

1 PLANNING BOARD COUNTY OF ALBANY  
2 TOWN OF COLONIE

3  
4 \*\*\*\*\*  
5 MEADOWDALE ESTATES  
6 APPLICATION FOR CONCEPT ACCEPTANCE  
7 \*\*\*\*\*

8 THE STENOGRAPHIC MINUTES of the above entitled  
9 proceeding BY NANCY STRANG-VANDEBOGART, a shorthand  
10 reporter, commencing on May 24, 2011 at 8:07 p.m.  
11 at the Public Operations Center  
12 347 Old Niskayuna Road, Latham, New York 12110

13 BOARD MEMBERS:

- 14 PETER STUTO, Chairman
- 15 LOUIS MION
- 16 KATHLEEN DALTON
- 17 PAUL ROSANO
- 18 TOM NARDACCI
- 19 TIMOTHY LANE
- 20 MICHAEL SULLIVAN
- 21 ELENDA VAIDA, Esq., Attorney for the Planning Board

22 Also present:

- 23 Joseph LaCivita, Director, Planning and Economic  
24 Development
- 25 Tom Johnson, PE, Barton and Loguidice
- Lynn Sipperly, PE, Sipperly and Associates
- Joseph Sausto, Platform Realty Group
- Jeanie Bragin
- Shawna Kay Addison
- Gloria Jean Knorr
- Richard W. Nottke

1           CHAIRMAN STUTO: I'll just recite from  
2 the agenda that this is for 30 single family  
3 cottage homes; 112 two-story town homes and  
4 174 apartment units.

5           Joe, would you like to make an  
6 introduction?

7           MR. LACIVITA: Actually, you summarized  
8 that very well. I know that the applicant has  
9 been before the Board several times and has  
10 made changes based on recommendations by the  
11 Board. I think that they're at the point where  
12 they've addressed a number of the comments.  
13 They've met with the neighborhoods to the east  
14 of the site, which is Sherwood Drive. They're  
15 here tonight for concept acceptance.

16          CHAIRMAN STUTO: The applicant may  
17 proceed. Could you identify yourself, please?

18          MR. SAUSTO: Hi, I'm Joe Sausto. I'm from  
19 Platform Realty for the applicant and I'm with  
20 the applicant tonight.

21           I think that most of the Board knows the  
22 history of our involvement with this site and  
23 how we got here tonight. The owner's purchased  
24 this back in 2003. At that point, they had  
25 prior approvals for about 335 apartments or

1 condominiums. Those approvals were never  
2 finalized and mitigation fees were not paid.  
3 Then, there were several different site plans.  
4 We went through a couple of moratoriums both  
5 with the town wide Comprehensive Plan and then  
6 the Route 7 moratorium. We came up with a plan  
7 that was similar to this. We went back to DCC  
8 back in 2007 and then basically with this plan  
9 again in 2009.

10 Last year, twice we were in front of the  
11 Board for sketch plan approval and earlier  
12 this year we were asked to come back again. We  
13 were here, I believe, in March for another  
14 sketch plan review.

15 At that time, this Board asked us to hold  
16 a public informational session for the  
17 neighbors. We did a mailing to anyone within  
18 200 feet of the property. We also put flyers  
19 and stuffed all the mailboxes in that same  
20 distance. Back in April we did have a meeting  
21 at the Verdoy Fire Department. We made a  
22 presentation. I can give you a copy of that  
23 right now.

24 CHAIRMAN STUTO: How many people were in  
25 the audience, approximately?

1           MR. SAUSTO: There were approximately 25  
2 people at that session. In addition to that  
3 session, we probably had about 20 individual  
4 meetings with the neighbors that called or  
5 phoned and asked for information over the last  
6 year and a half or two years; most of those  
7 being pretty recent.

8           I think that the meeting went very, very  
9 well. The only two concerns that were  
10 addressed were the neighborhood here to the  
11 east, and some of the setbacks. I think that  
12 at the end of the day that there weren't any  
13 big objections to the plan as it's been  
14 revised. I think that some of the neighbors  
15 are here today and they can certainly speak  
16 for themselves on their feelings.

17           So that's the history. Lynn Sipperly, the  
18 engineer, is going to walk you through a  
19 couple of the changes here in the plan that  
20 have been made in response to some of the  
21 comments.

22           MR. SIPPERLY: Just for the Board's  
23 orientation, the way that the drawing is laid  
24 out is that Watervliet-Shaker Road is at the  
25 west side of the drawing here (Indicating).

1 Sherwood Drive is at the bottom of the  
2 drawing. This is Beverly Park residential  
3 community. To the north side, this is the US  
4 DEA facility at this location here  
5 (Indicating). Hastings Drive is presently  
6 constructed back to the cul-de-sac at this  
7 location here (Indicating). On the west side  
8 of our project is some office and warehouse  
9 uses. It was proposed again as a mixed  
10 development. As we stated earlier, we have  
11 cottage homes, town homes and apartments. The  
12 town homes - they're kind of color-coded. This  
13 violet color is the town homes at this  
14 location of the development and another  
15 section back here on the other side of our  
16 main road. This is the cottage home area  
17 (Indicating). There are 30 homes in this  
18 location. On the west side of our new spine  
19 road is the apartments that we're proposing.  
20 There are five buildings and we've provided  
21 for both service parking and garages. There is  
22 about 30 percent garage space shown at this  
23 time for those particular tenants who would  
24 like garages also. We've developed the plan  
25 pretty much consistent with the requirements

**Legal Transcription**

1 of the Town Code and also the plan code.

2 With regard to parking, we're providing  
3 two spaces per unit with the apartments. We're  
4 stating that we have more than two spaces per  
5 unit in the residential, but we're taking  
6 those two spaces in the garage and two spaces  
7 in the driveway. We don't expect to have cars  
8 parked in the driveway. We may have overstated  
9 our parking with regard to the residential.

10 Utilities are available to the property  
11 on Watervliet-Shaker Road and Hastings Drive.  
12 We have designed the utility system here in  
13 accordance with the DCC meetings that we've  
14 had with Pure Waters and Latham Water.

15 One notable item on the development shows  
16 that there is a lot of green. I think that we  
17 have 64 percent of greenspace on the overall  
18 site. As Joe mentioned, there has only been a  
19 couple of minor changes to the development.

20 Based on a meeting with the adjacent  
21 neighbor at this location here (Indicating),  
22 we had a tot park that was originally located  
23 at this point right here. The neighbors asked  
24 if we could take a look at that and move it  
25 out of his back yard because he was concerned

1           that there might be noise and activity there  
2           that would be objectionable. We've taken that  
3           tot park and moved it over here at this  
4           location (Indicating). We're kind of opposite  
5           the dog park. We've haven't combined them, per  
6           se, but we've put them in similar location.

7           CHAIRMAN STUTO: What are the two uses?

8           MR. SIPPERLY: This is a dog park over  
9           here. This is the tot park. We've taken the  
10          tot park and moved it over to this location  
11          here (Indicating).

12          Similarly, we had showed a sidewalk from  
13          Beverly Park and the development. Again, it  
14          came down to the existing stub street onto our  
15          property and down to the street here and  
16          connected to our sidewalk system. We're going  
17          to take it out of the development in response  
18          to what the neighbors asked us to do. This  
19          decision is really one of the Planning Board  
20          and not ourselves. The area still exists.

21          CHAIRMAN STUTO: Let's explore that for a  
22          little bit. You're saying that there is a stub  
23          street. Is that a paper road?

24          MR. SIPPERLY: It's a paper street, but  
25          it's actually paved almost back to the

1 property line. It's the Town of Colonie. It's  
2 owned by the Town of Colonie. It's deeded to  
3 the Town of Colonie. It was intended to be a  
4 stub street.

