

1 PLANNING BOARD COUNTY OF ALBANY
2 TOWN OF COLONIE

3
4 *****
5 THE PROPOSED PROJECT OF BERKSHIRE BANK
6 628 LOUDON ROAD - SKETCH PLAN REVIEW
7 *****

8 THE TAPED AND TRANSCRIBED MINUTES of the above
9 entitled proceeding BY NANCY STRANG-VANDEBOGART
10 commencing on November 10, 2009 at 7:39 p.m. at the
11 Public Operations Center 347 Old Niskayuna Road,
12 Latham, New York 12110

13 BOARD MEMBERS:

- 14 JEAN DONOVAN, CHAIRPERSON
- 15 THOMAS NARDACCI
- 16 MICHAEL SULLIVAN
- 17 CHARLES J. O'ROURKE
- 18 TIMOTHY LANE
- 19 ELENA VAIDA
- 20 PETER STUTO, Jr. Esq., Attorney for the Planning
- 21 Board

22 Also present:

23 Joe LaCivita, Director, Planning and Economic
24 Development

25 Brad Grant, Barton & Loguidice

Dan Cleary, Bohler Engineering

Anthony Fazzino, Esq., 1 New Loudon Road
Associates, LLC

Annette Ball, 1 New Loudon Road Associates, LLC

25

1 CHAIRPERSON DONOVAN: This evening, this
2 is our first attempt at a sketch plan review.
3 We'll see how it works tonight. This is on the
4 Berkshire Bank. This is 628 Loudon Road.

5 Apparently, if I understand this, you
6 went through the DCC process with them?

7 MR. GRANT: I wasn't there. This was back
8 in 2008 when they had DCC and the larger
9 project.

10 CHAIRPERSON DONOVAN: Now are you
11 overseeing this project?

12 MR. GRANT: Yes.

13 CHAIRPERSON DONOVAN: The purpose this
14 evening is for us to get an idea of the
15 project as well as to come in earlier in the
16 process. When we usually come into a process,
17 they are already at the concept review stage
18 and our TDE has suggested to us that we
19 implement a new sketch plan review whereby we
20 see a plan at an earlier stage.

21 MS. BALL: What we decided to do is kind
22 of give you an overview of where we have been
23 as developers in the past few years with just
24 a five or ten minute speech of where we have
25 been and how we kind of came to being and

1 then we'll turn it over.

2 MR. LACIVITA: I think one of the things,
3 Jean, that we asked for was DCC comments. When
4 this came to the DCC, it was actually a larger
5 picture and based on the marketing and
6 everything that the developer has been doing,
7 right now Berkshire Bank has committed to that
8 one pad site that we're in front of tonight.
9 So, when you look at the entire project, that
10 has been before the town for DCC. Right now
11 what they're asking for when it comes to the
12 board is going to be just the concept on just
13 the Berkshire Bank pad. They can explain that
14 a little more.

15 MS. BALL: I'm Annette Ball and we're the
16 developers on this project. We thought that it
17 would be helpful if we could give you an
18 overview of where we stand.

19 This is particularly exciting for us to
20 be on this project. When we first acquired the
21 land, it was zoned NCOR. We're really pretty
22 excited because we both had a vision of what
23 that would be and we both had our arms around
24 this and it fit perfectly into the whole NCOR
25 profile.

1 We spent probably a little longer than
2 most on getting the footwork done of creating
3 the plan and creating a kind of place and
4 concept of that place. We did a lot of
5 research online. We did a lot of reading. We
6 actually had everybody come in up and down the
7 east coast and not just talking to different
8 developers of new urbanism but also talking to
9 different architects and planners of all up
10 and down the east coast. What transpired from
11 that are a lot of pictures and a lot of
12 discussions.

13 We actually took those planners and
14 architects and shortened them down to five
15 different firms; one which is local and
16 decided to do a design sheret. From that
17 design sheret we put together a program and
18 basically we had a competition. Out of those
19 five, Cooper Carry, was who we chose.

20 We chose Ben Wauford because he knew kind
21 of what we were up against and a lot of what
22 had been created, especially with the urbanism
23 down south. He knew what we were working with
24 here and what they were working with down
25 south and the fact that they are two different

1 things. It's mostly the snow, the cold, the
2 rain and the unpredictable forecast. How do
3 you work with that? Down south it's very easy.

