

1 PLANNING BOARD COUNTY OF ALBANY  
2 TOWN OF COLONIE

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5 HOFFMAN SENIOR COMPLEX  
6 PLANNED DEVELOPMENT DISTRICT  
7 1 ALICE AVENUE

8 CONSIDERATION OF FINDINGS AND  
9 RECOMMENDATIONS TO THE TOWN BOARD

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11 THE TAPED AND TRANSCRIBED MINUTES of the above  
12 entitled proceeding BY NANCY STRANG-VANDEBOGART  
13 commencing on March 1, 2011 at 7:45 p.m. at the Public  
14 Operations Center  
15 347 Old Niskayuna Road, Latham, New York 12110

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17 BOARD MEMBERS:

- 18 PETER STUTO, CHAIRMAN
- 19 PAUL ROSANO
- 20 MICHAEL SULLIVAN
- 21 LOUIS MION
- 22 KATHLEEN DALTON
- 23 TIMOTHY LANE
- 24 ELENA VAIDA, Esq., Attorney for the Planning Board

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Also present:

- 18 Joseph LaCivita, Director, Planning and Economic  
19 Development
- 20 Daniel Hershberg, Hershberg & Hershberg
- 21 Joe Grasso, Clough Harbour & Associates

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1                   CHAIRMAN STUTO: Next on the agenda is  
2 the Hoffman PDD findings and recommendation to  
3 the Town Board.

4                   Joe, do you want to give us an  
5 introduction on this?

6                   MR. LACIVITA: Sure. This has been before  
7 the Board under sketch plan review probably no  
8 less than five times. Mr. Hershberg and  
9 Mr. Grasso could attest to that. It's been  
10 through a number of changes throughout the  
11 Town. It was last before the Town on  
12 December 14, 2010 in which the Board at that  
13 time was very happy with the sketch plan and  
14 went through the findings period. They made  
15 the findings in that meeting on the 14<sup>th</sup> and  
16 we're here tonight to finalize them, adopt  
17 them, and make a recommendation to the Town  
18 Board for rezoning for a PDD.

19                   With that, I can turn it over to  
20 Mr. Grasso to summarize.

21                   MR. GRASSO: We prepared a draft findings  
22 statement for the Planning Board's  
23 consideration based on about nine specific  
24 findings that you have to look at for a  
25 proposed PDD application. If you want, I can

1 go through those, or I can let Dan Hershberg,  
2 the applicant, give a description of the  
3 project and then we can come back to the  
4 findings. We can also just go through the  
5 comments from the Board from the draft  
6 findings that we put together. I'd be more  
7 than happy to go through them after Dan gives  
8 an update.

9 CHAIRMAN STUTO: Mr. Hershberg, can you  
10 be brief and then we'll go to the findings?

11 MR. HERSHBERG: Thank you, Mr. Chairman.  
12 My name is Daniel Hershberg from the firm of  
13 Hershberg and Hershberg. I'll be quite brief.

14 We recommend that the Board approve this  
15 project. This project has been before you a  
16 number of times. December 14<sup>th</sup>, when a negative  
17 declaration was reviewed, it had reached the  
18 end of a long process.

19 MR. GRASSO: So, I'm just going to pick  
20 up on that.

21 As Joe had mentioned, the project got  
22 concept approval and a negative declaration of  
23 SEQRA back in December. So, the only thing  
24 left for the project before it goes to the  
25 Town Board for consideration of the PDD

1           legislation and the zoning map amendment is to  
2           approve the findings that support the Planning  
3           Board's review of the project in accordance  
4           with the criteria set forth in the Town Code  
5           for PDDs.

6           The first criteria is that the PDD is  
7           consistent with the purpose and the intent of  
8           this chapter, including the design standards.

9           I'm just going to read through the  
10          finding that we have prepared.

11          The Town Land Use Law Chapter 190-13  
12          states the PDDs should advance the goals of  
13          the Comprehensive Plan, promote innovation and  
14          the design and layout of structures, encourage  
15          pedestrian oriented development and  
16          redevelopment, ensure adequate provision of  
17          community services, preserve significant  
18          natural features, and permanently protect open  
19          space resources.

20          Our findings are that the latest concept  
21          site plan generally conforms to the design  
22          standards for multifamily residential in  
23          planned development districts. A more thorough  
24          review of project details include site  
25          planning and architectural design. Lighting

1 and landscaping will occur during the site  
2 plan review process, should the Town Board  
3 establish the PDD.

4 Based on that, we believe that the PDD is  
5 consistent with the intent of the PDD law and  
6 design standards.

7 The second finding is that the PDD is  
8 compatible with the surrounding neighborhood  
9 context and character and is in conformance  
10 with the Comp Plan.