5 Years ago I think that Beverly Park may  
6 have been developed back in the late 60's. We  
7 are not proposing any vehicle connection  
8 between Sherwood Drive -

9 CHAIRMAN STUTO: On the old plan that's  
10 in your book - was there a vehicle connection?

11 MR. SIPPERLY: No, we don't have a  
12 vehicle connection there.

13 CHAIRMAN STUTO: The former plan?

14 MR. SIPPERLY: I don't think that we did.

15 CHAIRMAN STUTO: You do have ingress and  
16 egress, right? In the current drawing you have  
17 vehicular ingress and egress in two spots?

18 MR. SIPPERLY: We do. We have it both at  
19 the north end of the site through Hastings  
20 Drive -

21 CHAIRMAN STUTO: Can you tell us what's  
22 on Hastings? What currently exists there? Is  
23 that residential or commercial?

24 MR. SIPPERLY: No, it's commercial. Right  
25 now, what exists on Hastings Drive is an

1 office building here that's occupied by the US  
2 Drug Enforcement Agency. That's this building  
3 right here. This is the office and warehouse  
4 facility. This is the town property here. This  
5 is the old incinerator plant. Actually, about  
6 this location here is where the fire training  
7 center is right now. There is no residential  
8 on this side. This is all developed here with  
9 office and warehouse. This here is a large  
10 building that's occupied by New York State  
11 (Indicating).

12 MR. NARDACCI: In the meetings with the  
13 neighbors, I'm sure we'll hear about it, but  
14 there was a concern expressed about connecting  
15 for pedestrian traffic?

16 MR. SIPPERLY: Yes. There was a concern  
17 that there would be traffic back and forth.

18 MR. NARDACCI: There was never a proposal  
19 for vehicle traffic.

20 MR. SIPPERLY: No, there was never a  
21 proposal for that.

22 MR. NARDACCI: One of the issues that I  
23 think is important is that in the  
24 Comprehensive Plan that the Town has, one of  
25 the main points of the Comp Plan is

1 connectivity between neighborhoods. We have  
2 come up against this on multiple projects  
3 where a new development comes in and there is  
4 a concern about connectivity. It's mostly  
5 vehicular traffic connectivity. What we have  
6 done to mitigate that concern where it's a  
7 safety issue was to present a Knox box. We've  
8 always maintained pedestrian connections. So,  
9 my point is that if we didn't have the  
10 pedestrian connection -- first of all it's not  
11 in line with the Comprehensive Plan, which is  
12 one of our planning doctrines. It would run  
13 counter to what we've done on other projects.

14 I think that I can understand residents'  
15 concerns, but I think that from what we've  
16 found we want connectivity because it makes  
17 better neighborhoods. I just happen to live in  
18 a neighborhood that has similar connections.  
19 The Green Meadows neighborhood has a  
20 walk-thru connection. That's my neighborhood  
21 and it just creates a much more walkable  
22 family friendly development.

23 CHAIRMAN STUTO: The future plan is to  
24 have stores in the upper left hand corner.

25 MR. SIPPERLY: Right; we've left this

1 area -- it's about five acres in size.

2 CHAIRMAN STUTO: So you're going to be  
3 able to walk there from your development,  
4 right?

5 MR. SIPPERLY: Right.

6 CHAIRMAN STUTO: So, Sherwood would be  
7 able to walk there on a nice day.

8 MR. SIPPERLY: That's correct.

9 CHAIRMAN STUTO: If we connect it.

10 MR. SIPPERLY: To be more accurate, when  
11 we met with the people on Sherwood Drive,  
12 there was a group of them who wanted the  
13 connectivity with regard to pedestrians.  
14 Mainly, people would like to walk and extend  
15 their radius of walking. Some people didn't  
16 want connectivity at all; including  
17 pedestrian.

18 CHAIRMAN STUTO: They're all opposed to  
19 the car connectivity.

20 MR. NARDACCI: And I can clearly see  
21 that. In an existing neighborhood where you  
22 don't want the traffic, we wouldn't want it  
23 either. I wouldn't be in favor of that. I  
24 think that when it comes to pedestrian, I  
25 think that it's a different litmus test.

1           MR. SIPPERLY: In our revision, all we  
2 did was take the sidewalk off again to try to  
3 satisfy the neighbor concern. That connection  
4 is still there. We have not put it back on the  
5 drawing yet.

6           CHAIRMAN STUTO: We'll hear from the  
7 neighbors and we'll continue to talk about  
8 that.

9           MR. SIPPERLY: I think that I'm close to  
10 wrapping up. The one thing that we have here  
11 is an abundance of greenspace. I think that  
12 we've incorporated the various land uses with  
13 buffers. These are natural buffers that we're  
14 going to maintain, so that we have buffers  
15 between communities. We also discussed with  
16 the neighbors - where we have backyards that  
17 abut backyards of homes on  
18 Sherwood Drive - with putting in a solid fence  
19 along there, if they wanted that, to make an  
20 instant buffer if they thought that was to  
21 their liking and specification.

22           We really only have - I think that there  
23 are seven homes here and there are six homes  
24 up here that have that situation where the  
25 backyards of the town home units would back up

1 to the backyards.

2 CHAIRPERSON STUTO: That's an important  
3 point. I'm sure that we'll hear from the  
4 neighbors on that. The HOA - the homeowners'  
5 association that they're going to own?

6 MR. SIPPERLY: There will be a homeowners  
7 association that will be established here.  
8 They'll own all the open spaced lands and  
9 maintain them. They will be responsible for  
10 the maintenance of, the ownership of and the  
11 taxes on the open space. We're proposing the  
12 boulevard entrance here and the plants that  
13 will be in the median of the boulevard - the  
14 homeowners association would be responsible  
15 for that. We have sidewalks along the full  
16 length of Hastings Drive and also within the  
17 communities. The homeowners association would  
18 be responsible for the sidewalk maintenance  
19 and snow removal. Naturally, there would be a  
20 separate association here to take care of all  
21 the lawn care and make plowing in the  
22 apartments. I believe that there is a  
23 homeowners association that would be  
24 responsible for the maintenance of lawns in  
25 the town homes. I think that there would be.

1 In order to provide continuity and uniform  
2 grounds keeping, there would be a homeowners'  
3 association that would take care of the lawns  
4 and the snow removal of the driveways of the  
5 town homes and the cottage homes in this  
6 location here (Indicating). So, there would be  
7 a couple of homeowners' associations. One of  
8 them would own the entirety of the open spaced  
9 lands to be required to do the maintenance on  
10 it.

11 CHAIRMAN STUTO: I'm flipping through you  
12 book that you handed out to the neighbors,  
13 which I think is good. Can you talk about the  
14 architectural? I know it's important to get  
15 that out there.

16 MR. SAUSTO: I just want to give you a  
17 little background like a look behind the  
18 curtain as to how this came about. When we  
19 bought this property originally, it was to  
20 work with the government building that  
21 building. We've had at least 10 offers over  
22 the last 10 years for doing anything from  
23 Office buildings to a new Fed Ex. When we did  
24 this back about three to four years ago, we  
25 really tried to figure out how to plan for

1           this. We put down who all the neighbors were  
2           which were single family residents,  
3           warehouses, daycare centers, government  
4           buildings, the airport and Northway and tried  
5           to figure out what would be a plan that would  
6           be consistent with all of them that really  
7           would work, that also isn't going to look for  
8           a zone change. We came up here again with  
9           going through a systematic approach which we'd  
10          be happy to share with any other applicant  
11          that you have. First, we started with Kevin  
12          Franklin and your historic department to find  
13          out what this land had been used for over the  
14          last 300 years. Then, we tried to take the  
15          fabrics of what this land has been and how  
16          it's worked in the community to have that  
17          propel forward. We have all the deeds. What  
18          really became apparent was this full area was  
19          really in tune with the Shakers. I know you've  
20          heard a little bit about this. Maybe some  
21          people, but not everybody.