4 People go and walk and they have lots of
5 warm lots of the time. Go up here, you have
6 the rain and you have the snow boots and this
7 and that. He really understood what we were up
8 against. He also understood what we were
9 trying to do and where the parcel was located.
10 It was really going to be the transition from
11 that real commercializing of Route 9 down to
12 that really beautiful old residential end of
13 Route 9 where Siena starts and down in through
14 there.

15 We actually spent several different
16 occasions when the architect came up here and
17 we showed him those homes down on the southern
18 end of Route 9. We also went to Troy and
19 Albany. We wanted to pull that all back in to
20 make it look like it was real and not just
21 planned.

22 One of the places that we really liked
23 and is shown here is Princeton, New Jersey and
24 that's kind of what we're really modeling it
25 after. When a town grew, it needed a pharmacy,

1 a blacksmith and they needed the wig maker.
2 Little by little this town created and it
3 became functional.

4 Then they said, gee, the shop owners
5 lived above the shops but the people wanted to
6 be closer, too. That's sort of where all of
7 our concept came from and that's kind of where
8 the design lent itself. So we spent a lot of
9 time doing the research and putting more
10 together than I think that we even
11 anticipated. We wanted to be very careful that
12 groundwork was laid and that we understood
13 where we were going with it. Also could it be
14 new urbanism? Yes, it is. Is it true new
15 urbanism? No, it's not. This is really kind of
16 a first time thing that this has been done to
17 this extent or has been done to this extent in
18 this area. I don't think that people are
19 really ready to grasp their arms around it.
20 The true urbanism tree huggers are going to
21 come out and say no it's not. Well, it
22 incorporates probably about 80% of what new
23 urbanism is. Then we took what was familiar
24 and brought that in.

25 The other concept was that it's not going

1 to be just sustained by the residents and the
2 shop owners. It's going to be seen by the
3 community - the outside community, obviously.
4 It's not big enough to be able to be a self
5 sustaining community. We want it to be kind of
6 a town center.

7 Some of the places that we visited right
8 in through here was a town in Pennsylvania
9 that had first Fridays. They had bands, things
10 for kids and things for adults. They had
11 different events and sleigh rides, horse drawn
12 buggies and pumpkin carvings and that kind of
13 thing to bring the community in and really
14 make a place that you really want to go to.

15 So that's kind of where we have been and
16 taking that time to really do the research,
17 putting that design sheet out and spending
18 hours and hours with our team and our
19 planner/architect trying to come up with this.

20 MR. CLEARY: My name is Dan Clearly with
21 Bohler Engineering. The first piece of that
22 puzzle that Annette is talking about is a
23 Berkshire Bank which is in the master plan,
24 this piece right here (Indicating).

25 Berkshire Bank has been working with

1 Annette and Tony for several months now. They
2 are anxious to move forward with this project
3 and get their first branch in this area. What
4 we're actually proposing at this time is a
5 2,500 square foot bank with a drive-thru.
6 Essentially it's a 2,500 square foot bank with
7 three drive-thru lanes right at the corner of
8 Glennon and New Loudon Road/Route 9. Access to
9 the site would be both Glennon Road and from
10 New Loudon Road in this location and we've
11 also shown kind of the second piece of the
12 puzzle. It's not proposed at this time, but
13 this is just to show how it would work going
14 forward as it moves hopefully and eventually
15 to the much larger project.

16 This particular site as she says sits in
17 the new COR zone. The plan that we have before
18 you and we're looking to solicit your comments
19 on is all of that open space. It's all set on
20 its own lot. The created lot is actually
21 628 New Loudon Road and it has all the setback
22 requirements there except for two.

23 There is a 30-foot sewer easement that
24 runs across the front of the site that the
25 town would like us not to build on. We're

1 obliged by zoning to put it 25 feet from the
2 right of way line. We'll actually need 30 to
3 stay away from that so at some point we'll
4 need a waiver for that.

