

1 PLANNING BOARD COUNTY OF ALBANY
2 TOWN OF COLONIE

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5 THE PROPOSED PROJECT OF
6 SCHUYLER HEIGHTS FIRE DEPARTMENT
7 47 CAR AUXILARY PARKING LOT
8 REVIEW AND ACTION ON CONCEPT ACCEPTANCE
9 *****

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8 THE TAPED AND TRANSCRIBED MINUTES of the above
9 entitled proceeding BY NANCY STRANG-VANDEBOGART
10 commencing on March 23, 2010 at 7:02 p.m. at the
11 Public Operations Center 347 Old Niskayuna Road,
12 Latham, New York 12110

10

11 BOARD MEMBERS:

12 CHARLES J. O'ROURKE, CHAIRMAN
13 MICHAEL SULLIVAN
14 TIMOTHY LANE
15 ELENA VAIDA
16 PETER GANNON
17 PAUL ROSANO
18 PETER STUTO, Jr. Esq., Attorney for the Planning
19 Board

17

18 Also present:

19 Joe LaCivita, Director, Planning and Economic
20 Development

21 Skip Francis, C.T. Male Associates, PC

22 Richard A. Campagnola, C.T. Male Associates, PC

23 Diana Benedetti

24

25

1 CHAIRMAN O'ROURKE: Our first project on
2 for this evening is Schuyler Heights Fire
3 Department, 849 First Street - the parking
4 lot.

5 Joe, do you want to bring us up to date?

6 MR. LACIVITA: Sure. This is actually
7 under review by Clough Harbour. This came in
8 to the DCC on November 9, 2009.

9 Originally there was going to be
10 additional work with this as a major project
11 which included a new firehouse. Those plans
12 have now since changed to just a 47-lot
13 auxiliary parking lot for the Fire Department.
14 Like I say, it is being reviewed by the town
15 designated engineer, Clough Harbour.

16 MR. GRASSO: Is the applicant here? We
17 may be early.

18 MR. LACIVITA: They're here now.

19 MR. GRASSO: Just to bring the board up
20 to speed to give the applicant a chance to get
21 set up, this is a new project for the Planning
22 Board. It's up for concept review.

23 It went through DCC review by the town
24 last fall. A number of comments were generated
25 during the DCC review by the various town

1 departments. We have followed up with those.
2 When the applicant did their resubmittal, they
3 addressed many of those comments. We issued a
4 comment letter on the completeness review for
5 concept and then a follow up technical review
6 on the concept submittal which we then
7 forwarded to the Planning Board. That letter
8 is dated March 15, 2010 and I would like to go
9 through those comments.

10 A number of responses to comments
11 received during the DCC meeting indicated
12 certain items such as landscaping, sidewalks
13 and lighting will not be provided as part of
14 the project due to project budget restraints.
15 The response letter suggests the existing
16 chain link fence with a wind screen provides a
17 sufficient visual buffer for the adjoining
18 residents. The site sits lower than many of
19 the homes along 8th Avenue and berming along
20 the east side of the site may not be
21 appropriate. However, we continue to recommend
22 that berming and landscaping be incorporated
23 into the project along the project's frontage
24 and that evergreen trees be provided along the
25 side property lines.

1 Given the anticipated sporadic use of the
2 parking lot and the proximity to the residents
3 to the east, daily use of site lighting may
4 not be appropriate.

5 Consideration should be given at
6 providing a sidewalk or expanded asphalt
7 shoulder between the handicapped accessible
8 parking spaces and the proposed crosswalk so
9 that pedestrians are not directed into the
10 drive aisle.

11 You have to remember that on this site
12 we've got a parking lot on one side of
13 First Street and the fire house sits on the
14 opposite side of First Street.

15 The grading for the parking lot proposes
16 drainage entirely via sheet flow to a proposed
17 riprap channel within the project frontage.
18 Consideration should be given to reducing the
19 concentration of runoff to avoid long term
20 erosion maintenance. In addition, the proposed
21 grading does not adequately convey drainage
22 around the parking lot that would need to be
23 addressed on the final plans.

24 Then we had some other minor comments on
25 signage and the way that the environmental

1 restoration phasing line should be
2 differentiated from the existing property
3 lines.