22                 We went and saw Starlyn D'Angelo, the  
23          curator, and she really pointed us in the  
24          right direction. Since that time, we have met  
25          with numerous landscape architects to say, how

1 do we take care of this property and have it  
2 be architecturally and landscape  
3 architecturally consistent with what it's been  
4 in the past and what it could be in the  
5 future? That's really important to us.

6 That comes down to what the front  
7 entrance would look like and how the apartment  
8 house building would be fashioned after  
9 existing Shaker buildings that serve their own  
10 communities really well. It's not a replica  
11 because they've asked us not to do replicas.  
12 It's really drilling down to find out how you  
13 can do it in today's standard to have it still  
14 work with what it was in the past. I think  
15 that it's been very good and I think that  
16 we've gotten a lot of positive comments from  
17 the neighbors. We did meet with one of the  
18 neighbors who said that it just seems very  
19 close. When we did some of the measurements, I  
20 think that everyone would agree that we're  
21 three to four times further away from any  
22 existing neighbor. Would you like a fence?  
23 Yes, we want a fence. Then, we'll put a fence  
24 up and we'll maintain the fence and we'll  
25 commit to the Planning Board that the fence

1 will be maintained by us and through the HOA  
2 so you don't have to worry about that.

3 CHAIRMAN STUTO: Can I interrupt for one  
4 second? Do you have a couple more books to  
5 give to the residents?

6 MR. SAUSTO: I think that we only had 10.  
7 This was the same exact package. It's exactly  
8 what was given at Verdoy and the different  
9 meetings in the neighborhood. There are a lot  
10 of neat historical features in this. As we  
11 said before, the booklet will show the jelly  
12 mill and that's what the mail room is supposed  
13 to be. It was a building that was destroyed.  
14 If you live in this community, when you come  
15 through the front gates, it's a Shaker feel.  
16 The landscape architecture - what's planted  
17 and where it's planted is all in tune with the  
18 area. When you go into the community room, it  
19 will be half the size of this (Indicating).  
20 There would be a large table - all Shaker  
21 furniture with all the deeds on the walls and  
22 the post office boxes. There would be a reason  
23 that you would meet some of your neighbors.  
24 Not every person has their own mailbox. The  
25 postal people won't give it to you now,

1           anyway. So, that's a little bit of the  
2           background. We'd be happy to have to  
3           architecture and landscape architecture on  
4           that, too.

5           CHAIRMAN STUTO: Thank you. That was a  
6           very nice presentation.

7           Tom is our Designated Engineer with  
8           Barton and Loguidice. He's paid for by the  
9           developer. This is for the benefit of the  
10          residents, but he works for the Town. So, he  
11          gives us unbiased advice.

12          Do you have a comment letter?

13          MR. JOHNSON: We do have a comment letter  
14          from Chuck Voss, who unfortunately couldn't be  
15          here at the last minute tonight. He did ask me  
16          to point out a couple of items.

17          CHAIRMAN STUTO: Did you attend the  
18          hearing?

19          MR. JOHNSON: The public meeting? Yes.

20          This is the May 12<sup>th</sup> letter.

21          Item 6 - there is just over seven acres  
22          of Federal Wetlands and a very small amount of  
23          New York State DEC wetlands located on site.  
24          This is just for identifying and potential  
25          impacts for the wetlands.

1           Item 7 - access to the site, as you  
2           discussed a few minutes ago from Hastings  
3           Drive and also from off of Watervliet-Shaker  
4           Road, approximately 750 feet east of the new  
5           roundabout -- I point that out because I know  
6           that DOT submitted a letter recently that was  
7           a little concerned about where that road is in  
8           relation to the adjacent commercial property  
9           next door. That's a point to bring up that  
10          would have to be addressed as well.

11           CHAIRMAN STUTO: That's the bus facility?

12           MR. JOHNSON: That's right. There are two  
13          driveways for the bus facility.

14           CHAIRMAN STUTO: What was DOT's  
15          objection?

16           MR. JOHNSON: It seems to be too close  
17          for the minimum standards of about 75 feet of  
18          where that road comes in, and the existing  
19          commercial driveway.

20           CHAIRMAN STUTO: There would be a  
21          conflict with the traffic and cars?

22           MR. JOHNSON: There could be, yes.  
23          They've been asked, in the letter, to take a  
24          look at it and see if it can be moved. They  
25          need to have some sort of discussion with the

1 DOT on the precise location for that, if it  
2 goes forward.

3 CHAIRMAN STUTO: Does the applicant have  
4 any reaction now or do you want to study that?

5 MR. SAUSTO: No, we'll take a look at it.  
6 They have a nicer group of busses in there  
7 these days. So, we're okay with being there.  
8 If we need to buffer it more either visually  
9 or distance wise, then we can do it. We'd  
10 still like to find a new home for them and  
11 that's what we're still trying to do now.

12 MR. JOHNSON: On the top of page 3, under  
13 the Albany County Planning Board, there's just  
14 a clarification on the second sentence. It  
15 states:

16 "As it is customary, it's recommended  
17 that no action by the Board be taken at this  
18 time."

19 However, it should read: "no final action  
20 be taken by the Board until written comments  
21 are received by the Albany County Planning  
22 Board."

23 So, that's just a clarification on that.

24 The SWPPP has not been provided at this  
25 time. If the process does go forward to

1 concept plan review, a SWPPP will be required  
2 for review.

3 The site plan shows the presence of  
4 infiltration detention facilities. Again, no  
5 details are provided whether or not it can be  
6 handled. Those details are provided at the  
7 preliminary and the final site plan  
8 application. However, we recommend that those  
9 details are provided as early as possible for  
10 a full review.

11 There are new state green infrastructure  
12 regulations. Just be aware that you will need  
13 to work your stormwater with those new  
14 regulations.

15 Trip generation and site access - Items 2  
16 and 4 are related. It has to deal with the  
17 public information meeting that they put out  
18 for the neighbors back on April 27. Attached  
19 to this May letter is the summary of the  
20 meeting that I put together. I believe that  
21 everybody should have a copy of that with the  
22 letter too. If you need me to go over anything  
23 on that summary, I can do that as well.

24 Under item 4 - in the last sentence  
25 regarding the pedestrian connection, we just

1 recommend that the Board should consider - as  
2 Tom had mentioned before - that it is in line  
3 with the Comp Plan and other projects in the  
4 Town to promote that kind of activity and  
5 walkable communities.

6 Finally, this project is within the  
7 airport area GEIS. It's subject to mitigation  
8 fees for transportation improvements.

9 The project appears that the general use  
10 is in general conformance with the intent of  
11 the Town's Comp Plan for the MFR zoning  
12 district.

13 The residential use development is  
14 consistent with the existing uses adjacent to  
15 and in close proximity to the site.

16 The site will be served by existing sewer  
17 and water infrastructure and it looks like the  
18 applicant has sufficient lands and facilities  
19 to remediate the anticipated stormwater  
20 run-off.

21 Chuck wanted me to touch upon the  
22 homeowners association and that a copy of the  
23 association agreement should be provided by  
24 the Town as part of the preliminary site  
25 application.