5 Also there is a 10-foot setback for
6 parking that we'll also need for shared
7 parking and to kind of create the theme that
8 we're trying to create here which is an
9 interactive community. Berkshire Bank, again,
10 is the proposed tenant here. It's my
11 understanding that this is their first branch
12 in this area. As you probably know they're
13 located in Pittsfield Mass. They're actually
14 growing in this economy and they're anxious to
15 get into this location.

16 The site currently drains in this
17 direction. There is an area back in near the
18 miniature golf course where the water goes
19 back to the stream and the wetland area. We
20 are proposing some underground drainage
21 here (Indicating) which eventually connects
22 into that same system. It was discharged that
23 way.

24 The 20 parking spaces - we have three
25 which was required by zoning - three

1 drive-thru lanes that stack into nine. Nine
2 cars within the drive-thru lanes meets your
3 zoning.

4 We have shown our first attempt at kind
5 of a general landscaping and greenspace
6 treatment that we're proposing at this point.

7 At this point, we'd like to answer any
8 questions you might have.

9 MR. O'ROURKE: The first problem that I
10 see is that we don't want that entrance on
11 Glennon. I don't want that entrance on
12 Glennon Road. It's a residential street.
13 Especially if your plan is to move forward.

14 MR. CLEARY: Some of the direction that
15 we were given early on is that there is
16 actually commercial access onto the site.
17 We're directly across from that. We're working
18 with the town to try to widen that access up.

19 MR. LACIVITA: Behind the dry
20 cleaner - then the medical building, it would
21 create that parallel.

22 MR. CLEARY: There are actually two
23 driveways to commercial properties already on
24 this side of the road. There is one here and
25 there is one here (Indicating).

1 MS. VAIDA: From the first drawing that
2 we were shown and from the project narrative,
3 you refer to a small retail development under
4 a separate concurrent application to the
5 south.

6 MR. CLEARY: Originally we were going to
7 put these both in at the same time, but this
8 particular project is lagging behind. He
9 doesn't have a tenant right now so we're only
10 proposing this one now.

11 MS. VAIDA: So there isn't a concurrent
12 application?

13 MR. CLEARY: No, it's just the bank.

14 CHAIRPERSON DONOVAN: Is that existing or
15 is that just developed as part of the whole
16 project?

17 MR. CLEARY: There were several lots in
18 here. What we have done is changed the lot
19 lines so that we can create the lot
20 specifically for this project.

21 MR. O'ROURKE: What's the parcel right
22 now? Is it separated?

23 MR. CLEARY: There's a
24 subdivision - there's my subdivision request.

25 MR. LACIVITA: That's for 628 New Loudon

1 Road.

2 MS. VAIDA: Is this bank something that
3 you would go forward regardless of the rest of
4 this development?

5 MR. CLEARY: Yes, this is the seed for
6 the rest of the project.

7 MS. VAIDA: What if the rest of the
8 development is never approved? Would the bank
9 still stand?

10 MR. CLEARY: The bank is already in
11 design. Their architects are already working
12 on the plans. There are already agreements
13 being made with them already. That's why we're
14 moving as quickly as we are because the bank
15 is under a time schedule to get this thing
16 started.

17 MS. VAIDA: What personally concerns me
18 is the whole idea of another retail
19 development on Route 9. We already feel that
20 it's overdeveloped and there is too much
21 traffic on Route 9.

22 MR. CLEARY: Actually the bank itself
23 does not draw a lot of traffic. The reason
24 that they wanted to be here was because of the
25 traffic on Route 9.

1 MS. VAIDA: Right, it's not so much the
2 bank. My concern is the additional retail.

3 MR. NARDACCI: I just want to say that I
4 know what you're trying to do. I've read about
5 this project. It was in the Business Review.
6 It's interesting that it kicks off with the
7 drive-thru and you speak of the walkability.
8 You're presenting it as a new urbanism project
9 but really -

10 MS. BALL: In this environment you can't
11 go without a drive-thru bank. People want a
12 drive-thru. When it's snowing out and raining
13 out, they don't want to get out of the car.
14 You have to be a little more realistic in the
15 area that you're working with. We also applied
16 a few of the other ideas that we have
17 currently.