4 I'm not sure if the Planning Board - if
5 there was any attention made in the packet,
6 but this project site is under a remediation
7 plan that has been prepared by C.T. Male. It's
8 been approved by DEC and the remediation work,
9 which I'm sure the applicant will go into more
10 detail during their presentation. Remediation
11 work will be done commensurate with any
12 development proposed for the project site. A
13 commercial use such as is proposed is allowed
14 by DEC under that current remediation plan.
15 However, other types of land uses are
16 restricted and documentation was provided by
17 the applicant for our review. Those land uses
18 include such things as residential land uses
19 and other uses that would result in continual
20 soil disturbance such as farming and gardening
21 and other types of soil reclamation
22 activities.

23 This project is a little unique because
24 it is a fire district that brings the
25 application to the town so the fire district

1 was able to handle SEQRA on their own.

2 Back in 2008, they solicited for a lead
3 agency status. The Town of Colonie was an
4 involved agency. The town did not show any
5 interest in becoming a lead agent back in
6 2008. DEC did not show an interest in becoming
7 lead agent for the project, which I believe
8 included both a parking lot expansion as well
9 as the development of a fire station on the
10 project site. The fire district declared
11 themselves a lead agency. They went through an
12 environmental review and issued a negative
13 declaration for the project. So, the Planning
14 Board should not feel compelled that they have
15 to issue a negative declaration to support
16 their any site plan determination - whether it
17 be concept or final because the SEQRA
18 determination has already been made by the
19 fire district.

20 We have some other comments on the
21 stormwater portion. I would just like to
22 mention that the DEC stormwater regulations
23 get triggered after over one acre of
24 disturbance on a project site because of the
25 small scale of this project. They are not

1 looking to exceed one acre of disturbance and
2 as such they are not required to comply with
3 what we commonly refer to as DEC's Phase II
4 stormwater guidelines.

5 That said, they have put together a
6 stormwater management report at our request
7 and the town's request that evaluates existing
8 drainage conditions and proposed drainage
9 conditions. They are having, at least based on
10 the report in the concept plan, negligible
11 drainage impacts associated with the project
12 and we concur with their determination that no
13 detention is required on the site. They are
14 required to put together an erosion sediment
15 control plan. They have provided some
16 information in support of that. They will need
17 to provide some additional details, assuming
18 that the project moves forward into final plan
19 preparation. We'll do the review at that time.

20 That's all that we have at this time. I
21 can turn it over to the applicant.

22 MR. FRANCIS: Hello, my name is Skip
23 Francis and I'm from C.T. Male. With me
24 tonight is Rich Campagnola, a principal
25 architect.

1 Basically I just wanted to convey to the
2 board the purpose and drive for this project
3 is the need for parking for the fire district
4 itself. The fire district itself has just six
5 parking spaces available on its property right
6 here (Indicating). These parking spaces are
7 actually somewhat shared by the adjoining
8 neighbor, due to the property line position.
9 It is difficult for them to accommodate the
10 gatherings of their own and members at the
11 firehouse as well as on voting turn out day.
12 This is a polling station as well. The whole
13 purpose of this project is to provide
14 convenient parking for those days and not
15 affect the neighboring business and his
16 operations.

17 The TDE summarized the comments that have
18 been brought forth and the information that
19 has been submitted to the board. We are
20 prepared to respond to the TD comments and
21 prepare a preliminary final package in
22 response to this. We will address any of the
23 comments in that package.

24 If the board has any particular questions
25 about the project, we'll be happy to answer

1 them for you this evening. Otherwise, we are
2 seeking a concept acceptance tonight.

3 CHAIRMAN O'ROURKE: Thank you.

4 For those of you in the audience this
5 evening, the way that we run the Planning
6 Board is that the applicant speaks first. They
7 were running a little bit late, but usually
8 the applicant goes first. The town designated
9 engineer briefs the board and then the board
10 has comments or questions that will be
11 answered by the applicant. Then it will be
12 opened up to those of you who may or may not
13 have questions.

14 Skip, I had a couple of questions in
15 regard to this. The EAF - I did not see that.
16 You did complete the long form?