1           CHAIRMAN STUTO: Next what we normally do  
2 is take comments from the Board and allow them  
3 to ask questions and then we'll go to the  
4 residents.

5           Do we need to talk about environmental,  
6 Tom? Is this a good time to talk about it?

7           MR. JOHNSON: Based on Chuck, he has what  
8 appears to be a Type I action.

9           MS. VAIDA: We need to start talking  
10 about it. I think that the Town Attorney has  
11 already sent out the notifications to all  
12 involved agencies more than 30 days ago. We  
13 can declare ourselves lead agency.

14          CHAIRMAN STUTO: Do we need a motion for  
15 that?

16          MS. VAIDA: I think that we need a  
17 motion.

18          CHAIRMAN STUTO: Can you state the motion  
19 and we'll see if anyone wants to make it?

20          MS. VAIDA: It would be a motion to have  
21 the Town of Colonie Planning Board act as lead  
22 agency on the SEQRA review.

23          CHAIRMAN STUTO: Does anybody want to  
24 make that motion?

25          MR. NARDACCI: I'll make that motion.

1 MR. LANE: Second.

2 CHAIRMAN STUTO: All in favor?

3 **(Ayes were recited.)**

4 CHAIRMAN STUTO: All opposed?

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

6 CHAIRMAN STUTO: The ayes have it.

7 MS. VAIDA: And we do need at concept to  
8 start discussing the SEQRA issues. I also  
9 wanted to point out that I believe that the  
10 Albany County Planning Board did respond and  
11 that is in our packages. Apparently, the TDE  
12 didn't see that.

13 I also had a question for the applicant  
14 on the long form SEQRA. There is a question on  
15 there about lakes, ponds and wetland areas  
16 within a contiguous project area. The answer  
17 here is none. Was that misread?

18 MR. SIPPERLY: We understood that  
19 question to really mean New York State DEC  
20 freshwater wetlands. In this corner of the  
21 property there are some DEC wetlands.

22 MR. LACIVITA: What Elena is getting to,  
23 Lynn, is that the map that was depicted here  
24 by the Planning Department that was given by  
25 Mike Lyons shows Federal Wetland designations

1 near here and I think that's what she was  
2 considering here.

3 MR. SIPPERLY: That's correct. If you  
4 look back on older forms for SEQRA, it kind of  
5 states on there that there are DEC wetlands on  
6 the site.

7 MS. VAIDA: I don't think that it's  
8 limited to New York State.

9 MR. SIPPERLY: If that's your  
10 interpretation, we would change that. There is  
11 7.27 acres of wetlands on the site that are  
12 wetlands.

13 CHAIRMAN STUTO: Lou, do you have a  
14 question?

15 MR. MION: Yes. I was looking through the  
16 packet and we did get something from  
17 Lieutenant Pero from Highway Safety concerning  
18 navigating traffic on 155. How are we going to  
19 address that? That road seems like there will  
20 be a lot of people coming out of there in the  
21 morning. It's congested right now with the  
22 light at the Northway and the roundabout.

23 MR. SIPPERLY: Well, the traffic study  
24 was performed. Right now, I think that it's in  
25 the preliminary fashion - which identifies the

1 traffic to Albany-Shaker Road and the traffic  
2 projected to go towards Wade Road.

3 To answer your question - what we're  
4 proposing here is to put in a left turn lane  
5 for eastbound traffic. As people are traveling  
6 east on Watervliet-Shaker Road and want to  
7 turn into the development, there is a turn  
8 lane there so that they get out of the lane of  
9 through traffic that would not be interrupted.  
10 People turn left into the development.

11 DOT also requested in their letter to the  
12 Planning office and the Planning Board that we  
13 provide a traffic study. We're in a position  
14 to provide that to them now.

15 Similarly, to respond on the distance of  
16 separation between our roadway and the  
17 driveways to the adjacent parcel here: We will  
18 probably conduct some kind of observation as  
19 to when the traffic gets into this facility  
20 here (Indicating) -- is it five cars a day or  
21 is it five cars an hour? We'll provide that  
22 back to DOT for them to analyze if we do have  
23 any kind of separation issue between our  
24 proposed entranceway and the driveway. What  
25 could happen there is that one of these

1 driveways could be closed off. Right now, as I  
2 indicated earlier, it's almost a continuous  
3 driveway or curb cut at this property here  
4 (Indicating).

5 This facility here would function well if  
6 some of that driveway was reduced. We'll look  
7 into that. We will investigate that and have a  
8 response for that.

9 MR. MION: The other concern would be  
10 getting out in the morning. If you want to get  
11 out on the Northway, you have to make a left.

12 MR. SIPPERLY: The traffic study at this  
13 point - from what I can indicate is that they  
14 see no reason for a traffic light at either  
15 location - at Albany Shaker Road or Wade Road.  
16 There is no warrant for a traffic light.

17 CHAIRMAN STUTO: Do we have copies of the  
18 preliminary final?

19 MR. JOHNSON: No.

20 MR. SIPPERLY: I thought that it was  
21 given to the Planning office, but perhaps it  
22 wasn't. We'll make sure that you have it  
23 tomorrow.

24 What the traffic study indicates is that  
25 they looked at the trip distribution or how

1 people are going to leave the site. They're  
2 saying that 65 percent of the traffic would go  
3 south to Watervliet-Shaker Road. Of that 65  
4 percent, 55 percent would go east to the  
5 Northway and points east of the Northway;  
6 10 percent would proceed to the roundabout and  
7 on Wolf Road; the other 35 percent would  
8 proceed north and go to Wade Road and get into  
9 the traffic network for Wade Road to Route 7  
10 to the traffic signal. That's the distribution  
11 of traffic. I don't have the counts with me. I  
12 think that the counts are estimating that  
13 there be 182 vehicle trips in the PM. PM is  
14 the highest traffic developed. There will be  
15 182 vehicle trips at the Watervliet-Shaker  
16 Road entrance. I think that the 182 is the AM;  
17 212 is the PM.

18 MR. MION: That's in addition to what's  
19 already there.

20 MR. SIPPERLY: That's correct. In this  
21 traffic study, they looked at how this traffic  
22 would affect intersections of Sherwood Drive  
23 and the traffic light at the Northway ramps  
24 which is almost one in the same. They also  
25 look at how it would affect the roundabout and

1           also Wade Road at Old Niskayuna Road which is  
2           at this location here (Indicating). Their  
3           findings are that again, the level of service  
4           is there is no deterioration of level of  
5           service. It doesn't go from a C to a D or  
6           anything like that. It's from a C to a C  
7           minus.

8           MR. MION: I'd like to see a copy of  
9           that.

10          MR. SIPPERLY: We're having it finalized  
11          now.

12          CHAIRMAN STUTO: There is a second part  
13          to that memo. You offset the intersection of  
14          Hastings and Collingwood and Hastings and  
15          [SIC] Culladen. The Highway Safety Committee  
16          says:

17                 The Committee feels that this will become  
18                 a traffic hazard resulting in traffic  
19                 accidents.

20                 They would like to see [SIC] Culladen  
21                 lined up with Collingwood, making a similar  
22                 intersection as proposed at Hastings and [SIC]  
23                 Fallkirk Lane. This roundabout type of  
24                 intersection would also serve as a traffic  
25                 calming effect and prevent vehicles from

1 speeding.

2 MR. SIPPERLY: What they're talking about  
3 is this offset intersection right here  
4 (Indicating). We have looked at that and we  
5 can bring this intersection - this roadway  
6 over to make a cross-type intersection here  
7 (Indicating). If we're going to put a  
8 roundabout in there, we're going to probably  
9 attach the wetlands. What we're trying to do  
10 is keep the wetland impact to a minimum.