18 MR. NARDACCI: We've done a lot of bank
19 projects. I mean, they come forward regularly.
20 I just don't see this as a new urbanism
21 project.

22 MR. FAZZONE: I just want to stress that
23 what we did when we looked at the new
24 urbanistic developments was that we made a
25 list of the things that were in there.

1 What most residents want is a bank, a
2 pharmacy, a deli and the problem with a couple
3 of those is that you can't have those things
4 without a drive-thru. A modern bank must have
5 a drive-thru. Pharmacies are beginning to have
6 the same demand.

7 CHAIRPERSON DONOVAN: Can you just state
8 your name for our court stenographer?

9 MR. FAZZONE: I'm Tony Fazzone of
10 1 New Loudon Road Associates.

11 We felt the same way about the
12 drive-thru. It's a problem. So what we tried
13 to do was put it off to the corner where it
14 doesn't impede things. If you look at the
15 whole master plan, it's kind of just like a
16 thumb that sticks out on the end and we tried
17 to put the drive-thru there so that we could
18 maintain the pedestrian access to the bank.

19 MR. O'ROURKE: Again, it's facing 9.

20 MR. FAZZONE: The village itself is
21 actually south of that. The Village of New
22 Loudon will actually be south of that.

23 MR. O'ROURKE: No, I'm just referring to
24 the bank going there.

25 MR. FAZZONE: Right, you can see that

1 from the elevations.

2 MR. NARDACCI: In that stretch of Route 9
3 you have -- Berkshire is a successful bank.
4 They're definitely trying to penetrate this
5 market. You have your Trustco you have
6 TD Bank. In terms of presenting it as new
7 urbanism, I can understand what you're doing.

8 MR. LANE: There is no sidewalk there.
9 Can anyone really walk there, especially on
10 Route 9?

11 MS. BALL: We're trying to keep it as
12 walkable to Siena, for instance, that we can.
13 Just from our every day modern living we can't
14 have what we had way back then.

15 MR. NARDACCI: I just want to be cautious
16 as to how we're presenting it because it's one
17 thing to talk about the idea of the village
18 and it's another thing to be approving each
19 parcel - each half-acre or three-quarter-acre
20 parcel. That's what I'm trying to get at.

21 MR. FAZZONE: One of the concerns that we
22 have as a developer is that we look at a
23 project and say, we can get punished for
24 looking long-range. Let's look at the whole
25 thing. When we looked at the sum of the parts,

1 we said, let's make sure that the parts make
2 sense for those require zoning changes. The
3 entire project was put together within the
4 comprehensive plan. This was zoned for this
5 approved use and if we were asking for
6 something that wasn't, I would have concern.

7 MR. LACIVITA: Tony, this is the only
8 parcel that is going to be split up from the
9 remaining, right? The rest is all going to be
10 that one continuous project unless this
11 project comes in that we talked about earlier.

12 MR. FAZZONE: Initially, Joe, there were
13 four parcels and there still is four parcels.
14 The only reason that we wanted to segregate is
15 because the bank has a lease and after we
16 talked to the assessor and everybody they
17 said, yeah, we can do that. We can do the math
18 and all that kind of stuff. The bank wants to
19 own this. That's what they would prefer to do.
20 They want to make sure that the architecture
21 is in the colonial/Shaker style so we retain
22 rights -

23 MR. O'ROURKE: No banks are buying brick
24 and mortar right now. None of them. They all
25 want to lease. I mean come on, nobody in the

1 country.

2 MR. FAZZONE: I can tell you that they'll
3 be here and they'll tell you that they do want
4 to buy it. I don't know. Berkshire is a
5 different bird. They're young, they're small
6 and they're aggressive. They did want to
7 purchase it. They wanted to buy the land and
8 put it up but what we intended to do was the
9 understanding of a 20 year lease with an
10 option to purchase.

11 MR. NARDACCI: I think overall, I see the
12 vision and a lot of the reasons for the
13 visioning because this is a critical part of
14 the town and we recognize that. I think that
15 as a board, we need to recognize that too, and
16 that's that this is really the main street in
17 the town. I think that where you're going with
18 the vision is - well, it's where you're going.
19 I have some concerns with that stretch of
20 Route 9.

