendation to the Town Board.

1 MR. LYONDS: The recommendation to the
2 Town Board at this point would simply be an
3 action to recommend this amendment to the PDD
4 to the Town Board. If the Town Board accepts
5 the PDD with any minor changes, then your
6 recommendation turns into a concept acceptance
7 and then the applicant goes forward and
8 submits preliminary final plans for review to
9 the TDE and the town departments.

10 ACTING CHAIRMAN NARDACCI: And not for
11 the Planning Board?

12 MR. LYONS: And then it goes back to the
13 Planning Board one more time for final review.

14 ACTING CHAIRMAN NARDACCI: So we will
15 have to give a final review?

16 MR. LYONS: Yes, and actually your
17 recommendation would turn into a concept
18 acceptance if adopted by the Town Board.

19 MR. ZEE: And we understand that any approval
20 from this board would be conditioned upon
21 Canterbury Crossing subdivision site plans
22 being approved.

23 We're still some ways off on the bounds
24 of the Canterbury project. All of these
25 drawings are at Barton Loguidice's office.
26 They've been there for a few weeks. There is a
27 lot of information for them to review and they
28 have been working very closely with
29 Mr. Sipperly's office. We understand that if
30 the board would recommend the positive
31 recommendation to amend this PDD and then the
32 Town Board would ultimately approve it, it
33 would be conditioned upon the rest of the
34 engineering information being set forth by
35 both the town engineering department and the
36 town's special review committee.

37 ACTING CHAIRMAN NARDACCI: That's speaks
38 directly to my point. There are a lot of
39 mobile parts and I want to make sure that the
40 TDEs and all the DCC comments are addressed
41 and all the information that's necessary to be
42 provided to B & L in a timely manner for a
43 full review. That's so that when we get here,
44 we don't have open-ended questions. We may be
45 sure that we have all the departmental memos
46 and we have all their input on this proposal.

47 Let me open it up to questions.

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Tim?

MR. LANE: Being that this is from stimulus funds, is there any kind of requirement that stimulus projects being approved have solar or aspects such as that?

MR. CAMPAGNOLA: As part of the stimulus funds, it will be a lead certified building. We will have bike racks and there will be designated parking spaces for efficient vehicles and things like that. We're looking at the points right now we can contain for lead certification. We have already submitted an application with NYSERDA for this project.

MR. LANE: What about solar?

MR. CAMPAGNOLA: At this point, we're not intending on putting solar panels on the roof.

MR. LANE: Any particular reason?

MR. CAMPAGNOLA: Again, for the most part, we are looking at systems that are easily maintained by firefighters that can be as maintenance free as possible without having to worry about them getting up on the roofs or having long standing maintenance contracts to operate systems. It's a building that for the most part is largely unoccupied during most portions of the day.

MR. LANE: Well they'll always need power.

MR. CAMPAGNOLA: That's correct.

MR. LANE: That's why I think it would make a good candidate for it.

MR. CAMPAGNOLA: That's possible but in this stage of our development, that's not one of the things that we're looking at. We are waiting for that NYSERDA scoping meeting to help guide us through the process.

MR. LANE: Isn't that the kind of thing that builds into NYSERDA? It just seems that you're dismissive of it from the get go.

MR. CAMPAGNOLA: No. In the initial stages we based our preliminary design on certain systems; basically air and with package units and a lot of conventional systems. Depending on the incentives that may be available in the NYSERDA program we need to

1 make sure we know which points we need to
2 attain for lead certification that could be
developed through design corrections.

3 MR. LACIVITA: Do you know if you're
going for gold or silver?

4 MR. CAMPAGNOLA: We just need to be lead
certified. There hasn't been a decision yet
5 until the scoping meeting to determine which
levels we're trying to obtain.

6 ACTING CHAIRMAN NARDACCI: George?

7 MR. HOLLAND: No comments at this time.

8 ACTING CHAIRMAN NARDACCI: I just want
clarification on stimulus funds. I work with
9 some projects that have applied for funding
and you have not obtained funding at this
point, right?

10 MR. CAMPAGNOLA: No. The application has
been put in by the Fire District.

11 ACTING CHAIRMAN NARDACCI: Was that the
Fire District that applies for the funding
12 through the state or is it directly from the
feds?