11 MR. LANE: That would affect your top  
12 part, too.

13 MR. SIPPERLY: Right. We'd have to then  
14 take the top part and -

15 MR. NARDACCI: There is a roundabout up  
16 further, right?

17 MR. SIPPERLY: There is a roundabout at  
18 this location here (Indicating). Roundabouts  
19 are traffic calming but you can't have too  
20 many or it's a nuisance. They can be just the  
21 opposite of traffic calming.

22 CHAIRMAN STUTO: From here, if you're  
23 going south it looks like a straight shot on  
24 that corner, through the roundabout.

25 MR. SIPPERLY: We would make that such

1           that each direction of movement would have to  
2           be kind of an interrupted -

3           CHAIRMAN STUTO: Let me ask Tom about  
4           what we're talking about.

5           MR. LANE: I'm not sure why that would be  
6           any worse than an easement.

7           MR. JOHNSON: The offset shown right now  
8           is what we would call a positive offset. Each  
9           one of the T-intersections do not overlap. So,  
10          if the intersections were flipped, then it  
11          would be much more of a problem where the left  
12          turns would overlap. Again, I agree with the  
13          comment that the four-way - especially being  
14          so close- would be better. I'm not so sure  
15          that a roundabout is necessary then.

16          CHAIRMAN STUTO: Can you give specific  
17          attention to that and work that out with the  
18          developer?

19          MR. JOHNSON: Sure.

20          MR. SIPPERLY: We received that comment  
21          after the concept was put together. We can  
22          take this [SIC] Culladen Road and move it down  
23          so that it lines up as a cross-like  
24          intersection with this street here  
25          (Indicating). We can accomplish that.

1                   CHAIRMAN STUTO: I'd like the TDE to get  
2 their definitive opinion after they have given  
3 it a hard look.

4                   Did you have more to present?

5                   MR. JOHNSON: I'll just respond to any  
6 questions that the Board has.

7                   CHAIRMAN STUTO: Okay, any questions?

8                   MR. LANE: There was a memo from Pete  
9 Lattazio on April 26<sup>th</sup>. He says this project  
10 falls into both fire districts at this time  
11 and they do not want to see Hastings Drive  
12 done on a phasing program.

13                   MR. SIPPERLY: That's not a problem. We  
14 have different products and we would have to  
15 bring the road back to here or here  
16 (Indicating).

17                   CHAIRMAN STUTO: Mike?

18                   MR. SULLIVAN: I think that my question  
19 goes along with that - if you had a timeline  
20 on the phasing that you were going to work  
21 your way in from the end of Hastings. Phase I  
22 would be the first cul-de-sac there?

23                   MR. SAUSTO: I don't know if we have a  
24 specific phasing plan right this minute. I  
25 think that it all ties to absorption. Once the

1 spine road is in and connects  
2 Watervliet-Shaker to Hastings, I think that  
3 we'll have all the water and sewer in at that  
4 point. We're hoping that it will just kind of  
5 move from Watervliet-Shaker, moving backward,  
6 toward Wade Road. That's how we're planning on  
7 having it happen. I think that it will  
8 probably be in three different phases. The  
9 time frame will be starting out in front and  
10 working its way back.

11 MR. SULLIVAN: I read a memo which I  
12 thought that it was going to work from  
13 Hastings in four phases. My main concern is:  
14 When would Hastings be continuous to  
15 Watervliet-Shaker?

16 MR. SAUSTO: That's fine.

17 MR. SULLIVAN: Thank you. That's all I  
18 had.

19 CHAIRMAN STUTO: Tom?

20 MR. NARDACCI: Just a follow up on SEQRA.  
21 In addition to making that change that Elena  
22 noted, have you had correspondence from the  
23 Corp of Engineers about the wetlands?

24 MR. SIPERLY: Yes. Actually the wetlands  
25 have been delineated and they have been

1 reviewed by both the Corp of Engineers and our  
2 wetland consultant just this month. There is  
3 an agreement by the Corp with regard to our  
4 Wetland boundaries. At this point, the Corp is  
5 in the process of putting together a letter of  
6 jurisdictional determination so we can proceed  
7 forward.

8 MR. NARDACCI: Internally, this project  
9 is really good. We've seen too many projects  
10 where the developers are trying to maximize  
11 every single inch of space. You're really  
12 leaving a lot of green, which is really good.  
13 The architecture not only on the apartment  
14 buildings but the different styles - it's a  
15 true mixed-use development. I think that's  
16 something that the Town should be excited  
17 about. It meets a lot of different needs in  
18 the Town and a lot of different things in the  
19 Comp Plan. I'm going to reiterate my support  
20 for the connectivity for pedestrian only and  
21 not for vehicular, not for construction  
22 equipment; just for that pedestrian  
23 connection. I think that's something that's  
24 clearly identified in our Comprehensive Plan.  
25 It's something that we've done on other

1 projects. I know that there was some concern,  
2 but I think that we have to be consistent as a  
3 Board. In order to be consistent, we need to  
4 continue the connectivity.

5 CHAIRMAN STUTO: Lou?

6 MR. MION: I have nothing.

7 CHAIRMAN STUTO: Kathy?

8 MS. DALTON: I agree with Tom regarding  
9 the connectivity.

10 We were talking about some of the  
11 building and development that's happening on  
12 the other side of the Northway on 155 and  
13 coming in and out of there. I'm wondering if  
14 the traffic study that you commissioned took  
15 any of the building that's already on the  
16 Boards, but doesn't necessarily exist right  
17 now.

18 MR. SIPPERLY: I would need to look into  
19 that. We didn't do that in our office. We had  
20 another traffic consultant do that. They  
21 probably contacted the Planning Office to get  
22 some background with other projects that were  
23 proposed in the area to incorporate that.

24 MS. DALTON: With Rumors coming off of  
25 Route 9 and then the Village of New Loudon is

1 going back out that way; I thought that there  
2 were going to be some exits out of that  
3 development.

4 MR. LACIVITA: No. Because it's so wet  
5 back there, too, with the Crossings and  
6 everything - but there was actually nothing  
7 provided because I think that was discussed  
8 during the course of the Berkshire project.

9 MS. DALTON: Right, near Berkshire.

10 MR. LACIVITA: During the course of that  
11 review it was discussed about connectivity  
12 over behind - I think that it's like Green  
13 Meadows or whatever that neighborhood is  
14 behind there. There are no access points. You  
15 have to have housing that's right up next to  
16 it.

17 MS. DALTON: All those folks that are  
18 going to be back there are all going to have  
19 to exit out to Route 9?

20 MR. LACIVITA: That's correct.

21 CHAIRMAN STUTO: I'll hold the rest of my  
22 comments until we hear from the neighbors.  
23 I'll call everybody in the order in which you  
24 signed in. There are four people signed up now  
25 but we won't prevent anyone from speaking. If

1           you could go to the microphone back there so  
2           that we can all hear.

3           Jeanie Bragin.

4           MS. BRAGIN: I live here and my concerns  
5           are about the traffic. This has a lot of truck  
6           traffic coming into it basically 24 hours a  
7           day. If they're going to have a special lane  
8           that's going to come in and out of this  
9           entrance, are they going to have to widen this  
10          road and take part of the frontage on our  
11          property in order to be able to do that?

12          MR. SIPPERLY: No. Our plan is to  
13          construct the turn lane and any improvements  
14          to Albany-Shaker Road. Actually the turn lane  
15          would probably improve it. The three vehicles  
16          being 60 feet in length so the total turn lane  
17          would be about 200 feet.