21 MR. O'ROURKE: I mean, if they want to
22 own a proeprty, they can go see Wet Willy down
23 the street. They can buy that property.

24 MR. FAZZONE: They're actually really
25 interested in the project because of the

1 residents. It's part of their goal to become
2 integrated with the community.

3 MR. O'ROURKE: Of course. And me, sitting
4 here, I'd much rather have this. Sometimes I'm
5 not very smart and you have to treat me like
6 I'm a fifth grader. I understand why Berkshire
7 wants to be there. There's going to be 1,500
8 people on it, right?

9 MR. FAZZONE: Well, I don't know about
10 1,500 but at least a couple of hundred, yeah.

11 One of the major problems that we had
12 when we looked at this was the presumption
13 that the retail can be supported by the
14 residential and that's false. Even in
15 Celebration, Disney the retail is still being
16 subsidized by the residential. If you're doing
17 a town center or a main street, the residents
18 sometimes don't support it all. There may not
19 be enough of them. Even in Celebration where
20 there is thousands and thousands, they don't
21 shop there enough. The only place that it can
22 actually be done is an area where the retail
23 would thrive without the residential or the
24 residential would thrive without the retail.
25 Then we could put them together and you could

1 have this scenario like in downtown Saratoga.

2 As you look out at the whole town, even
3 with one of the NCOR projects, none of them
4 have enough land or the right spot to do a new
5 urbanism project.

6 The work that was done was all done
7 within the comprehensive plan. Everything was
8 looked at and every single thing that's in the
9 comprehensive plan is in what master plan
10 without a variance. There might still be some
11 changes here. The drive-thru and some of the
12 parking issues are hard. One of the things
13 that we also looked at was the density. If you
14 have that much density and you need
15 parking -- but primarily if you have a place
16 where you have retail and you can mix it
17 together, where they don't necessarily need
18 each other, it would work. This is the only
19 spot. It's the only place in the demographics
20 that would support it.

21 The other thing about that access that
22 went in, that came up in the DCC and I don't
23 know if you had that on there or not. The
24 recommendation was that the problem for
25 Glennon Road - it's very typical to take a

1 left hand turn. The road comes from four to
2 two right before that. We had proposed in our
3 master plan that this ties into our main road
4 which would also fit the proposal for a
5 traffic device. They would be able to access
6 that traffic device through that road into the
7 village; either to shop or not. That was
8 really the only reason for that access road
9 through there.

10 CHAIRPERSON DONOVAN: Where would the
11 traffic light be?

12 MR. FAZZONE: Our suggestion would be
13 that it be a half mile down, right about
14 here (Indicating).

15 CHAIRPERSON DONOVAN: Where is the next
16 traffic light after that?

17 MR. O'ROURKE: Stewarts.

18 MR. LACIVITA: Then Newton.

19 MR. O'ROURKE: Then Siena and Town Hall.

20 MR. FAZZONE: It's very very difficult to
21 go north this way (Indicating). You can go
22 south, but you can't go north.

23 CHAIRPERSON DONOVAN: With any amount of
24 traffic on the road.

25 MR. FAZZONE: It's the way that it comes

1 together there. It all comes together at 155.
2 It merges right at the dry cleaners. It goes
3 from two lanes to one.

4 MR. STUTO: Where is the pedestrian
5 access for the complex in the back?

6 MR. FAZZONE: There are sidewalks all
7 thorough here (Indicating).

8 MR. LANE: So those are all walking
9 areas?

10 MR. FAZZONE: There are roads with
11 parking areas, but there will also be
12 pedestrian walkways.

13 MR. LANE: These will be maintained by a
14 neighborhood association or -- not by the
15 town, right?

16 MR. FAZZONE: We are proposing that would
17 all be maintained by the association.

18 MR. LANE: We also have to consider snow
19 storage. This is going to be quite different.

20 Somewhere behind the bank you would have
21 an enclosed dumpster?

22 MR. FAZZONE: For the bank? The bank
23 doesn't have a dumpster.

24 MR. O'ROURKE: Where does the paper go
25 to?

1 MR. FAZZONE: They have a shredder. A lot
2 of their stuff is securely disposed of.

3 MR. NARDACCI: There are agreements with
4 the Hoffmans with the parcels?

5 MR. FAZZONE: When we put the concept
6 together, we were marketing them separately.
7 Theirs is 7.5 acres.

8 MR. NARDACCI: There is five total?

9 MR. FAZZONE: Yes. The master plan was
10 designed all together, but the marketing was
11 done all separately. The economy -- it's just
12 been really tough. We've had this for a few
13 years and had we done something immediately
14 and in haste, it would have been different. We
15 were right to wait and get the right fit for
16 what we laid out. A bank is what we initially
17 thought.

