

1 PLANNING BOARD COUNTY OF ALBANY  
2 TOWN OF COLONIE

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5 THE MAXWELL ROAD SENIOR PDD ALSO KNOWN  
6 AS 605 ALBANY SHAKER ROAD  
7 AND 210 MAXWELL ROAD  
8 REVIEW AND UPDATE  
9 \*\*\*\*\*

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8 THE TAPED AND TRANSCRIBED MINUTES of the above  
9 entitled proceeding BY NANCY STRANG-VANDEBOGART  
10 commencing on September 22, 2009 at 8:48 p.m. at  
11 the Public Operations Center 347 Old Niskayuna  
12 Road, Latham, New York 12110

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BOARD MEMBERS:

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13 JEAN DONOVAN, CHAIRPERSON  
14 CHARLES J. O'ROURKE, JR.  
15 MICHAEL STEWART

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16 ELENA VAIDA  
17 TIMOTHY LANE

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18 PETER STUTO, Jr. Esq., Attorney for the Planning  
19 Board

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Also present:

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20 Kevin DeLaughter, Planning and Economic  
21 Development

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22 James Finning, Finning Properties, LLC

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23 Brad Grant, Barton & Loguidice

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24 Jamie Easton, PE

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1           CHAIRPERSON DONOVAN: We do have three  
2 other projects on the agenda. The next one  
3 is the Maxwell Road planned development  
4 district.

5           MR. FINNING: I promise that we'll be  
6 brief.

7           Thank you for the opportunity to come  
8 back to you and present what we have  
9 learned since we were last here a few weeks  
10 ago. We took the board's advice and  
11 organized a neighborhood meeting.

12          CHAIRPERSON DONOVAN: I'm glad you did  
13 that. That's good.

14          MR. FINNING: It was good and it was  
15 very productive. Brad came to the meeting  
16 and I think that he can attest to the fact  
17 that it went very well.

18          We've implemented some of the changes  
19 that were suggested by both the board and  
20 by our neighbors. We've reduced them to the  
21 new plan and we have copies of the new plan  
22 for you and we hope that works better for  
23 the board. We think that it works better  
24 for the neighborhood, for the developers  
25 and for the town, as well.

          CHAIRPERSON DONOVAN: I think that the  
neighbors have to be pleased because you've  
moved those homes away from the back of  
their properties. You decreased them back  
near Margaret Drive. I'm talking about near  
Margaret and Karen in through there.

          MR. FINNING: Yes.

          CHAIRPERSON DONOVAN: And you moved  
them over to the estate lot.

          MR. FINNING: It used to be the estate  
lot. There is no longer an estate lot.

          Madam Chairman, you suggested that we  
move the two that were at the main entrance  
coming in here (Indicating). We've also  
taken those out.

          Jamie can expand on this. We've worked  
with the town and on reducing some of the  
stormwater collection areas and we think  
that we have a pretty good understanding  
with the town on how that would work best  
for everyone.

1           MR. EASTON: Certainly after our last  
2 discussion meeting about the project,  
3 certainly the town and the general public  
4 had some comments about our old plan. We  
5 went right back to the drawing board and we  
6 came up with this right here (Indicating).  
7 Exactly what you see here is what was  
8 presented to the public.

9           Certainly before I presented to the  
10 public I also talked to the town and have  
11 combined some stormwater detention areas so  
12 not to have a detention pond next to a  
13 detention pond. Those are maintained by the  
14 town. To me, that kind of seemed silly to  
15 do that and so we sort of combined things.

16           So, we came up with this plan. For the  
17 general public we gave them this plan and  
18 you'll see also in your packet that you  
19 received a package of similar plans with  
20 red blocks on it. Those red blocks are the  
21 approved location of the current PDD  
22 legislation. Basically what we're able to  
23 show to the public is that they're  
24 basically in the same spot and we're  
25 actually pulling things away that were  
actually closer than before to the  
property. So as we looked to the public, we  
certainly informed them of this and what  
we're proposing to do and at that meeting  
we wanted to get their input. That was the  
biggest part of that meeting and I think  
that Brad can really attest to that. We  
really got their input.

1           I included in this packet their  
2 general comments and some of their general  
3 concerns. One of the major things was that  
4 they don't want a fence. They want natural  
5 vegetation. Along with this lot  
6 (Indicating), this gentleman wanted a  
7 10-ten foot natural buffer with some  
8 additional screening mixed into that.

9           That's where we are right now. We  
10 certainly have the comments from the public  
11 and that's what we're here now for is to  
12 obtain your general comments about this  
13 proposed plan and then put it together and  
14 then resubmit it and then go from there.

1           CHAIRPERSON DONOVAN: I'm pleased that  
2 you went back and you listened to us and  
3 you listened to the neighbors and you came  
4 up with a new proposal.

5           One thing that I don't see on this  
6 plan and you probably haven't had the  
7 opportunity yet to deal with it is the new  
8 cul-de-sac with the five new homes or the  
9 seven new townhouses. You will obviously  
10 have to buffer along there.

11          MR. EASTON: Yes.

12          CHAIRPERSON DONOVAN: It looks like  
13 you're going on the right track in meeting  
14 with the neighbors in answering their  
15 needs.

16          Mike, do you have anything?

17          MR. SULLIVAN: I was just wondering  
18 about the buffer to the residents.

19          MR. EASTON: Certainly the comment  
20 notes that are attached to your back  
21 packets does make note to mention these  
22 individuals wanting a natural buffer. So,  
23 it's documented in there and that we will  
24 provide that.