17 MR. FRANCIS: The district was lead
18 agency back in 2008 for the project and so
19 SEQRA has been concluded.

20 CHAIRMAN O'ROURKE: Right, but was an EAF
21 filled out; a long form or a short form?

22 MR. FRANCIS: There was not one submitted
23 back in November or December because the SEQRA
24 hadn't been concluded.

25 MR. GRASSO: I think his question is: Was

1 a full EAF completed in 2008 when the SEQRA
2 determination was made by the fire district?
3 We know that it wasn't submitted to the town.

4 CHAIRMAN O'ROURKE: The long form.

5 MR. SARGENT: Yes, the long form was
6 submitted and was provided to the town in the
7 SEQRA documents.

8 MR. GRASSO: I don't believe so.

9 MR. SARGENT: I have it on record. I have
10 a signature copy of it.

11 CHAIRMAN O'ROURKE: Joe, you don't have a
12 copy of that, right?

13 MR. LACIVITA: No, we don't have one here
14 that I see.

15 CHAIRMAN O'ROURKE: I think that's an
16 important thing and we need to make sure that
17 it gets into Mr. LaCivita's hands.

18 MR. GRASSO: Yes, we would like a copy
19 for review as well.

20 MR. FRANCIS: I do have record of sending
21 the town the SEQRA final determination and all
22 of the correspondence of all the town
23 departments.

24 CHAIRMAN O'ROURKE: The next thing that
25 I'd like to talk about is the crosswalks. The

1 town law is that we're not supposed to have
2 crosswalks without signals. How are we going
3 to get around that?

4 MR. STUTO: I'm not sure.

5 CHAIRMAN O'ROURKE: Now, is there a
6 signal there?

7 MR. FRANCIS: There is a signal. It is
8 suspended on a pole across to the fire
9 district building itself. It's the signal that
10 controls when the emergency vehicles exit.

11 CHAIRMAN O'ROURKE: Is it blinking red
12 only?

13 MR. FRANCIS: It's blinking yellow
14 constantly until it's activated.

15 MR. GRASSO: I'm not aware that there is
16 a town law that prohibits mid-block crossings
17 on town roads.

18 CHAIRMAN O'ROURKE: I could be mistaken.

19 MR. GRASSO: I know that mid-block
20 crossings are often discouraged. You can
21 implement them with a crosswalk and
22 appropriate signage; both signage at the
23 crossing themselves and advanced warning signs
24 regarding the crossing. Those are pretty
25 routine, but Pete and I can look it up and

1 see. That's something that we may want to
2 solicit comments from the Highway Safety
3 Committee on to see if there is precedent in
4 the town one way or the other in terms of
5 handling crosswalks.

6 Based on the use and the parking lot
7 being across from the building, we do think
8 that a crosswalk is warranted. There may be
9 other options regarding its location that we
10 can investigate with the applicant's
11 consultant.

12 MR. STUTO: I live near there and Tim
13 does, too. On Ward's Lane we have them coming
14 down - I don't know if you can visualize them
15 but they do have the signage. It's also the
16 village and it's not the town.

17 MR. LANE: There are signs that are in
18 the center of the street.

19 MR. GANNON: The ones on Ward's Lane are
20 probably utilized in daylight for the school
21 kids. I imagine a lot of the firehouse's
22 gatherings are in the evening.

23 MR. FRANCIS: Right, most of the uses for
24 using this parking lot would be an evening use
25 or even a voter turn out day.

1 CHAIRMAN O'ROURKE: My next question is
2 the size of the lot. It's over seven acres.
3 Although this doesn't fall within the
4 stormwater, was anything submitted with regard
5 to the construction because you'd be building
6 a firehouse on that site as well, correct?

7 MR. FRANCIS: Correct.

8 CHAIRMAN O'ROURKE: A future firehouse.

9 MR. FRANCIS: Right. We would have to
10 pass a bond referendum to even make that
11 happen and we're not at that stage right now.
12 We're just at the parking lot stage.

13 CHAIRMAN O'ROURKE: So the stormwater,
14 although it doesn't apply now, it would then
15 apply for the future development, right Joe?

16 MR. GRASSO: It would not only apply to
17 the future development, but we would probably
18 apply it to this existing development, too.
19 It's not permissible to phase a project or
20 divide a project into pieces less than an acre
21 in order to avoid having to comply with it.