18 CHAIRPERSON DONOVAN: Brad?

19 MR. GRANT: We looked at this sketch plan
20 at this level and looked at some of the
21 colorations on the plan. It sits well below
22 the residents in the back. We believe that to
23 be positive because there is a slope there.

24 There really isn't a lot to get our teeth
25 into yet. We looked at the soil survey and saw

1 some soils there.

2 Did you do two?

3 MR. FAZZONE: Yes, we did two that
4 pertain to this.

5 MR. GRANT: Are there others?

6 MR. CLEARY: Yes, farther down.

7 MR. GRANT: Joe, we're well south of any
8 Route 9 study area and impact areas. We'll be
9 looking forward to when -

10 MR. O'ROURKE: This is outside of the
11 GEIS?

12 MR. LACIVITA: Yes, just barely. I think
13 that it's just north of 155.

14 MR. GRANT: Traffic on 9 is an impact.
15 How the light is situated -- we would want to
16 revisit the comment concerning Glennon Road.

17 It seems as though there are commercial
18 properties back there.

19 MR. CLEARY: There definitely is. There
20 are two driveways.

21 MR. GRANT: Where is the first residence?

22 MR. CLEARY: Well, Mr. Hoffman has a
23 house right behind there.

24 This is just another version of the area
25 plan (Indicating), but our driveway actually

1 comes out here so the first resident on that
2 side of the road would be up in this area
3 here, as you come up the hill. You can see the
4 Hoffman house being built in the aerial
5 photograph there.

6 Here is the driving range (Indicating),
7 here are the greenhouses and this is his
8 development.

9 MR. GRANT: I did notice in the DCC's
10 minutes that the water district cleansing is
11 required.

12 MR. CLEARY: That's only for the
13 residential piece. For the bank there is no
14 requirement.

15 MR. GRANT: I noticed that there is a
16 two-inch main for the 250 gallons a day. Is
17 there a thought as to how much the bank would
18 require?

19 MR. CLEARY: I haven't talked to the bank
20 as to what their requirement is, but I would
21 assume that would suffice.

22 MR. GRANT: I know that the town is
23 trying to move toward the sprinklered
24 buildings and that they be required. I'm sure
25 that it would be encouraged for you to do that

1 for that particular operation.

2 CHAIRPERSON DONOVAN: Mike, you had some
3 comments?

4 MR. SULLIVAN: Yes. I had some questions
5 concerning the traffic.

6 You had mentioned that from the Institute
7 of Transportation Engineers Trip Generation
8 Manual, there would be 1,200 trips generated
9 by this site. You gave the a.m. and p.m. peak
10 hours.

11 One question that I had was that you said
12 there was a 50% basically pass-by traffic.
13 Does that come from the manual as well? That
14 seemed very high that of the 150, 75 would
15 have been passing by anyway. My concern is
16 that tends to diminish the impact that it
17 would have on traffic, whereas if that number
18 is lower you would be adding additional trips
19 to the p.m. volume.

20 MR. CLEARY: There was a basis for the
21 50% but it's probably actually higher than
22 that. The actual traffic whether it's 50% or
23 35% or 65%, the actual traffic that goes to
24 and from the bank site alone is minimal.

25 MR. SULLIVAN: The other question that I

1 had was that leaves about 1,000 other trips
2 throughout the day. What is the peak hour for
3 business for the bank? Would it be lunch hour?

4 MR. CLEARY: During the week day it would
5 be lunch hour, 4:00, or somewhere in that
6 range and then on Saturday it would be midday.