13 MR. CAMPAGNOLA: It's a federal program
directly through Homeland Security.

14 ACTING CHAIRMAN NARDACCI: I just want to
make sure that we're clear that there is a
15 chance for funding, but there is no funding in
hand.

16 MR. CAMPAGNOLA: That's correct. NYSERDA
17 program is separate from the federal stimulus
funds.

18 ACTING CHAIRMAN NARDACCI: Elena?

19 MS. VAIDA: There was a mention of solar.
I just remember reading the other day - isn't
20 there some big tax credit that you can get for
commercial buildings using solar energy?

21 MR. ZEE: They're not a taxable entity.

22 MS. VAIDA: I don't have any questions at
this point. Basically I'm going to be waiting
to get some feedback from our engineer.

23 ACTING CHAIRMAN NARDACCI: C.J.?

24 MR. O'ROURKE: I'm happy that my grandson
and my daughter and my kids can pay for it
with the stimulus.

25 So, we cannot make an amendment? Trust
me, I'm 100% happier seeing this go in than

1 the office building in the PDD. I think that
2 it fits very well. The architecture doesn't do
3 a whole lot but if the developer is alright
4 with that sitting at the top of his road,
5 that's fine.

6 There is no way that we can make an
7 amendment to that PDD tonight?

8 MR. LACIVITA: That would be a board
9 decision.

10 MR. LYONS: But it wasn't on the agenda
11 for action.

12 MR. O'ROUKRE: I speak for only myself,
13 but we sent this to the Town Board with favor
14 from this board with an office building and I
15 think that if the time frame were such that
16 funds were available and it was something
17 quickly -- again, I think that's where Mr. Zee
18 was going with it. Stop me if I'm speaking out
19 of line, but I would be okay voting to amend
20 the PDD to replace the office with this
21 contingent upon obviously the full review by
22 the town departments and the TDE. To me, it
23 just seems like we're asking all the
24 departments to get together and do all this in
25 30 days. My God, I've been on this board two
years and I haven't seen anything happen in
30 days, except my hair get grayer.

MR. LACIVITA: I think to your point,
C.J., that's why when I was asked about the
notification, I asked for it to go to both
sides and to the Boght area to get the
opportunity if residents had questions that
they could address them now but speak
specifically to the Fire Department.

MR. O'ROURKE: No, and that's why I want
to specifically speak for myself that in terms
of community function, as outlined in the Land
Use Law in terms of granting PDD, I think that
this is like a hand in glove versus office
building which I never understood within the
PDD. It sits there.

In my estimation, I would have no problem
and I just wanted for the rest of the board
members to know that I would have no problem
amending this and getting this to the Town
Board for the September 10th meeting.

1 MR. ZEE: Mr. O'Rourke, as C.T. Male had
2 indicated we did have a global meeting with
3 the DCC committee. It's unfortunate that the
4 individual that was responsive for typing up
5 those comments is on vacation so we don't have
6 the actual comments, but we did have a summary
7 of our meeting notes. I'm pleased that
8 C.T. Male tried to address all their comments.
9 I'm not saying that we addressed every one. We
10 took our own notes.

11 MR. O'ROURKE: The way that it has to
12 work is that we would have to get it to the
13 Town Board and then it comes back before us

14 anyway.

15 MS. VAIDA: Procedurally, the change that
16 you're going to make is not consistent to the
17 prior approved planned development.

18 MR. ZEE: Right. The office building
19 versus the fire station. So, we had to
20 substitute the fire station -

21 MS. VAIDA: What is the difference? Is it
22 the type of use? How does it change your
23 responses? We should have to make findings of
24 fact, I guess. The amendment is significant
25 enough so that we have to sort of re-approve
or re-recommend all the findings of facts that
we did before. Are you able to go through that
criteria and just point out how this project
changes your provisional responses?

MR. ZEE: I think that when you look at
stormwater management, there is really no
change with the amount of impervious surface
with the parking lot and the building that are
comparable. We're putting the stormwater in
the exact same location, which is across the
street on the proposed Preston Drive.

With regard to water and sewer uses: I
would think that when you have a building that
is partially occupied during the course of a
week versus an office building that is pretty
much occupied 9 to 5, five days a week, the
use of water and sewer is reduced.

With regard to traffic impacts: When you
look at traffic you look at peak hours of a.m.
and p.m. We believe that we don't have the
peak hour traffic for the fire station. You

1 would have potentially maybe on some weekends
2 some social activities there, but I don't
3 think that they're going to adversely impact
4 the traffic on that corridor.