11 Our finding is that the natural on-site  
12 buffers will be preserved to provide screening  
13 to the existing single family residential  
14 homes along Eastern Avenue to the northwest.  
15 The maximum development potential for the site  
16 as permitted by the present zoning is  
17 approximately 60 single family residential  
18 units. The proposed project consists of a  
19 total of 260 senior housing dwelling units.  
20 The applicant justifies the proposed increased  
21 in allowable density by stating that the  
22 additional senior independent living units and  
23 assisted living beds are needed in the Town of  
24 Colonie that meets the aging population.

25 One of the goals of the Town's Comp Plan

1 is to provide opportunities and incentives for  
2 the development and redevelopment of a variety  
3 of housing options in the Town to meet the  
4 needs of the increasing diverse population.

5 Another goal of the Comp Plan is to  
6 protect the Town's important natural resources  
7 such as stream corridors, steep slopes, flood  
8 planes, wetlands and unique ecosystem.

9 Based on the above, we feel that the PDD  
10 is compatible with the surrounding  
11 neighborhood and is in conformance with the  
12 Comprehensive Plan.

13 The third finding is that the  
14 requirements of SEQRA have been fulfilled in  
15 the PDD as mitigated potential undue adverse  
16 impacts set forth during the SEQRA review to  
17 the maximum extent practicable. The Planning  
18 Board appointed a TDE, which is CHA, to assist  
19 with the technical review of the project. The  
20 design engineer, Dan Hershberg, completed a  
21 significant amount of additional investigative  
22 work and site design modification as request  
23 by both the Planning Board and the TDE. In  
24 addition, any potential environmental impacts  
25 of the project will be eliminated or reduced

1 to small to moderate through existing  
2 regulatory requirements including mitigation  
3 pursuant to the Boght Road/Columbia Street  
4 area GEIS statement of findings.

5 MS. VAIDA: That would include the  
6 mitigation fees?

7 MR. GRASSO: That's correct. In nine it  
8 talks about any possible amendments regarding  
9 the traffic impacts.

10 Based upon the review of the criteria for  
11 determining significance contained in the  
12 SEQRA regulations and the rules of  
13 reasonableness, the Planning Board, acting as  
14 lead agency issued a neg dec on  
15 December 14, 2010 concluding that the facts  
16 and circumstances of the project will not  
17 result in a significant adverse environmental  
18 impact, and so the preparation of an EIS will  
19 not be required based on the fact that the  
20 requirements of SEQRA have been fulfilled.

21 The fourth finding is that the PDD will  
22 add to the long-term assets to the community  
23 and will not erode the livability or economic  
24 viability of the existing neighborhood areas.  
25 The applicant prepared independent marketing

1 analyses which identified significantly  
2 greater demand for independent senior housing  
3 and senior assisted living units than are  
4 currently available in the market. The  
5 applicant identified the following additional  
6 public benefits: The Boght Road/Columbia  
7 Street area GEIS mitigation costs for the  
8 proposed project exceed the mitigation costs  
9 from a project that would conform to the  
10 current zoning. As such, needed infrastructure  
11 improvements in the vicinity can be completed.  
12 There would be an increase in estimated real  
13 property taxes with little to no demand on the  
14 local school district.

15 There would be construction of water  
16 system improvements including a replacement of  
17 approximately 650 linear feet of water main  
18 and replacing a pressure reducing valve and  
19 concrete vault.

20 There would be a scenic overlook provided  
21 and nature walk within the project.

22 The summary of that finding, based on the  
23 above is that the PDD will add to the  
24 long-term assets of the community and will not  
25 erode the livability or economic viability of

1 the existing neighborhood areas.

2 The open space and recreation areas in  
3 the facility provide a commensurate with the  
4 level of development proposed. The  
5 predevelopment open space resources are  
6 potentially available for protection.

7 The project documents offer numerous  
8 recreational opportunities in the project  
9 including a health club, pool, restaurant,  
10 walk-in group sitting areas, exercise  
11 stations, bocce ball and shuffleboard. In  
12 addition, pedestrian accommodations have been  
13 made by the additions of sidewalks along the  
14 development roadways.

15 Finally, a scenic overlook nature walk  
16 will be provided.

17 As previously noted, significant open  
18 space will be preserved.

19 Based on the above, the open space and  
20 recreation areas and facilities are  
21 commensurate with the development proposed.

22 The sixth finding is that the provisions  
23 protecting open-space resources are  
24 sufficiently secured by dedication where  
25 appropriate and desirable where legal

1 instruments and/or monitoring programs and  
2 their establishment or use of an existing  
3 trust to ensure their long-term protection.