18          CHAIRMAN STUTO: They may end up moving  
19          that entrance east.

20          Is that right, Lynn?

21          MR. SIPPERLY: Yes.

22          MS. BRAGIN: My next question is: Are  
23          these water sources already there or is that  
24          something that is going to have to be created?

25          MR. SIPPERLY: That's something that is

1 proposed; stormwater management.

2 MS. BRAGIN: So, that water doesn't exist  
3 at the moment?

4 MR. SIPPERLY: There isn't a pond of  
5 water in there. There is a stream down there.

6 MS. BRAGIN: I know about that. If they  
7 create all of this, does that impact this area  
8 here (Inaudible)? I already have a wet cellar.

9 MR. SIPPERLY: It shouldn't impact. We're  
10 going to be on the other side of the stream.

11 MS. BRAGIN: This whole area in here  
12 right now is forested to the extent that there  
13 was an old farm there 60 years ago and it's  
14 been left just to exist. It's really a fire  
15 hazard. In the summertime if you get a drought  
16 and someone flicks a cigarette out the window,  
17 I worry about that. It's also overgrown with  
18 poison ivy and all that other stuff. Are they  
19 going to be able to take care of that? Maybe  
20 if this is going to be commercial, maybe put  
21 up some sort of a fence between our  
22 properties?

23 MR. SIPPERLY: Yes.

24 MS. BRAGIN: Is the school bus system  
25 going to be entering this area to pick up

1 children?

2 MR. SIPPERLY: This will be a public  
3 road.

4 MS. BRAGIN: So, the busses will be going  
5 in and out.

6 MR. SIPPERLY: It will go through the  
7 property.

8 MS. BRAGIN: And where will this jelly  
9 mill thing?

10 MR. SIPPERLY: That will be in this area  
11 here (Indicating).

12 MS. BRAGIN: So, eventually, you would  
13 want to put retail in that whole section right  
14 there (Indicating)?

15 MR. SAUSTO: It's probably going to be  
16 more service.

17 MS. BRAGIN: Would they conform with the  
18 architecture?

19 MR. SAUSTO: Yes.

20 MS. BRAGIN: That would be coming later.

21 MR. SAUSTO: Definitely later than this.

22 MS. BRAGIN: So, this is all apartments  
23 in here?

24 MR. SIPPERLY: There would be mostly  
25 apartments, correct.

1 MS. BRAGIN: What's this?

2 MR. SIPPERLY: Those are garages.

3 MS. BRAGIN: Thank you.

4 CHAIRMAN STUTO: Thank you, ma'am.

5 Shawna Kay Addison.

6 MS. ADDISON: I don't have anything to  
7 say at this moment.

8 CHAIRMAN STUTO: Okay, if you do, wave  
9 your hand to get our attention.

10 Gloria Jean Knorr.

11 MS. KNORR: I am in favor of this  
12 residential development because I support  
13 cluster development and conserving open space.

14 I also support the vision of new urbanism  
15 which is in the issue of Country Living. It  
16 had a feature on Prairie Crossing, a new  
17 development in Grace Lake, Illinois, which was  
18 the first community wide project brought to  
19 fruition under the Department of Energy's  
20 Building America program. A number of housing  
21 options is offered through the community and  
22 that's important. Housing with a village  
23 setting is a very desirable residential  
24 development to facilitate the wellbeing and  
25 quality of life for the future of residents. I

1 believe that there is a home buying public who  
2 sees the enormous promise of better homes and  
3 better communities and it demands that it be  
4 built. I believe that this project is meeting  
5 those needs. Thank you.

6 CHAIRMAN STUTO: Thank you.

7 Richard Nottke.

8 Sir, did you write a letter?

9 MR. NOTTKE: Yes, I did, sir. I was just  
10 going to ask if you all received it.

11 MR. NARDACCI: We read it.

12 CHAIRMAN STUTO: Electronically, or is it  
13 in your packet?

14 MR. NARDACCI: No, it's in the packet.

15 CHAIRMAN STUTO: Okay, then we all have  
16 it.

17 MR. NOTTKE: The top part has been  
18 resolved, obviously.

19 I have concerns about the pedestrian  
20 walkway. I don't see how that aligns with the  
21 50-foot buffer that the developers have been  
22 promising since the inception. I don't know if  
23 anyone on the Board has actually seen  
24 19A Sherwood. It was a paper street when  
25 Beverly Park was constructed in 1953. It was

1           deeded by the original developer in November  
2           of '85 or somewhere around there. It actually  
3           was a private parcel for like 23 years. It is  
4           now a legal title. That happened in March of  
5           2009. I don't know why you would want to have  
6           pedestrian connectivity with that physical  
7           layout.

8                        I have a picture of my house, if the  
9           Board would like a take a look at what I'm  
10          talking about.

11                       CHAIRMAN STUTO:    Sure.

12                       MR. NOTTKE:    I know that at the May 12<sup>th</sup>  
13          meeting, at least when I was there for the  
14          presentation, the poll was given to the  
15          audience about a pedestrian connection and  
16          there was not one person, to the best of my  
17          knowledge, that raised their hand in support  
18          of it. What happened after I left, I can't  
19          speak to. Correct me if I'm wrong.

20                       =autoMR. SAUSTO:   The show of hands was  
21          for vehicular and not pedestrian. There were  
22          other people that said they don't care.

23                       MR. NOTTKE:    I obviously have a vested  
24          interest in caring because my property is  
25          contiguous to that road.

1 MR. SAUSTO: That's your home there?

2 MR. NOTTKE: That's my home there.

3 MR. SAUSTO: Are those your vehicles?

4 MR. NOTTKE: Those are the neighbors and  
5 I wish they were here to speak. They chose not  
6 to.

7 MR. LANE: They're using it as a  
8 driveway, right?

9 MR. NOTTKE: In essence, yes, but they're  
10 parked on a legal street. I don't know how the  
11 Colonie police feel about that. I have one car  
12 and I park in my own driveway on my own  
13 property. I've never had a problem with  
14 21 Sherwood blocking me.

15 MR. ROSANO: I can tell you that the  
16 police know now. I promise you that they know  
17 now.

18 MR. NARDACCI: What's the concern with  
19 the pedestrian connection?

20 MR. NOTTKE: This neighborhood has been  
21 so insulated for the last 15 years. This house  
22 has been in my family since 1960. It's been by  
23 itself. Okay, fine, when Brooklyn Park was  
24 built, would you do a walkway across the  
25 Northway for connectivity? We lived across

1 Swayze Drive. Do you have a pedestrian  
2 connection to those neighborhoods? I just  
3 don't see the need for pedestrian connection  
4 to an old established neighborhood and a new  
5 neighborhood. I don't think that anybody would  
6 really want to go through there except for  
7 kids.

8 Then, when I'm backing out of my  
9 driveway, I have to be careful of that kind of  
10 stuff. It's not that I'm not now, but I will  
11 be then. The best that I can say is that I'm  
12 totally opposed. I don't know how else to  
13 explain it. I just don't think that it's  
14 necessary.

15 I understand the Comprehensive Plan. I've  
16 read it. I know that Canterbury Crossings, for  
17 example - there is a road that they're going  
18 to do a Knox box on it because it's an  
19 emergency egress point; 19A Sherwood  
20 Drive isn't an emergency ingress point. Plus,  
21 there is a state law that says that you can  
22 discontinue that highway just by having  
23 19 Sherwood and 21 Sherwood petition the Town  
24 Board, which hasn't been done, but it's  
25 certainly a discussion with the Attorney's

1 office. I guess unless anyone wants to  
2 question me further on why - I just oppose it.