5 From a visual standpoint, we're not
6 talking about a building that is substantially
7 larger in size. The square footage has been
8 reduced. We're pretty much two stories. The
9 architect from C.T. Male had indicated the
10 rear of the building would be one story and a
11 slope roof which is comparable to residential.

12 From the frontage standpoint, we believe
13 that in many respects that it is commercial
14 looking. Office buildings are commercial
15 looking.

16 We've got this distance in here
17 (Indicating) and I think that the scale is
18 100. I'm going to guess that this is over a
19 football field length between the closest
20 residential buildings, from our client's
21 perspective. This building is no closer to the
22 residential along Route 9 as the office
23 building. So, we don't believe that from a
24 proximity standpoint that there is any greater
25 impact.

MS. VAIDA: So the location has changed
from where you were putting the office
building?

MR. ZEE: No, it's exactly the same.

MS. VAIDA: So it's already been approved
with an office building right there.

MR. ZEE: That's right. As we indicated,
when you flip this up, you can see where the
office building was there (Indicating). That's
exactly pretty much on top of it. So, from an
impact standpoint, the stormwater, traffic,
water, sewer and from a visual impact there is
no greater impacts caused by this.

In fact, this portion of the development,
as you may recall, is senior citizen housing.
We think that senior citizens being close to
emergency services is positive from a

marketing standpoint.

ACTING CHAIRMAN NARDACCI: Mr. Zee, can
you explain why exactly, legally we have to go
through this review?

1 MR. ZEE: The PDD for Canterbury is
2 specific. You're entitled to a certain number
3 of housing units and a certain housing type,
4 plus the 6,000 neighborhood retail and 30,000
5 square foot office building. That's all that
6 is permitted. So, since we are now asking for
7 the fire station, we have to have the PDD
8 language specifically amended to allow for a
9 fire station. It should be noted that fire
10 stations are permitted in every single zoning
11 district in the Town of Colonie except for
12 PDDs. I'm sorry. I think it's every single
13 district expected for PDDs and cemetery that
14 permit fire safety in the town. So, it's a use
15 that the town, as a practical matter has
16 permitted in all the other districts but since
17 the language here is specific, we need to come
18 before the Town Board and to you to ask for
19 that modification. So, it's only a
20 modification of changing and eliminating the
21 office use and substituting it for the fire
22 station.

13 MR. LACIVITA: And if you remember during
14 the course of this board's review of the
15 project, the fire station actually had a
16 number of conversations. But the unfortunate
17 thing is that when we had to make the
18 recommendation to the Town Board, it was
19 either this or that and we had to go with the
20 office because really the Fire Company didn't
21 realize that there was this potential for this
22 stimulus money. Now because this is
23 potentially available to them, it makes it
24 more viable and that's why we're here today.

19 MS. VAIDA: So your response is: I don't
20 know where this came from. The objectives, the
21 findings that we have to make -

21 MR. STUTO: You made some general
22 comments that are quite informative with our
23 specific required written findings that we
24 have to make. It's in the Land Use Law and I
25 think that's what she's saying.

24 MS. VAIDA: Yes, that's what I'm talking
25 about. It doesn't seem like your answers would
be any different tonight than they were back
then. I guess that's what I'm trying to get

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at. To reconsider all this seems unnecessary.

MR. O'ROURKE: I agree. Actually there's more benefit for the PDD to have the fire station and that's what was discussed before we sent it to the Town Board the first time.

MR. LACIVITA: When you think about when most developers come in, they're looking at their parcel with highest and best use. Here, I think that this is less of an impact to that parcel.

MR. LANE: When we discussed this previously, I mentioned about the impact on the Fire District because of all the additional housing. Having that at a high profile might be something to draw people to join as members which is beneficial as well. I don't know if that will happen or not but I still think that it's a good thing.

MS. VAIDA: In these comments, this almost looks like a draft.

MR. O'ROURKE: It might have been a Canterbury impact.

ACTING CHAIRMAN NARDACCI: Mike?

MR. SULLIVAN: I would just like to know how does the size of the combined facility compare to the existing EMS required facilities that it is replacing? Is it roughly the same or is it much larger?