4 Our finding is that a concept plan calls  
5 for the preservation of significant open  
6 space, avoid steep slopes, freshwater wetlands  
7 and the dry river. Approximately 80 percent of  
8 the total site will be greenspace and  
9 approximately 58 percent of the site will  
10 remain undisturbed from its existing  
11 conditions. A condition of the Planning Board  
12 concept acceptance of a PDD is that preserved  
13 land on-site be protected in perpetuity.

14 Based on the above, the PDD protects the  
15 open space resources sufficiently for the  
16 long-term.

17 The seventh finding is that the proposal  
18 is conceptually sound and that it meets local  
19 and area-wide needs and it conforms to the  
20 accepted design principals in the proposed  
21 function of roadway and pedestrian system,  
22 land-use configuration, open space, drainage  
23 system and scale of the elements both  
24 absolutely and to one another.

25 The findings are that after numerous

1 design iterations, the concept plan has been  
2 developed to preserve open space, avoid steep  
3 slopes, freshwater wetlands and the protected  
4 dry river. The concept plan provides for a  
5 functional roadway and pedestrian system land  
6 use configuration and infrastructure to  
7 support the project. The project will maintain  
8 buffers along Eastern Avenue single family  
9 homes to the northwest. Architecture and site  
10 design will comply to the Town's multi-use  
11 residential design standards.

12 Based on the above, the PDD is  
13 conceptually sound, meeting a local and  
14 area-wide need in conformance with the  
15 accepted design principals.

16 Next is that there are adequate community  
17 facilities, services available or proposed to  
18 be made available in the construction of the  
19 development.

20 The findings are that the project design  
21 will require construction of roadways and  
22 parking, sidewalks, sanitary sewer, water  
23 main, storm sewers and other utilities that  
24 serve the project. In addition, the applicant  
25 has committed to making improvements for the

1 existing water distribution system in the  
2 project vicinity.

3 Finally, the project applicant will  
4 contribute funds toward mitigation fees  
5 specified in the Boght Road/Columbia Street  
6 GEIS to support infrastructure improvements  
7 within the study area.

8 Based on the above, the PDD has adequate  
9 community facilities, services to serve the  
10 development.

11 The last finding is relative to traffic  
12 and states that the traffic will not have an  
13 adverse impact on the adjoining transportation  
14 system. The supporting finding is that the  
15 proposed finding will result in a small  
16 increase in traffic on the local highway  
17 system. Mitigation of impacts will be provided  
18 in accordance with the Boght Road/Columbia  
19 Street area GEIS statement of findings through  
20 the payment of mitigation fees in accordance  
21 with the schedule fees and place at the time  
22 each mitigation fee payment is made. In  
23 addition, site access will be provided by  
24 utilizing the existing New York State Route 2  
25 curb cut for the adjacent Highland Club

1 apartment complex. Improvements will be made  
2 to the private access drive to accommodate a  
3 shared driveway. Since no modifications are  
4 proposed within the New York State right of  
5 way, DOT had no traffic related review  
6 comments.

7 Finally, a parking assessment was  
8 submitted demonstrating that the proposed  
9 1.5 parking spaces per dwelling unit is  
10 adequate for the proposed senior housing  
11 project.

12 Based on the above, it appears that the  
13 project will not have an adverse impact on the  
14 adjoining transportation system.

15 In summary, therefore, the Planning Board  
16 issues the above written findings pursuant to  
17 Chapter 190-13 of the Colonie Land Use Law  
18 documenting the facts and information relied  
19 upon to reach its conclusions in rendering a  
20 decision to recommend approval of the Hoffman  
21 Senior Housing Planned Development District to  
22 the Town Board.

23 CHAIRMAN STUTO: Thank you.

24 Does the Board have any comments or  
25 questions?

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

2                                   CHAIRMAN STUTO: Do we have a motion  
3 to adopt these findings?

4                                   MR. LANE: I'll make a motion to  
5 adopt the findings.

6                                   MR. MION: I'll second it.

7                                   CHAIRMAN STUTO: All in favor?

8                                   ***(Ayes were recited.)***

9                                   CHAIRMAN STUTO: All opposed?

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

11                                  CHAIRMAN STUTO: None being opposed,  
12 the motion is adopted.

13                                  Thank you.

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17                                  ***(Whereas the proceeding concerning the above***  
18 ***entitled matter was adjourned at 7:58 p.m.)***

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**CERTIFICATION**

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

12  
13  
14  
15            -----  
16            ***NANCY STRANG-VANDEBOGART***

17  
18  
19            ***Dated March 14, 2011***