22 CHAIRMAN O'ROURKE: That's where I was
23 going with this.

24 MR. GRASSO: It's all based on when
25 Phase II requirements were in place. Any

1 disturbance after that gets looked at
2 cumulatively as well as all your stormwater
3 management needs to address that cumulative
4 development.

5 CHAIRMAN O'ROURKE: And the things that
6 were in those reports, again, I'm a little
7 concerned with wind control and those things.
8 There are heavy metals, PCBs -

9 MR. GRASSO: And those erosion sediment
10 controls would be required as part of this
11 plan. The things that they wouldn't need to do
12 right now they may not be required to do even
13 when a disturbance goes over an acre because
14 this is considered one of those DEC hotspots.
15 Sometimes DEC does not want to encourage any
16 kind of water detention on a site that has
17 remediation site contaminates because part of
18 this plan is to not remove all of the
19 contaminated soil. It's basically to put a cap
20 over it so that it's contained and not exposed
21 to the air or other future soil disturbances.
22 So when you put in a stormwater management
23 system, you're forced to dig into the ground.
24 They often involve groundwater intrusion into
25 the ground, which DEC will not be willing to

1 permit. So, they may not be willing to do the
2 conventional stormwater detention that we so
3 often see.

4 CHAIRMAN O'ROURKE: So again, my
5 questions are along the line of - we have
6 looked at this from your standpoint as if they
7 are going to put a firehouse in.

8 MR. GRASSO: There are no changes to this
9 plan. They haven't provided a plan for the
10 firehouse or any details associated with it.
11 But we have looked at this plan and there is
12 nothing that we think needs to be changed to
13 this plan in order to accommodate a future
14 firehouse going on this. We're confident that
15 they'll be able to design a stormwater
16 management system that brings the site into
17 compliance in the future. That will probably
18 require some coordination meetings with DEC
19 regarding how they should approach stormwater
20 management.

21 CHAIRMAN O'ROURKE: The last thing that I
22 have tonight is the town designated engineer
23 and I feel very strongly that the buffering,
24 the sidewalks - if you want to put that
25 parking lot in for the fire company's benefit,

1 those things need to be included. You'll have
2 to find the money somewhere.

3 MR. FRANCIS: We're considering
4 landscaping and I'm not sure how we're going
5 to incorporate that in at this time, versus
6 when future development starts.

7 CHAIRMAN O'ROURKE: Paul?

8 MR. ROSANO: Nothing right now.

9 CHAIRMAN O'ROURKE: Elena?

10 MS. VAIDA: What kind of contaminants are
11 there at the site?

12 MR. FRANCIS: I believe that most of it
13 are heavy metals. A lot of it is detailed in
14 the ERP. Our environmental staff prepared
15 that. There are engineering controls that are
16 written in that ERP that will be implemented
17 during that construction due to the dust
18 control, the monitoring and so forth; given
19 those contaminants. They're all bound by the
20 ERP. For a parking lot or in the future, it is
21 bound by those controls that will be monitored
22 and so forth.

23 The ERP, the environmental restoration
24 plan, may give a few more specifics with
25 regard to the contaminants that are involved.

1 MR. GRASSO: Copper, VOCs, tar.

2 MS. VAIDA: And in conclusion I take it
3 that from skimming through the record of their
4 decision, the best way to handle that is to
5 cap it off. They've done testing, obviously,
6 to make sure that there is no off-site
7 contamination or ground water contamination?

8 MR. FRANCIS: Correct. In the course of
9 the record of the decision, I think that there
10 were several alternatives on record that have
11 been considered and this was the best
12 alternative for this site.

13 CHAIRMAN O'ROURKE: I'm not sure that
14 they said it was the best. I think that what
15 they said was that it was effective and it was
16 the most cost effective. I don't believe that
17 they said it was the best; just for clarity.

18 MS. VAIDA: This has been designated as a
19 brownfield area?

20 MR. FRANCIS: Correct.

21 MS. VAIDA: And that has all been
22 processed, that's all completed.

23 MR. FRANCIS: Correct. The record of
24 decision by DEC finalizes that process.

25 MS. VAIDA: And in developing the parking

1 lot and the fire house there is going to be
2 virtually nil soil disturbances.