MR. CAMPAGNOLA: It is slightly larger. What you're going to see is storage space that is now used in the attics and things like that. So, if you combine that space, that probably shouldn't be used until the need is there. EMS is pretty much the same footprint than what it currently has.

MR. SULLIVAN: Do we know how big the pavilion is that is proposed?

MR. CAMPAGNOLA: Pretty much the same as what is sitting out there. A small wood frame structure.

MR. SULLIVAN: Thank you.

ACTING CHAIRMAN NARDACCI: Okay, at this time, I'd like to open this up to the members of the public who are interested or would like to make a comment or ask a question. Is there

1 anyone who would like to make a comment or ask
2 a question?

3 FROM THE FLOOR: Your amendment: Is it
4 either/or? Can you make the fire station or
5 the office building in there just in case the
6 stimulus funding dries up?

7 ACTING CHAIRMAN NARDACCI: That's a good
8 question. Say this money doesn't come
9 forward -

10 FROM THE FLOOR: We would be purchasing
11 the land anyway.

12 ACTING CHAIRMAN NARDACCI: Are there any
13 other questions or comments?

14 MR. SMITH: Dave Smith. I have a couple
15 of questions.

16 The EMS is coming out on the side street
17 and then going into Route 9 and then the
18 firehouse is coming right out onto Route 9?

19 MR. CAMPAGNOLA: Right now they're coming
20 out onto Preston Drive.

21 MR. SMITH: Right and then it goes right
22 out onto Route 9. Both of them?

23 MR. CAMPAGNOLA: Yes.

24 MR. SMITH: Has it been looked at - where
25 you are now is kind of the center of the
Boght. How would that effect response times?

MR. URQUHART: I'm Ken Urquhart. I'm the
Captain of the Boght Fire Company.

This would put us more centrally located
in the area.

MR. SMITH: The EMS - - the town just
bought that property a few years ago and put
that new EMS building up. What's happening to
that structure?

MR. URQUHART: I don't know. I don't know
what the town will do with that. One of the
exciting things about Boght is that we've been
talking about regenerating the firehouse and a
new facility and things of that nature.

MR. CAMPAGNOLA: As was said, a lot of
what they have been looking at is what they
can do with the land and the facilities that
they have. A lot of the programs that need to
go into the facilities and looking about how
to combine those three separate structures is

1 basically what we have developed is this
2 project.

3 MR. SMITH: So do we have to worry about
4 a Cumberland Farms going on that old parcel?
5 How about trucks? Are there just going to be
6 idling trucks there? We need to worry about
7 the existing area and its development, too.

8 ACTING CHAIRMAN NARDACCI: I think that
9 as a board we've tried to work on being
10 proactive on redevelopment of parcels. The
11 Town Board recently took some action to make
12 changes in the Land Use Law to make it easier
13 and more attractive for developers to
14 redevelop parcels. I think that was something
15 that was driven here with discussions like
16 this.

17 Is there anyone else that would like to
18 make a comment or ask a question?

19 MR. JARVIS: I'm Ernie Jarvis and I live
20 in that area; 422 Baker Avenue.

21 Are there going to be any more roads
22 entering into that project?

23 MR. SIPPERLY: The road system is the
24 same as it was proposed.

25 MR. JARVIS: Is there an access proposed
off of Vliet Street?

MR. SIPPERLY: Not as part of this
project.

ACTING CHAIRMAN NARDACCI: Is there
anyone else that would like to make a comment
or ask a question?

(There was no response.)

ACTING CHAIRMAN NARDACCI: Okay, I
suggest that you get working right away with
the town and I think that it's a positive
change that's necessary. There is a lot of new
development over the whole area. A new fire
station with combined services is a real
positive for the area.

MR. O'ROURKE: So, you're not going to
accept the motion if I make a motion to make
the amendment.

ACTING CHAIRMAN NARDACCI: I don't think
that we can because it wasn't listed publicly.

MR. LACIVITA: It's been posted publicly.
All the neighbors had notice.

1 MR. LYONS: We don't have any SEQRA
documents to amend -

2 MR. LACIVITA: I think that if anything,
3 if we can get the answers to DCC comments and
so on and have Brad possibly present, we could
4 do it at the next meeting.