7 MR. SULLIVAN: Do you have any idea what
8 the distribution would be like? Would it be
9 like 300 trips at lunch hour?

10 MR. CLEARY: Usually the peak hour would
11 be about 15%. The 15% would be 180 trips for
12 the busiest hour of the day.

13 MR. SULLIVAN: My concern is that with
14 the configuration the way that it is and
15 assuming that most of them be drive-thru
16 customers, if they're trying to take a left
17 turn later to exit the building or to exit the
18 lot, there is no dedicated left turn exit. I
19 think that you would back up traffic.

20 MR. CLEARY: Again, you're talking about
21 a small number of cars and to make the left
22 turn out yes, there is going to be some delay
23 and yes, I would expect that at times you'd
24 have a queue of one or two vehicles. For this
25 particular project one or two vehicle queue

1 going out to New Loudon Road.

2 MR. SULLIVAN: I've tried leaving
3 Hoffman's in the summer in the afternoon
4 trying to take a left turn and it's been more
5 than one or two cars and it's been a
6 substantial delay.

7 MR. CLEARY: We're talking a bank versus
8 the play land, but we also have two points of
9 egress as well.

10 MR. SULLIVAN: But if you go through the
11 drive thru, you can't get back to the other
12 exit. That parking lot won't be there, will
13 it?

14 MR. CLEARY: Some of it might be paved.
15 We don't know exactly at this point which part
16 of this is going to be constructed. If that
17 was a concern, we could always keep this paved
18 through here (Indicating).

19 MR. SULLIVAN: I would prefer to see that
20 or have a dedicated left turn lane out of
21 there so that those taking a right turn could
22 sneak by. I am concerned that it might back
23 up.

24 Those were my main concerns.

25 CHAIRPERSON DONOVAN: Elena?

1 MS. VAIDA: I guess Mike already
2 mentioned my concerns about traffic. That was
3 a big concern.

4 CHAIRPERSON DONOVAN: C.J., anything
5 else?

6 MR. O'ROURKE: Just a couple of quick
7 comments.

8 In the quick narrative that we were
9 given, the plans are to open in the spring of
10 2010. I think that's going to be difficult.
11 We're just at a sketch plan right now.

12 The other thing that I wasn't sure of was
13 Village of New Loudon - how are we calling it
14 a village? Who is making that determination?

15 MS. BALL: That's what we called it from
16 a project sense. When we hired on Cooper
17 Carry, we needed a name for the project so we
18 dubbed it the Village of New Loudon but that's
19 not set in stone.

20 MR. O'ROURKE: I just have a problem with
21 it being designated any village without proper
22 authority. The other thing is just a quick
23 comment. There is a bunch of grammatical
24 errors in this.

25 MR. CLEARY: I think that you have an

1 earlier version because I think that you got
2 the original version that we sent over for
3 review. The latest one doesn't reference the
4 other project.

5 MR. O'ROURKE: No problem. I'm not taking
6 you to school, I'm just saying that I have to
7 correct my daughter's homework and I said oh
8 boy, they should correct theirs.

9 MR. CLEARY: I think that you've got the
10 earlier one. We submitted one back in
11 September.

12 MR. O'ROURKE: The date on it is October.

13 MR. SULLIVAN: The date at the bottom is
14 8/19/09.

15 MR. O'ROURKE: That's all I had; thanks.

16 CHAIRPERSON DONOVAN: Brad, just quickly,
17 when you're looking at the stormwater for the
18 site are you looking for just the back or are
19 you looking at the entire project here?

20 MR. GRANT: Well, we show it going to the
21 south. It was mentioned that there is a pipe
22 discharged. We would anticipate that the SWPPP
23 needs to -- not necessarily design the entire
24 development that they have discussed -

25 CHAIRPERSON DONOVAN: But you're not

1 looking just at the bank. You're looking at
2 the bank plus the other retail.

3 MR. GRANT: Yes, because there is more
4 property there. It's based on infiltration
5 which is taking care of everyday storms.

6 MR. CLEARY: That's why we looked at it
7 in a little bit bigger picture.

8 CHAIRPERSON DONOVAN: Is that a right
9 turn in and a right turn out?

10 MR. CLEARY: No, this is proposed as full
11 access. This here (Indicating) really has no
12 place to go so unless you're going to the
13 neighborhood, you have no reason to take that
14 left there.