3 MR. FRANCIS: The soil that will be
4 disturbed will be what will then lie under the
5 parking lot and the grading associated with
6 the runoff and so forth. All the other
7 greenspace area will then be capped with a one
8 foot soil clean cover and a layer of
9 demarcation beneath that. There will be
10 vegetation on top of the 12 inches.

11 That's the cap that's recommended to put
12 on the greenspace area and the pavement and
13 the cap, of course in the area of the
14 disturbed parcel.

15 MS. VAIDA: And there are no underground
16 screens in the area?

17 MR. FRANCIS: No.

18 MS. VAIDA: Where is the closest
19 residential area to this site?

20 MR. FRANCIS: I believe it's 8th Avenue.

21 MR. GRASSO: Skip, could you show the air
22 photo that you have? It may be easier to
23 understand the proximity of the parking lot to
24 the residences that exists.

25 MR. FRANCIS: These are the residences

1 along 8th Avenue right here (Indicating). They
2 have long narrow lots. The lots extend back to
3 this area. The parking lot will utilize an
4 entrance very close to the existing road that
5 you see here on the aerial photograph. The
6 parking lot itself will be disturbing less
7 than an acre. This area is right across the
8 street from the fire house.

9 MS. VAIDA: Have there been test soils or
10 any kind of testing done offsite to just
11 ensure that there has been no movement
12 underground and no groundwater contamination?

13 MR. FRANCIS: I can't answer the
14 specifics to that. I'm not prepared tonight to
15 answer the specifics of the environmental
16 investigation program, myself, personally. I
17 know that our firm has explored a lot of the
18 background of the history of the site, the
19 groundwater, the soil and the contaminants on
20 the site. This information has ultimately been
21 culminated with the record of decision by DEC.

22 MR. GRASSO: Elena, just to clarify that,
23 based on the information that's been
24 submitted, they documented the investigations
25 that took place on the project site only and

1 there was no reference to any studies or
2 investigations that occurred outside the
3 property line. Those investigations included
4 soil testing and groundwater testing.

5 MS. VAIDA: Obviously, our state
6 environmental department is satisfied with
7 this remediation.

8 MR. GRASSO: As it relates to this
9 project site, yes.

10 MR. FRANCIS: That's correct.

11 MS. VAIDA: That's all I had. Thank you.

12 CHAIRMAN O'ROURKE: Tim?

13 MR. LANE: First thing is that there was
14 a letter to Rosemary Nichols as I recall from
15 Mike Lyons in reference to the General
16 Municipal Law 239 in the notification of the
17 nearby municipality.

18 MR. LACIVITA: We haven't received the
19 response. That's my understanding.

20 MR. LANE: So they didn't submit anything
21 back?

22 MR. LACIVITA: That's correct.

23 MR. LANE: Under 239 do they also have to
24 approve the project since it's nearby.

25 MR. LACIVITA: No. It's in our

1 jurisdiction. They just have to be notified.

2 MR. LANE: And then they can address any
3 comments. So you take from that - that no
4 response would be no issues?

5 MR. LACIVITA: At this point in time,
6 Tim, that's the response that I would take;
7 yes.

8 MR. LANE: The comments regarding the
9 landscaping - I take that very seriously as
10 C.J. had mentioned. The site is very open.
11 It's brushy and rather unsightly.

12 Take into consideration that it's those
13 residents that are actually paying for this
14 work because the bond affects the people in
15 that fire district. So take consideration to
16 that request and that the engineers are also
17 stating that there should be landscaping
18 involved on a project. That should be
19 definitely something that should be involved
20 in this project. Find the money someplace,
21 even if it's not part of the bond. It can be
22 done very economically, at least along the one
23 property line on the back side of the
24 8th Avenue homes. The screen that's there now
25 is aghast as far as I'm concerned. I think

1 that it supposed to be temporary, based upon
2 what's going to happen down the road.

3 There are no lights yet but once the fire
4 station is underway, I presume that lights
5 will be part of the project.

6 CHAIRMAN O'ROURKE: You want a lit
7 parking lot.

8 MR. FRANCIS: Correct. This is a
9 temporary parking lot. There's no lighting
10 that's proposed at this time. If the building
11 will be used at later hours, the fire house
12 will have affordable light plans so in the
13 late evening hours of November or on election
14 night, they'll have some illumination for
15 those visitors. For that entryway, we need to
16 light the parking lot. No permanent light
17 fixtures are proposed for this project, but
18 when the time comes for a fire house, itself,
19 we'll have those on the site plan at that
20 time.

