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PLANNING BOARD COUNTY OF ALBANY
TOWN OF COLONIE

PROJECT STATUS DISCUSSION REGARDING
THE FRESH MARKET/LOUDON COMMONS 664 LOUDON ROAD

THE TAPED AND TRANSCRIBED MINUTES of the above entitled
proceeding BY NANCY STRANG-VANDEBOGART commencing on
June 9, 2009 at 10:18 p.m. at the Public Operations Center
347 Old Niskayuna Road, Latham, New York 12110

BOARD MEMBERS:

THOMAS NARDACCI, Acting Chairman
MICHAEL SULLIVAN
GEORGE B. HOLLAND, JR.
CHARLES J. O'ROURKE
TIMOTHY LANE
PETER STUTO, Jr. Esq., Attorney for the Planning Board

Also present:

Joseph LaCivita, Director, Planning and Economic Development
Mike Lyons, Planning and Economic Development
Joe Grasso, Clough Harbour and Associates

1 ACTING CHAIRMAN NARDACCI: The last item on the
2 agenda is Fresh Market in Loudon Commons, 664 Loudon
3 Road.

4 Basically, it's just a project status discussion
5 with Joe of Clough Harbour.

6 MR. GRASSO: At the last Planning Board meeting,
7 I think that everyone recalled one of the large issues
8 that remained to be resolved with Fresh Market was the
9 access issue off of Route 155. They haven't been able
10 to set up a meeting with DOT prior to that Planning
11 Board meeting. They hadn't really tried very hard. We,
12 along with Joe's help reached out to DOT and we set up
13 a meeting, but that meeting is scheduled for tomorrow.
14 So, there was no reason for them to come back before
15 the board tonight asking for any final decision.

16 We have been working with the applicant for the
17 past couple of weeks on a revised plan regarding the
18 grade off Route 155 and what we've been working with
19 them on has not been discussed with DOT yet. It will be
20 discussed tomorrow, but I can just pass out copies of
21 the plan and just quickly show everybody.

22 The point that I wanted to talk about tonight is
23 that if the Planning Board has significant concerns, it
24 would be nice to know now.

25 The blow up on the left hand side of the sheet is

1 all I really want you to focus on. That's the curb cut
2 off of Route 155. The grade down 155 was that 9^{1/2}%
3 proposed; whereas the existing grade is about 8%. They
4 have since revised a grade down to 8% in accordance
5 with our recommendation. DOT's recommendation in their
6 comment letter was that their standard was 6% and they
7 just wanted it less than what they proposed but didn't
8 give a finite grade amount that they should design to.

9 ACTING CHAIRMAN NARDACCI: What is it currently?

10 MR. GRASSO: It's at 8% currently.

11 MR. O'ROURKE: But it's at a shorter distance,
12 though.

13 MR. GRASSO: In this building they want to be
14 able to use tenant spaces all the way down, not knowing
15 where the road is going to be. They've actually shown
16 like a patio area that might accommodate a restaurant
17 use or something there all at finished grade level.

18 This is a retaining wall that carries all around
19 the side. We're fine with this entrance grade at 8%.
20 One change that we did require them to make today
21 though was they've got two crosswalks crossing the
22 access road. They feel like the northerly crosswalk is
23 a portioned location because they're trying to provide
24 a parking lot across the entrance way. They thought
25 that location would be acceptable.

1 When you get on the west side of the access road,
2 they actually had a long ramp system that took you all
3 the way down toward the end of the building. What it
4 created was a 7 foot high retaining wall not including
5 the railing right up against the access road which we
6 thought was a safety concern. It just wasn't a very
7 good site design element. We had them eliminate that
8 one retaining wall so now it's much shorter and the
9 maximum height in that location is like 3.5 or 4 feet.

10 We also had them change the land widths out here
11 (Indicating) so that there is a little bit more width
12 for the inbound lane. This plan satisfies our concerns
13 regarding pedestrian accommodations and the grade issue
14 over 155 and we wanted to see if it was conceptually
15 acceptable to the Planning Board and if so, we would
16 represent that with DOT tomorrow.

17 MR. O'ROURKE: I don't have any problem with
18 that.

19 MR. SULLIVAN: The existing ramp is at 8%?

20 MR. GRASSO: The existing access road?

21 MR. SULLIVAN: Yes.

22 MR. GRASSO: Yes, that's at 8%.

23 MR. SULLIVAN: And if they had moved that to the
24 proposed, it would be like 9^{1/2}%. I like the 8% matching
25 the existing but if DOT stands by the 6% is the

1 developer willing to extend it down?

2 MR. GRASSO: We have discussed it and I don't
3 think that he's willing to make that change.

4 MR. LANE: We don't necessarily have to go along
5 with DOT, do we?

6 MR. GRASSO: No. You're not bound by it, but the
7 applicant is bound by having meeting DOT's -

8 ACTING CHAIRMAN NARDACCI: Joe, what you want to
9 do is go into DOT and meet with them and represent that
10 the Planning Board is okay with this particular plan
11 and in line with the applicant to unify opinion.

12 MR. GRASSO: Right and if DOT, for whatever
13 reason says well, what we might want 7½% then I really
14 don't know where the line is for the applicant. I know
15 that the 8% would be a substantial impact.

16 ACTING CHAIRMAN NARDACCI: It's fine with me. I
17 think that the existing grade is 8%.

18 MR. O'ROURKE: What's going to be there if they
19 don't do that? It's a huge improvement over what's
20 there.

21 ACTING CHAIRMAN NARDACCI: The fact of the matter
22 is that this is a site that I know I've been talking
23 about since day one here that if any site needs this,
24 this is the one that need redevelopment. This is one
25 that we have to do what we have to do to get it going.

1 MR. GRASSO: George, any issues or concerns with
2 that arrangement?

3 MR. HOLLAND: No.

4 MR. GRASSO: Okay, so assuming that this is
5 acceptable to DOT, I would expect them to resubmit
6 plans and have them be back quickly before the board.

7 ACTING CHAIRMAN NARDACCI: Joe, as far as
8 scheduling?

9 MR. LYONS: Tom part of the issue tonight is that
10 this was rescheduled for this evening. We would be able
11 to retable it and reschedule them for a week.

12 MR. LACIVITA: I have them down on the 23rd as a
13 final approval with a question mark on it already if we
14 can get the reviews done on time for resubmittal.

15 MR. O'ROURKE: I take it that it's pretty much
16 done except for this.

17 MR. GRASSO: There is a lot of other comments
18 that we will have to do a letter for, but our reviews
19 are pretty much set. I think that the other departments
20 are obviously going to get another chance to review the
21 plans. I wouldn't wait to put them on the agenda for
22 the other departmental comments.

23 MR. LACIVITA: What I'm saying, Joe, is that I
24 already have them marked down for Tuesday the 23rd. I
25 don't know if there are any other issues with that

1 being met.

2 MR. GRASSO: And we've already reviewed this
3 issue.

4 ACTING CHAIRMAN NARDACCI: Motion to adjourn?

5 MR. LANE: Motion.

6 MR. O'ROURKE: Second.

7 ACTING CHAIRMAN NARDACCI: Thank you.

8 Meeting adjourned.

9

10 *(Whereas the proceeding concerning the above*
11 *entitled matter was adjourned at 10:27 p.m.)*

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CERTIFICATION

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

NANCY STRANG-VANDEBOGART

Dated June 20, 2009