5 ACTING CHAIRMAN NARDACCI: I think that
if we could get it on the next meeting, that
6 would be great. Brad, if you can do what you
can to get this going, that would be great.
7 From the town's perspective, whatever notes
have to be typed out, if they have to be
8 handwritten, we'll do a handwritten copy.
Let's not hold it up.

9 MR. CLARK: I think it's interesting that
no one asked about the radio tower.

10 MR. URQUHART: The antennas are short and
there will be no siren.

11 MS. VAIDA: And if I may add, just to
expedite this: It doesn't seem like you need
12 to rehash everything that we did last time.
Maybe you could just focus on how that changes
13 what we already approved and what impact that
has.

14 MR. ZEE: I believe that the only way to
really address the reduction of the impacts
15 that -- I can provide some -

16 ACTING CHAIRMAN NARDACCI: There is a lot
of energy and desire to move ahead. There are
17 documents that we don't have that we have not
reviewed including SEQRA documents. So, I just
18 don't think that we're going to be able to
move forward tonight.

19 MR. JARVIS: The other project isn't even
approved yet before this board.

20 MR. LACIVITA: What project is that he's
talking about?

21 MR. LYONS: Canterbury.

22 ACTING CHAIRMAN NARDACCI: This is not a
final approval at all.

23 MR. O'ROURKE: Yes, it has. Concept has
been approved, sir, for Canterbury.

24 MR. STUTO: Just so you know, this board
has made a recommendation to the Town Board.
25 My understanding is that the Town Board hasn't
acted on it as yet. Is that correct Mike?

1 MR. LACIVITA: The Town Board did act on
2 it.

3 MR. STUTO: They're asking us to amend
4 the recommendation to the Town Board.

5 MR. JARVIS: I'm not asking.

6 MR. STUTO: No, the applicant is asking.
7 That's what I'm saying. The application is
8 asking us to amend the recommendation to the
9 Town Board.

10 MR. GRANT: Peter, do you see that
11 happening as a separate document as an
12 amendment to the existing PDD plan?

13 MR. STUTO: That's how I see it. I've got
14 to look again at the old recommendation.

15 MR. O'ROURKE: Then if we have to agree
16 to the whole statement of findings, it's 30
17 days right?

18 MR. JARVIS: C.J., it's been going on for
19 three months.

20 MR. STUTO: Someone can correct me. It's
21 in the PDD article which is Article 13, I
22 think. This is Sub G.

23 Upon receipt of the Planning Board's
24 findings of recommendation, the Town Board may
25 then consider the legal establishment of the
planned development district through that
zoning district map amendment.

The Town Board may wish to consider
making whatever amendment that it needs to
make. I'm not sure where the 30 days is.

MR. O'ROURKE: I thought that there was
30 days with his statement of findings.

MR. STUTO: I don't see it here. I don't
see a 30 day requirement.

Do you know different, Mike?

MR. LYONS: Maybe 30 days for SEQRA? I
believe the initial application was a Type I
action so you had a 30-day lead agency
coordination. To be honest, I haven't really
looked into SEQRA on this because I thought
that we were just doing a discussion and
presentation on the project. I'm not sure if
this is an amendment to SEQRA. You might
review it and find out that the impacts of the
proposed use is equal or less than the use
that was identified in the initial SEQRA and

1 therefore you don't need to re-coordinate a
2 review for a Type I action.

3 MR. STUTO: We'll try to avoid that.

4 MR. LYONS: You don't avoid it, you need
5 to do it. You don't want to jeopardize the
6 applicant's proposal.

7 MR. STUTO: We're not ready for SEQRA
8 tonight anyway.

9 MR. ZEE: So what you're saying is that
10 for the best case scenario, this town
11 circulates the notice for coordination
12 tomorrow, August 26th.

13 MR. LYONS: Don, we're not saying
14 anything right now.

15 MR. ZEE: I just want the board to
16 understand the time line that we're talking
17 about.

18 They circulate the notice to coordinate
19 tomorrow, which is August 26th and then all the
20 involved agencies have until September 25th to
21 respond. If they have until September 25th to
22 respond, then no SEQRA determination can be
23 made until you received a response for the
24 passage of time. So, if somebody does not
25 respond and just decides to sit there, then no
determination can be made, if you need that
coordination for this amendment. This is
currently the zoning and I believe we only
need an amendment to the zoning, which is
currently in place.