21 MR. LANE: Thank you.

22 CHAIRMAN O'ROURKE: Mike?

23 MR. SULLIVAN: I know that initially this
24 was proposed to be a firehouse. Were there any
25 plans drawn up to show where the firehouse

1 would be and what size was planned on? If you
2 were aware of that, can you show us where it
3 would have been, or where it will be in the
4 future?

5 MR. CAPAGNOLA: At the stage that the
6 fire district had developed plans just at a
7 concept level, the intent was to keep it away
8 from a residential area. It would be more
9 towards the side of the property. Again, there
10 would be no need for a connection to the
11 previous station at that point because it
12 would be replaced. Part of the thought was
13 with regard to the location of the apparatus,
14 again, as far away from the residential and
15 use the parking lot as the buffer for that.

16 MR. SULLIVAN: Thank you. I have no
17 further questions.

18 CHAIRMAN O'ROURKE: Peter?

19 MR. GANNON: Well, Michael took one of my
20 questions, as usual.

21 I'm not a member of the firehouse, but I
22 know plenty of people who are and I guess my
23 concern is with the hours of operation of a
24 firehouse for providing emergency services. I
25 understand what those entail but I also

1 realize that firehouses are host sometimes to
2 social functions. A wind fence may cut down on
3 debris and visual, but the noise that may come
4 with the parking lot and some of the
5 activities that happen in social settings at
6 night can sometimes be similar to a bar or
7 other type of banquet or restaurant facility.
8 What are these residents supposed to do about
9 that type of noise?

10 MR. CAMPAGNOLA: There are currently
11 functions of the fire district but again, I
12 think that an important part of the
13 understanding is that this is the existing
14 Fire Department's property. There is no place
15 for first responders to park here. They are
16 using offsite parking currently. The first
17 call of action is providing the responders a
18 place to park and get to vehicles to get out
19 as quickly as possible without interrupting
20 commercial properties. Basically, we're using
21 their parking lot right now. That is the first
22 priority. Yes, there are functions here but
23 it's no different than what's happening now.
24 Those people are parking off this property
25 site as it is. We're trying to contain it into

1 a paved area that's close to the property that
2 the fire district does have.

3 MR. GANNON: That was my second question.
4 What's being done now for existing members for
5 parking? Do you have accommodations for that?

6 MR. CAMPAGNOLA: Those are accommodations
7 for six. The sidewalk - 90% of that parking
8 space is off the property.

9 MR. GANNON: I think in the documentation
10 one of you gentleman used the term temporary
11 parking lot. What's the long term plan for the
12 parking lot and the house? Can you give us an
13 idea of where the house will be located? What
14 happens to the parking lot in that scenario?

15 MR. CAMPAGNOLA: For the most part the
16 parking lot is intended to be incorporated
17 into the final design. We known that based
18 upon concept level documents so far that there
19 will have to be some utility connections which
20 will have to cross this. This is part of the
21 reason that we're addressing this temporarily.
22 There will be some pavement that is done.

23 MR. GANNON: I travel this road twice a
24 day to get to my office. You may want to give
25 some consideration to preventing turnarounds

1 in that parking lot when there is a train
2 going by for your own benefit.

3 That's all I have.

4 CHAIRMAN O'ROURKE: Thanks, Pete.

5 Paul?

6 MR. ROSANO: You're talking about a
7 parking lot where the responders are going to
8 have to cross a road. I don't think that I've
9 ever seen that before. How are you going to
10 protect the responders, especially at night
11 when they're coming in and they park their
12 vehicle and they cross that road at night to
13 get to the firehouse?

14 MR. CAMPAGNOLA: Fortunately, the Fire
15 Department does have traffic control means.
16 There are fire safety police that control the
17 scene when the apparatus is moving in and out
18 from the building. The same procedure would be
19 followed on a call.