15 CHAIRPERSON DONOVAN: Anybody else?

16 MR. NARDACCI: Has this project ever come
17 before planning or just in the news? Has it
18 ever come before the town?

19 MR. FAZZONE: No, we purchased the
20 property about four years ago.

21 MR. NARDACCI: I have a comment just on
22 our processes as we're figuring out what we
23 need for sketch plan.

24 Jean shared comments with me what Brad
25 e-mailed to her and we appreciate that. Those

1 comments need to be included in all of our
2 packets, without a doubt. We've been getting
3 e-mails, too, from other major projects up to
4 the last minute. I guess this is just
5 constructive criticism. Those comments are
6 needed, regardless if you're doing a sketch
7 plan or not, the comments have to be in our
8 packets.

9 MR. LACIVITA: Understood.

10 MR. NARDACCI: I would like to see that
11 this phase of sketch plan - when you do things
12 like this, I would like to see even a small
13 copy to help with the review.

14 MR. LACIVITA: I think Dan said that with
15 this type of project, we need to have those.

16 MR. NARDACCI: I'm trying to be
17 conscientious of the applicant's expenditures.
18 I think that if they could send us a PDF and
19 then the Planning Department could print these
20 out, we could have these for our packets.

21 The same thing with the project
22 narrative. We should be able to see that
23 beforehand. Not on this project but on Alice
24 Drive, we have to have the minutes from the
25 prior meetings included in our packets.

1 CHAIRPERSON DONOVAN: I think what's also
2 important is the DCC summary.

3 MR. O'ROURKE: But it wasn't specifically
4 on this.

5 MR. CLEARY: In our application, we did
6 respond, so that's already been done.

7 CHAIRPERSON DONOVAN: But we didn't see
8 that, though.

9 MR. NARDACCI: We're going through some
10 internal stuff. Those are my comments Joe, and
11 that's something that is with regard to
12 consistency.

13 I'm happy to sit down and work on this
14 check list idea. We had a few e-mails that
15 went around last week about sitting down and
16 coming up with a checklist for what we should
17 have for each of these packets. I think that
18 might clarify some of our questions.

19 MR. GRANT: What other information would
20 you like -

21 MR. O'ROURKE: Just the pertinent stuff.

22 CHAIRPERSON DONOVAN: As you know, this
23 is a relatively new board. We might not have
24 the background that maybe the previous board
25 had. If this board had that information they

1 could make more intelligent decisions. Not for
2 this project, but if a project has gone before
3 SEAMAB or Conservation Environmental Review
4 Committee or the Zoning Board or any Town
5 Board, we'd like to see that in our
6 packet - the information that they've had
7 given to them.

8 MR. GRANT: There was a comment made
9 about this being the first Berkshire Bank in
10 the area. Isn't there one out on 155?

11 MR. FAZZONE: Yes, there is. That was the
12 first one in Colonie. They had a ribbon
13 cutting.

14 MR. GRANT: I thought there was one over
15 in East Greenbush.

16 MR. FAZZONE: Yes, I think that there one
17 is over there.

18 MR. GRANT: It was a very modern design.

19 MR. FAZZONE: As far as the construction,
20 this is their standard design. They do have
21 other branches but just not in this section of
22 town.

23 MR. NARDACCI: The sketch rendering was
24 nice to get to see.

25 CHAIRPERSON DONOVAN: It was actually

1 more than we expected.

2 You have our comments now and we
3 appreciate your time.

4 Brad, is there anything else that you
5 would like to speak to the board about at this
6 point?

7 MR. GRANT: No, I don't think so; not at
8 this point.

9 MR. LACIVITA: I think this project comes
10 before this board for concept on December 15th.

11 CHAIRPERSON DONOVAN: Okay, thank you
12 very much.

13

14

15

16 *(Whereas the proceeding concerning the*

17 *above entitled matter was adjourned at*

18 *8:25 p.m.)*

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CERTIFICATION

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

11
12
13
14 ***NANCY STRANG-VANDEBOGART***

15
16
17 ***Dated December 21, 2009***