This board can make this determination
that you may not need a coordinated review
because it could be a minor adjustment, given
the fact that you look at the impacts that we
are proposing and that's why I wanted Lynn to
stand up and talk about what the impacts of
this project are on the community and in fact,
the impacts are less or are decreasing any
impacts. Water/sewer uses are less. We have
probably 3,500 square feet less of impervious
surface of the building which would have less
stormwater impacts. The stormwater detention
basins are there.

ACTING CHAIRMAN NARDACCI: Mr. Zee, look,
I've been here for two years. We've had a
number of meetings about this project.
Whatever the coordination was between your

1 client's decision of how to develop this
2 property to now having an opportunity to move
3 forward on a fire station - it's great, it's
4 an improvement. It would have been nice if you
5 had a decision when you came the first time.

6 MR. ZEE: The thing that I'm saying is
7 that I don't care about the stimulus money.
8 The town, I think, should be caring about it
9 and the Fire District should be caring about
10 it. The time frame that I'm hearing right now
11 is based on the fact that the determination
12 can't be made until after September 25th even
13 if you made the notice available tomorrow.

14 ACTING CHAIRMAN NARDACCI: Well, let's
15 step back and say, when did you come in and
16 submit this?

17 MR. ZEE: We had a conversation -

18 ACTING CHAIRMAN NARDACCI: No, I'm not
19 talking about a conversation. When did you
20 formally submit -

21 MR. LACIVITA: We had them on DCC on
22 August 12th.

23 ACTING CHAIRMAN NARDACCI: Okay, so
24 August 12. You're talking specific dates so
25 let's step back and talk specific dates. When
26 did you submit this?

27 MR. LYONS: It would have been July 21st.

28 ACTING CHAIRMAN NARDACCI: Okay, I don't
29 know how much more quickly that we can act
30 here. We have projects that have been sitting
31 and waiting. I don't want you to miscategorize
32 what the town thinks or what this board thinks
33 about moving forward on something as important
34 as this.

35 MR. ZEE: Understood.

36 ACTING CHAIRMAN NARDACCI: Is it possible
37 to get done what needs to get done in time for
38 our next board meeting so that we can fully
39 consider this? What I have here is a fire
40 station but it's still a 30,000 square foot
41 project. It's not enough. We just talked about
42 another project that couldn't move forward
43 because it didn't have the full reviews. We're
44 talking about equity; regardless of what the
45 project is.

1 MR. LYONS: We can look at SEQRA tomorrow
2 and we'll be back to the board with regards to
3 what we need to do for SEQRA.

4 ACTING CHAIRMAN NARDACCI: We'll do
5 everything that we can to move forward
6 expeditiously as we have; particularly since
7 this project has been before us since my first
8 day on the board.

9 MR. ZEE: We appreciate that.

10 MS. VAIDA: Is there a procedure to
11 amend? We already approved and adopted SEQRA
12 on the original project and this is such a
13 minor change and has less of an impact. Is
14 there a way to just amend the prior SEQRA, or
15 does it even need to be changed?

16 MR. LYONS: I do not know.

17 ACTING CHAIRMAN NARDACCI: That's what we
18 need to know. We need to know what we have to
19 do with regards to SEQRA.

20 MS. VAIDA: Would your answers to the
21 SEQRA, to the environmental assessment form be
22 different with this project than the original
23 one?

24 MR. LYONS: Slightly different.

25 MR. ZEE: When you talk about a Type I
action, we already have the rezoned PDD so
we're just seeking a modification of just this
parcel. I believe that when you have a Type I
action, the threshold is that if you are
seeking to change a structure that's over
50,000 square feet or if it's an increase of 5
acres of property - and we're doing less than
that. I just want to point out that although
it was a Type I action originally for the PDD,
now we're only of focusing on a small section
of the PDD. When we're looking at the SEQRA,
we're only looking at the SEQRA as it relates
to the acreage. So, I don't think that this
would ordinarily be a Type I action but in
fact an unlisted action which may not require
the coordination. That's why I'm saying that
the timeframe may not have to be the 30 days.
So, I just want you to know.

MR. STUTO: We're listening and we'll
consider that.

ACTING CHAIRMAN NARDACCI: Okay, so
hopefully we'll see you at the next meeting.

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*(Whereas the proceeding concerning the
above entitled matter was adjourned at
9:12 p.m.)*

CERTIFICATION

*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 October 1, 2009