3 CHAIRMAN STUTO: We appreciate your  
4 opinion.

5 MS. DALTON: I don't mean to be  
6 difficult, but when I hear you saying is that  
7 you don't want it there. It wasn't there  
8 before and it shouldn't be there again. When  
9 we look at the connectivity components of the  
10 plan, it encourages walking, it encourages  
11 bike riding among kids and interaction among  
12 neighbors. It keeps people from walking on the  
13 main highway if they ever want to go and visit  
14 their neighbors.

15 MR. NOTTKE: True, but that is a  
16 designated highway. So, it would come from  
17 private property onto a legal street with  
18 bicyclist and stuff right by my driveway which  
19 opens onto that street. That's the problem.  
20 It's a safety issue.

21 MS. DALTON: I understand, but I think  
22 that everybody's driveway opens up to the  
23 street. I'm asking you why having a pedestrian  
24 crossing - not even a car but a pedestrian  
25 crossing - is onerous to you? That provides a

1 benefit to a whole host of people -

2 MR. NOTTKE: Since I lived in that house  
3 since 1960, there have been ATVs that have  
4 gone through and one person actually broke  
5 their leg out there on that property. I've had  
6 bow and arrow hunters out there. To their  
7 credit - when I tell the developers about  
8 that, they solve the problem. I don't think  
9 that street was ever meant to be an access to  
10 a private property.

11 CHAIRMAN STUTO: It wouldn't be for  
12 access to a private property. It would connect  
13 that cul-de-sac to the other cul-de-sac. So,  
14 it would be connecting a street to a street.

15 MS. DALTON: The only reason that I ask  
16 is that it concerns me when you talk about the  
17 possibility of entering into lawsuits or  
18 whatever when it costs the Town money and it  
19 costs you money.

20 MR. NOTTKE: This wouldn't be a lawsuit.  
21 It just says in plain English that if there is  
22 a street and there are two people on the side  
23 of it and the Town has no use for the street,  
24 if the Planning Board is now saying that the  
25 use of this street is going to be as a

1 pedestrian connection, that might shoot the  
2 intent of that law right down. I don't know.

3 CHAIRMAN STUTO: Tom, do you have a  
4 comment?

5 MR. JOHNSON: If I could just ask a  
6 question?

7 We did receive an e-mail after the public  
8 meeting. Who lives next door? There is a  
9 mention of a Debbie Riley. Does she live at  
10 19?

11 MR. NOTTKE: I may have mentioned her by  
12 name in that e-mail.

13 MR. JOHNSON: Does she live at 19?

14 MR. NOTTKE: No, I live at 19. I'm the  
15 property owner and Debbie Riley is the  
16 property owner of 21 Sherwood.

17 MR. JOHNSON: I don't know if you're  
18 speaking for her and if she doesn't want the  
19 connection -

20 MR. NOTTKE: I understand that there was  
21 some confusion on that during the public  
22 meeting and I'm not speaking on her behalf. I  
23 want to make sure that's on the record. I wish  
24 she were here to speak on her behalf. I  
25 encouraged her to do so, but as you can see,

1 she's not here. I'm just expressing my  
2 opinion.

3 Getting back to the buffer - am I assured  
4 a 50-foot buffer with the foliage behind my  
5 house regardless of the decision made on the  
6 pedestrian access?

7 MR. NARDACCI: I think that's very  
8 important. I mean, the buffer is important.  
9 It's stated here that they would make sure  
10 that there was a buffer.

11 What type of buffer do you want? What is  
12 the developer willing to provide?

13 CHAIRMAN STUTO: Lynn, can you tell us  
14 what you're currently planning?

15 MR. SIPPERLY: Thank you. We're going to  
16 put the 50-foot buffer along the rear of the  
17 cottage homes, right here (Indicating). There  
18 is going to be a water main constructed as a  
19 connection to Sherwood Drive, here. Again,  
20 Latham Water wants to be sure that water is  
21 circulating. So, we are proposing to do some  
22 work in here. There would be a 30-foot  
23 easement for waterline purposes.

24 MR. NARDACCI: That's the only  
25 construction. You're not going to have

1 construction vehicles coming in and out of  
2 there. That's the only construction activity  
3 that will be the water main?

4 MR. SIPPERLY: That's correct. That will  
5 probably be a two-day job and it will be done.

6 MR. NARDACCI: And what's the buffer  
7 proposed?

8 MR. SIPPERLY: Behind Mr. Nottke it will  
9 be a 50-foot buffer.

10 MR. NARDACCI: What's proposed? Is there  
11 screening proposed?

12 MR. SIPPERLY: Here, we're saying that  
13 there is a no-cut for vegetation of trees  
14 there. Except the borderline - we are going to  
15 have to clear it. That's kind of where we were  
16 thinking of a pedestrian connection to be  
17 along that same area.

18 MR. NARDACCI: From his backyard, what's  
19 his sightline going to be? Is he going to be  
20 able to see the homes behind him? I don't know  
21 what the vegetation looks like behind there.

22 MR. SAUSTO: We have made the commitment  
23 that we would put a fence in and maintain it  
24 in perpetuity right from day one. Anyone who  
25 wants to plant on their side of the fence

1           could do so. I'm afraid, to tell you the  
2           truth, to be in a situation where when someone  
3           feels the foliage from day one is beautiful  
4           and they sell their house and the trees are  
5           down and it's not beautiful anymore. I just  
6           think that we're better off not putting up a  
7           fence.

8                       MR. NARDACCI: Something that we've done  
9           in other similar types of developments is  
10          we've had the developer have a direct  
11          conversation with the neighbors with regard to  
12          foliage. I can understand the fence and  
13          maintaining it in perpetuity. You're doing a  
14          lot, but the natural screening is also  
15          mentioned in our guidelines.

16                      As far as the screening or buffering,  
17          have you talked to them about a fence?

18                      MR. NOTTKE: I think that right now in  
19          looking out my backdoor, the foliage that's  
20          there I can see directly behind my house.

21                      MR. ROSANO: Is there a change in  
22          elevation?

23                      MR. SIPPERLY: No.

24                      MR. NARDACCI: In order to build the  
25          property, is there going to be -- is the

1 foliage clear cut or is there going to be -

2 CHAIRMAN STUTO: He said that there is a  
3 50-foot no cut.

4 MR. SIPPERLY: The back yards of the town  
5 homes would be here (Indicating).

6 MR. NARDACCI: Let me just be perfectly  
7 clear. When this gentleman walks out his back  
8 door, when it's all built, what's he going to  
9 look at? Is he going to look at the back of  
10 town homes?

11 MR. SIPPERLY: No.

12 MR. NARDACCI: What's he looking at?

13 MR. SIPPERLY: He's looking at the  
14 buffer.

15 MR. NARDACCI: As far as the buffer, what  
16 is the screening?

17 MR. SAUSTO: Sticks and brush. There are  
18 some big trees. In the winter, you'd easily be  
19 able to see a house, I think. In the summer, I  
20 don't think that there would be any chance  
21 you'd see.

22 MR. NARDACCI: So, there is going to be a  
23 boundary maintained. There won't be any  
24 cutting of all the foliage.

25 MR. SIPPERLY: Not in this area.

1                   MR. NARDACCI: I think that addresses the  
2 concern.

3                   CHAIRMAN STUTO: Mr. Rosano had a couple  
4 of questions.

5                   MR. ROSANO: I have a letter from the  
6 Conservation Advisory Council. Maybe you can  
7 answer these questions tonight? I'm just going  
8 to take one sentence at a time.

9                   "We've elected the developers to  
10 determine an approximate size of the culvert  
11 pipe --"

12                   Do you remember that letter?

13                   MR. SIPPERLY: I do. I don't know if we  
14 can put a culvert in that's large enough for  
15 wildlife. We would have a culvert that would  
16 go across the road that would separate  
17 wetlands.