20 MR. ROSANO: My question is what if
21 they're the first people there?

22 MR. CAMPAGNOLA: More than likely the
23 first people there would be the ones parking
24 adjacent to the building. The first responders
25 are the ones turning on the lights, opening up

1 the doors and getting everything ready for the
2 call sheets.

3 MR. ROSANO: I don't think that you
4 answered my question. Who is going to protect
5 them when they cross the road -

6 MR. CAMPAGNOLA: The same people that
7 protect them when they go fight the fires.
8 They are trained personnel.

9 CHAIRMAN O'ROURKE: Anyone in the
10 audience?

11 Yes, ma'am. For the record, could you
12 please state your name?

13 MS. BENEDETTI: My name is Diana
14 Benedetti and I have a letter to give to you.

15 We are the house that has been forgotten
16 in all of this. We are located right next door
17 to the firehouse. Our house is here, our
18 backyard is here (Indicating) and then there
19 is the firehouse. We're on the corner of
20 1st Street and 9th Avenue. The planned
21 construction site, the one for the parking
22 lot, is located directly across the street
23 from our home and backyard.

24 Just so you know, we do support the
25 firehouse and what they're trying to do. I

1 don't have enough handouts for everyone. I'm
2 sorry. I would just like to read the letter to
3 all of you.

4 We have owned there for more than 50
5 years. I also have a great uncle who was one
6 of the initial founders of this original
7 firehouse. We have lots of family members who
8 are EMS and firefighters, as well.

9 Basically our concerns are for you to
10 please know that this is a request to make
11 sure that as a direct residential neighbor to
12 the firehouse, our privacy and peaceful living
13 is respected. With the planned construction of
14 future buildings, roads and parking area, we
15 wish to make it clear that we don't want an
16 entrance or exit off the road, planned to be
17 constructed or placed directly across from the
18 side of our home and building located at
19 1 9th Avenue in Watervliet. Our house is on
20 the corner of 9th Avenue and 1st Street,
21 directly across from the planned site. Nor do
22 we want any flashing lights or any invasive
23 type parking lot lighting establishing in the
24 area directly across from our home on the 1st
25 Street side. On the 1st Street side of the

1 home there are three bedrooms with windows
2 where we reside each evening and we don't want
3 to be disturbed by any flashing lights,
4 headlights or parking area lighting that is
5 evasive. There are different kinds of
6 lighting.

7 We don't want the increased sound of fire
8 engines or traffic flow from events including
9 very large fundraisers that have been being
10 held or holding concerts in the back of the
11 fire house yard. They are so loud at times. We
12 support a good community party, but at times
13 we have shut the windows and doors to hear the
14 television and the walls and the windows are
15 vibrating. Again, we support fund raising but
16 we would like things to be on a reasonable
17 understandable community level, respecting the
18 residents.

19 If there are any plans that contradict
20 our request then we are requesting that the
21 plans be changed to accommodate our request,
22 seeing as we are in direct location from a
23 planned construction site as residents.

24 We support the firehouse with residents'
25 rights to privacy and peaceful living.

1 We thank you for your understanding and
2 we do expect that in the future if the plans
3 are changed you will keep us informed and make
4 us aware of any meetings that are being held
5 so that we can voice our input in working with
6 you and not against you. I just want to make
7 that clear that we are working with you and
8 not against you. We are concerned for our home
9 and where we have lived for all this time.

10 We are concerned, as we heard you mention
11 crosswalks. I just want to come closer and see
12 your plan.

13 Our house is right here (Indicating). We
14 are the closest lot to the existing firehouse
15 and the parking lot that's being planned.

16 We just want to make sure that if there
17 is any kind of turn around, or U, or entrance,
18 or exit, that nothing is shifted to come out
19 directly across from our home so that increase
20 traffic or the fire engines or the lights
21 don't effect our bedrooms and our living
22 quarters. We certainly would not want it
23 coming directly out towards our home.

24 I also support what was mentioned earlier
25 about the landscaping and certainly the

1 9th Avenue side has been considered in every
2 occasion, but we're on the 1st Street side of
3 where that parking area will be and we would
4 really appreciate it if landscaping was placed
5 there as well to protect our home, our
6 windows, our air conditioning unit and the
7 unit that takes the air in. That's on that
8 side of 1st Street, as well. We want to be
9 protected by any extra shrubbery or berms that
10 might be planned to help protect our home.