25          Another thing that the general public  
wanted to see was a general crosssection of  
these elevations. Some people can't read a  
contour map and they wanted to see the  
relative elevations of their house, the  
proposed house and the new Maxwell Road.  
So, that's something that will be presented  
once we get everybody's comments in and  
then we'll present it back to make sure  
that everybody is happy.

        MR. SULLIVAN: Will there be any  
buffer along Albany-Shaker, because it's  
facing the back of those houses.

        MR. EASTON: I will leave that to Jim  
on the additional buffering along the rear  
of those houses.

        MR. FINNING: We have no problem with  
the additional buffers.

        MR. SULLIVAN: Thank you.

        MR. O'ROURKE: I think that the  
planning in the town - certainly as we move  
forward, you guys have done a great job. I  
appreciate you going back and working with

1 the people. That hasn't always been the  
2 case in the Town of Colonie and I certainly  
3 appreciate developers coming in and doing  
4 things that we, as a board, ask so that we  
5 can smartly develop the property that's  
6 left. There is a lot of property.

7 I'm 100% in favor in getting rid of  
8 that estate lot and moving those properties  
9 off which I knew that there was enough  
10 space and you guys did a good job of doing  
11 that. You actually created more space as I  
12 look at it. So, again, anything is possible  
13 and I appreciate you guys doing this kind  
14 of work.

15 CHAIRPERSON DONOVAN: Elena?

16 MS. VAIDA: I just had a question for  
17 Kevin.

18 I don't know if we said it last time  
19 that we need to adopt a new SEQRA or  
20 whether we decided that the change was not  
21 significant enough to change the prior  
22 SEQRA that was adopted.

23 MR. DELAUGHTER: That's something that  
24 we'll need to take a closer look at. Their  
25 next step will be to more fully develop the  
26 concept and resubmit to the Planning  
27 Department to review it with concept and  
28 come back to the board. We'll look at it in  
29 that time frame and provide a  
30 recommendation.

31 CHAIRPERSON DONOVAN: Tim?

32 MR. LANE: Great job.

33 CHAIRPERSON DONOVAN: Brad?

34 MR. GRANT: Even if SEQRA were to  
35 remain the same would it need to be

36 reviewed?

37 MR. DELAUGHTER: The recommendation  
38 needs to go back to the Town Board for the  
39 amendment so there would be an amended  
40 findings statement.

41 CHAIRPERSON DONOVAN: Yes, sir.

42 MR. STAPLETON: This is the first time  
43 that I've heard anything about this one.

44 How many houses?

45 MR. O'ROURKE: It's a senior PDD; 55  
and above.

1 MR. FINNING: There are 51 in there.

2 CHAIRPERSON DONOVAN: Anybody else?

3 You're going to go back and get us  
4 some plans now?

5 MR. FINNING: We are. You tell us that  
6 you're ready and we'll get them done and  
7 get them submitted.

8 CHAIRPERSON DONOVAN: Brad, do you  
9 have anything else?

10 MR. GRANT: I just want to reiterate  
11 the appreciation for the process that they  
12 went through and made their best effort  
13 with the cost. I think that with the  
14 neighbors' comments, I think that the end

15 product will be that much better.

16 CHAIRPERSON DONOVAN: Sir?

17 MR. BENTON: My name is Bruce Benton  
18 and I live on Old Loudon Road.

19 The issue of stormwater - with Old  
20 Loudon Road we've had for years issues with  
21 water and drainage. You, as a board, look  
22 at these on a project by project basis and  
23 mitigate the effects of stormwater in  
24 certain areas. Has the board taken a  
25 comprehensive look at development  
throughout the town and how the big the  
impact of storm drainage is? Eventually  
it's kind of like having a bunch of small  
project in a forest. If you take a little  
bit of forest there and some there, pretty  
soon you have no trees. In terms of  
stormwater run-off, do you have a  
comprehensive view?

CHAIRPERSON DONOVAN: What we attempt  
to do -- we get projects in front of us and  
what we've attempted to do is to take a  
look at not only the impact of the project  
on the developable site but beyond that.  
We've been trying to do that. But you're

referring to the town as a whole.

We have a stormwater plan for the  
town, is that correct?

MR. DELAUGHTER: We don't have an  
overall stormwater plan for the town. There  
are certain areas of the town where we

1 experience problems and the town has  
2 undertaken comprehensive studies of those  
3 individual areas.

4 CHAIRPERSON DONOVAN: So we do it when  
5 it's brought to your attention and the  
6 Planning Department. Is that how we do  
7 that?

8 MR. DELAUGHTER: It's generally  
9 through DPW. I guess that I would say that  
10 we're well versed in stormwater issues. In  
11 general, mitigation on a site by site basis  
12 is such that there is no additional impact  
13 from each site so there is no additional  
14 impact.

15 CHAIRPERSON DONOVAN: Siena was iffy.

16 MR. GRANT: The previous year there  
17 was a stormwater management done for the  
18 town.

19 CHAIRPERSON DONOVAN: I thought that  
20 there was done.

21 MR. GRANT: It's global.

22 CHAIRPERSON DONOVAN: Brad worked and  
23 did a great job on a problem over in  
24 Archmont Knolls. For four or five years the  
25 town just couldn't put our finger on what  
the problem was and Brad came in as part of  
a phase of development over in Archmont  
Knolls. They came up with a solution to the  
problem.

MR. GRANT: As communities grow, these  
issues do come up and some of them  
multiply.

CHAIRPERSON DONOVAN: Thank you.

***(Whereas the proceeding concerning the  
above entitled matter was adjourned  
at 9:01 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.*

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*NANCY STRANG-VANDEBOGART*

*Dated October 26, 2009*