18                   MR. ROSANO: Do we know what we're  
19 talking about as far as wildlife? Has anyone  
20 come forward on that? Do we know?

21                   MR. SIPPERLY: I think that it's all the  
22 normal wildlife that you see in a suburban  
23 area. It probably goes from deer to coyote to  
24 skunks, rabbits and squirrels. What happens is  
25 when you do a cluster development, the

1 wildlife doesn't normally move off the site.  
2 If we had a plan that was a traditional  
3 subdivision, all the land is under private  
4 ownership with lots.

5 FROM THE FLOOR: There are areas behind  
6 my house; we have lots of coyotes and skunks.

7 MR. ROSANO: This is question three. My  
8 dinner tonight is going to revolve around your  
9 answer to this.

10 "The Council encourages the developer to  
11 work with Town officials to identify and mark  
12 trees that should be stayed prior to start of  
13 the project."

14 Do you have a comment on that?

15 MR. SIPPERLY: Yes, we can walk in and  
16 tag them. We'd be happy to.

17 MR. ROSANO: I'm done.

18 CHAIRMAN STUTO: Anybody else from the  
19 public?

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

21 CHAIRMAN STUTO: I think that it's a good  
22 mixed-use project. I appreciate all the effort  
23 that you have put in. I appreciate the effort  
24 on the screening and the fencing. I appreciate  
25 the fact that you have met with the neighbors

1 and went to the effort of producing a  
2 brochure. I think that gets a lot of the big  
3 issues out of the way. I think that you've  
4 done a lot of good work. We still have some  
5 issues to look at between concept and final.  
6 For the record, I'm in favor of that  
7 connectivity. I'm not saying that we're going  
8 to vote on that, per se, tonight, but maybe  
9 you could show it both ways for final.

10 My experience is that people may resist  
11 that in the beginning and then they end up  
12 liking the amenity. I can't speak for people,  
13 but that's just my opinion.

14 That's the end of my comments.

15 MR. LACIVITA: I know that my office has  
16 received some phone calls as to the plan of  
17 the apartments into the housing structure. I  
18 know that before we talked about it to this  
19 Board whether they were going to be just  
20 apartments, luxury apartments - kind of the  
21 pricing structure of those. I wonder if we  
22 could just kind of talk a little bit about  
23 that. The conversations that I've had with  
24 some of the residents of the area are how can  
25 you blend an apartment with a town home when

1 the price was in the 3's? What is the  
2 possibility for the potential turn over?

3 MR. SAUSTO: I think that it's a very  
4 fair comment. I think that there are some good  
5 examples out there. I think that one of the  
6 first steps is making sure that the apartments  
7 have enough breathing area and that the  
8 architectural styles are strong. These are  
9 luxury apartments and I think that our price  
10 point is somewhere between \$1.20 and \$1.30 per  
11 square foot per month. So, a 1,000 square foot  
12 apartment would be \$1,200 to \$1,300 a month.  
13 That's how we would figure it. I think that  
14 there are some great examples. There are some  
15 in Guilderland. I think Oxford Heights and in  
16 Menands there is Dutch Village. Dutch Village  
17 sits at the threshold of Wolfert's Roost and  
18 Roost Estates where the homes go well over  
19 \$400,000.

20 In the aerials, don't forget, we have  
21 warehouses, office buildings this way and it  
22 didn't make sense to have single families  
23 loaded overlooking into office parks. It's  
24 much more acceptable in the apartment side. I  
25 think that both architectural styles - make

1           sure that they have enough room to breathe and  
2           the placement on the property is how we think  
3           that could work.

4           MR. LACIVITA: So, probably with the way  
5           that the tree line would be, there would be  
6           some type of buffering where you may not see  
7           that specifically from a single family.

8           MR. SAUSTO: I think that I can tell you  
9           right now, Joe, that we're trying to make this  
10          a community. I hope that there is a 65-year  
11          old woman living next to a 28-year old college  
12          grad who came back to this area and they made  
13          friends with someone who lives over there  
14          because they met in the mailroom. We don't  
15          want to isolate different sections. Maybe by  
16          landscaping we'll define different uses, but  
17          we are looking to build a community.

18          MR. LACIVITA: Peter, during the course  
19          of the review of all the Planning Board  
20          members, there were several concerns. I listed  
21          six. I don't know if you want me to go over  
22          those to see if there is any need to explain  
23          on those further.

24          CHAIRMAN STUTO: Sure.

25          MR. LACIVITA: The one concern that they

1 had was the completion of that road from Wade  
2 Road to Watervliet-Shaker.

3 CHAIRMAN STUTO: I think that we've  
4 answered that.

5 MR. LACIVITA: Okay, there was also a  
6 concern on the traffic study and that it be  
7 reviewed by the TDE. And also looking at the  
8 attention being paid with the possible of  
9 T-intersections. The TDE will certainly look  
10 at that.

11 Through the course of the review and the  
12 conversations, we initially talked on the  
13 SEQRA being updated for item 16, which talked  
14 about the wetlands. As we went on further with  
15 item 6, from the Conservation Advisory  
16 Council, we're talking about the significance  
17 of trees and so on. That's also identified in  
18 items 11 and 5. So, an updated SEQRA would be  
19 needed for the final.

20 With regard to the connectivity and  
21 Sherwood Drive, we're going to show that at  
22 final to see what that's going to look like.  
23 Maybe from a perspective if it does look at a  
24 pedestrian access, we could do some type of  
25 green access that may be maintained by the

1 homeowners association to make sure that it  
2 doesn't become unsightly or unruly over time.

3 Then there is going to be that no cut  
4 buffer - 50 foot - along Sherwood Drive for  
5 the residents to make sure that's being done.

6 Those are what I kind of pulled out from  
7 the conversations. I don't know if there are  
8 any more.

9 MR. DALTON: And there was the culvert  
10 for the wildlife.

11 MR. LACIVITA: Yes, six was the  
12 Conservation Advisory item 2 and 3.

13 CHAIRMAN STUTO: Elena, is there anything  
14 else that we need to talk about before we want  
15 to consider what we want to do on the  
16 application?

17 MS. VAIDA: Just as I said on the last  
18 applicant and I know that we've done this  
19 before. This is concept and it's not an action  
20 by the Board. If concept is accepted, it's not  
21 an entitlement to go forward to the next step.  
22 Concept is a discussion phase, as we're doing,  
23 and discussing what may or may not need to be  
24 changed.

25 CHAIRMAN STUTO: With that understanding,

1 do we have a motion for concept acceptance?

2 MR. NARDACCI: I'll make a motion for  
3 concept acceptance.

4 MR. MION: Second.

5 CHAIRMAN STUTO: All those in favor?

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

7 CHAIRMAN STUTO: All those opposed?

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

9 CHAIRMAN STUTO: The ayes have it.

10

11

12

13

14

15

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

16

***entitled matter was adjourned at***

17

***10:15 p.m.)***

18

19

20

21

22

23

24

25

**CERTIFICATION**

1  
2  
3  
4           ***I, NANCY STRANG-VANDEBOGART, Shorthand***  
5           ***reporter, New York State Approved Transcriber***  
6           ***and Notary Public in and for the State of New***  
7           ***York, hereby CERTIFY that the record taped***  
8           ***and transcribed by me at the time and place***  
9           ***noted in the heading hereof is a true and***  
10           ***accurate transcript of same, to the best of***  
11           ***my ability and belief.***

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

17  
18  
19           ***Dated July 12, 2011***