11 The last thing is a gentleman brought up
12 the issue of noise. We do support fundraising
13 and community and family events. With the size
14 and volume of the type of fundraising such as
15 concerts that have been held and in the
16 backyard of the current parking lot, it has
17 been a lot on the residents who live on
18 9th Avenue. Anything to do to help with noise
19 reduction certainly would be appreciated.

20 I hope that this was helpful and
21 presented to be understandable. We don't want
22 to be forgotten. Like I said, we support the
23 firehouse, but we also have a right as
24 residents to the reasonable request that we're
25 making.

1 CHAIRMAN O'ROURKE: Were you notified
2 tonight, ma'am, of this one?

3 MS. BENEDETTI: Yes. I just want to make
4 sure for the future so that we get notified.

5 CHAIRMAN O'ROURKE: The applicant was
6 listening and those are all certainly
7 reasonable requests when a community bonds out
8 to build something.

9 I'm a little taken back that you're not
10 going to do the lightening now and you're
11 going to dig up the parking lot later. I just
12 want to make sure that as this moves forward
13 that the landscaping is a must. Those are all
14 reasonable requests that certainly we as a
15 board try to stay proactive and be sure that
16 all applicants meet with the neighbors. It's a
17 firehouse and it's been a firehouse. We want
18 you to be able to have a parking lot for the
19 responders. There were some issues raised
20 tonight and certainly as this moves forward,
21 we would expect that you make a determined
22 effort to make sure that at least the
23 residents of the nearby homes are taken care
24 of.

25 MS. BENEDETTI: I'm sure that if you held

1 a fundraiser, even if you need the extra money
2 for the landscaping - I'm sure that if you
3 notify the community that you're going to have
4 a fundraiser for that purpose, that you would
5 find tons of donations for that. People really
6 are for that kind of improvement.

7 CHAIRMAN O'ROURKE: Anyone else in the
8 audience?

9 MS. BENEDETTI: The road is currently
10 going to be where it is now as it is on the
11 property? There is nothing being shifted at
12 all?

13 MR. FRANCIS: At this time, the road is
14 going to be right here (Indicating). There is
15 already an entrance here.

16 MS. BENEDETTI: Is that permanent?

17 MR. FRANCIS: It's permanent for this
18 project.

19 MS. BENEDETTI: So for the future, I know
20 that when a new firehouse is built that it
21 will need an out and I just want to make sure
22 that the out will not be directly across from
23 our house.

24 CHAIRMAN O'ROURKE: Anybody else on the
25 board?

1 **(There was no response.)**

2 CHAIRMAN O'ROURKE: I'm looking for a
3 motion on concept.

4 MR. LACIVITA: C.J., would the conditions
5 of addressing the landscape plan, the
6 buffering, sidewalks and crosswalks be
7 included in that?

8 CHAIRMAN O'ROURKE: Yes.

9 MR. LACIVITA: And also would any future
10 development of the site - the neighbors be
11 notified also be considered a condition?

12 CHAIRMAN O'ROURKE: That actually goes
13 without saying. I just want to make sure that
14 the applicant had contacted the neighbors.

15 MR. LACIVITA: So the motion of concept
16 acceptance to include that the developer will
17 include a landscape plan, buffering to the
18 site, sidewalks and crosswalks.

19 CHAIRMAN O'ROURKE: Correct. Actually I
20 want to ensure that a crosswalk is something
21 that we can do. Between Peter and
22 Joe -- depending on how we have to mark it.

23 MR. GRASSO: I think also to add as a
24 condition addressing all of our comments as
25 the project moves forward, because we cover a

1 lot of those things that were discussed.

2 MR. LANE: I'll make the motion.

3 CHAIRMAN O'ROURKE: Do I have a second?

4 MR. SULLIVAN: I'll second.

5 CHAIRMAN O'ROURKE: All in favor?

6 ***(Ayes were recited.)***

7 CHAIRMAN O'ROURKE: Opposed?

8 ***(There were none opposed.)***

9 CHAIRMAN O'ROURKE: Good luck and we'll
10 see you soon.

11

12 ***(Whereas the proceeding concerning the above***

13 ***entitled matter was adjourned at***

14 ***7:49 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 April 1, 2010**