

1 PLANNING BOARD COUNTY OF ALBANY
2 TOWN OF COLONIE

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4 *****
5 THE MAXWELL ROAD SENIOR PDD ALSO KNOWN
6 AS 605 ALBANY SHAKER ROAD
7 AND 210 MAXWELL ROAD
8 REVIEW AND UPDATE
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11 THE TAPED AND TRANSCRIBED MINUTES of the above
12 entitled proceeding BY NANCY STRANG-VANDEBOGART
13 commencing on September 22, 2009 at 8:48 p.m. at
14 the Public Operations Center 347 Old Niskayuna
15 Road, Latham, New York 12110

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17 BOARD MEMBERS:

18 JEAN DONOVAN, CHAIRPERSON
19 CHARLES J. O'ROURKE, JR.
20 MICHAEL STEWART
21 ELENA VAIDA
22 TIMOTHY LANE
23 PETER STUTO, Jr. Esq., Attorney for the Planning
24 Board

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27 Also present:

28 Kevin DeLaughter, Planning and Economic
29 Development
30 James Finning, Finning Properties, LLC
31 Brad Grant, Barton & Loguidice
32 Jamie Easton, PE

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1 CHAIRPERSON DONOVAN: We do have three
2 other projects on the agenda. The next one
3 is the Maxwell Road planned development
4 district.

5 MR. FINNING: I promise that we'll be
6 brief.

7 Thank you for the opportunity to come
8 back to you and present what we have
9 learned since we were last here a few weeks
10 ago. We took the board's advice and
11 organized a neighborhood meeting.

12 CHAIRPERSON DONOVAN: I'm glad you did
13 that. That's good.

14 MR. FINNING: It was good and it was
15 very productive. Brad came to the meeting
16 and I think that he can attest to the fact
17 that it went very well.

18 We've implemented some of the changes
19 that were suggested by both the board and
20 by our neighbors. We've reduced them to the
21 new plan and we have copies of the new plan
22 for you and we hope that works better for
23 the board. We think that it works better
24 for the neighborhood, for the developers
25 and for the town, as well.

 CHAIRPERSON DONOVAN: I think that the
neighbors have to be pleased because you've
moved those homes away from the back of
their properties. You decreased them back
near Margaret Drive. I'm talking about near
Margaret and Karen in through there.

 MR. FINNING: Yes.

 CHAIRPERSON DONOVAN: And you moved
them over to the estate lot.

 MR. FINNING: It used to be the estate
lot. There is no longer an estate lot.

 Madam Chairman, you suggested that we
move the two that were at the main entrance
coming in here (Indicating). We've also
taken those out.

 Jamie can expand on this. We've worked
with the town and on reducing some of the
stormwater collection areas and we think
that we have a pretty good understanding
with the town on how that would work best
for everyone.

1 MR. EASTON: Certainly after our last
2 discussion meeting about the project,
3 certainly the town and the general public
4 had some comments about our old plan. We
5 went right back to the drawing board and we
6 came up with this right here (Indicating).
7 Exactly what you see here is what was
8 presented to the public.

9 Certainly before I presented to the
10 public I also talked to the town and have
11 combined some stormwater detention areas so
12 not to have a detention pond next to a
13 detention pond. Those are maintained by the
14 town. To me, that kind of seemed silly to
15 do that and so we sort of combined things.

16 So, we came up with this plan. For the
17 general public we gave them this plan and
18 you'll see also in your packet that you
19 received a package of similar plans with
20 red blocks on it. Those red blocks are the
21 approved location of the current PDD
22 legislation. Basically what we're able to
23 show to the public is that they're
24 basically in the same spot and we're
25 actually pulling things away that were
actually closer than before to the
property. So as we looked to the public, we
certainly informed them of this and what
we're proposing to do and at that meeting
we wanted to get their input. That was the
biggest part of that meeting and I think
that Brad can really attest to that. We
really got their input.

1 I included in this packet their
2 general comments and some of their general
3 concerns. One of the major things was that
4 they don't want a fence. They want natural
5 vegetation. Along with this lot
6 (Indicating), this gentleman wanted a
7 10-ten foot natural buffer with some
8 additional screening mixed into that.

9 That's where we are right now. We
10 certainly have the comments from the public
11 and that's what we're here now for is to
12 obtain your general comments about this
13 proposed plan and then put it together and
14 then resubmit it and then go from there.

1 CHAIRPERSON DONOVAN: I'm pleased that
2 you went back and you listened to us and
3 you listened to the neighbors and you came
4 up with a new proposal.

5 One thing that I don't see on this
6 plan and you probably haven't had the
7 opportunity yet to deal with it is the new
8 cul-de-sac with the five new homes or the
9 seven new townhouses. You will obviously
10 have to buffer along there.

11 MR. EASTON: Yes.

12 CHAIRPERSON DONOVAN: It looks like
13 you're going on the right track in meeting
14 with the neighbors in answering their
15 needs.

16 Mike, do you have anything?

17 MR. SULLIVAN: I was just wondering
18 about the buffer to the residents.

19 MR. EASTON: Certainly the comment
20 notes that are attached to your back
21 packets does make note to mention these
22 individuals wanting a natural buffer. So,
23 it's documented in there and that we will
24 provide that.

25 Another thing that the general public
wanted to see was a general crosssection of
these elevations. Some people can't read a
contour map and they wanted to see the
relative elevations of their house, the
proposed house and the new Maxwell Road.
So, that's something that will be presented
once we get everybody's comments in and
then we'll present it back to make sure
that everybody is happy.

 MR. SULLIVAN: Will there be any
buffer along Albany-Shaker, because it's
facing the back of those houses.

 MR. EASTON: I will leave that to Jim
on the additional buffering along the rear
of those houses.

 MR. FINNING: We have no problem with
the additional buffers.

 MR. SULLIVAN: Thank you.

 MR. O'ROURKE: I think that the
planning in the town - certainly as we move
forward, you guys have done a great job. I
appreciate you going back and working with

1 the people. That hasn't always been the
2 case in the Town of Colonie and I certainly
3 appreciate developers coming in and doing
4 things that we, as a board, ask so that we
5 can smartly develop the property that's
6 left. There is a lot of property.

7 I'm 100% in favor in getting rid of
8 that estate lot and moving those properties
9 off which I knew that there was enough
10 space and you guys did a good job of doing
11 that. You actually created more space as I
12 look at it. So, again, anything is possible
13 and I appreciate you guys doing this kind
14 of work.

15 CHAIRPERSON DONOVAN: Elena?

16 MS. VAIDA: I just had a question for
17 Kevin.

18 I don't know if we said it last time
19 that we need to adopt a new SEQRA or
20 whether we decided that the change was not
21 significant enough to change the prior
22 SEQRA that was adopted.

23 MR. DELAUGHTER: That's something that
24 we'll need to take a closer look at. Their
25 next step will be to more fully develop the
26 concept and resubmit to the Planning
27 Department to review it with concept and
28 come back to the board. We'll look at it in
29 that time frame and provide a
30 recommendation.

31 CHAIRPERSON DONOVAN: Tim?

32 MR. LANE: Great job.

33 CHAIRPERSON DONOVAN: Brad?

34 MR. GRANT: Even if SEQRA were to
35 remain the same would it need to be

36 reviewed?

37 MR. DELAUGHTER: The recommendation
38 needs to go back to the Town Board for the
39 amendment so there would be an amended
40 findings statement.

41 CHAIRPERSON DONOVAN: Yes, sir.

42 MR. STAPLETON: This is the first time
43 that I've heard anything about this one.

44 How many houses?

45 MR. O'ROURKE: It's a senior PDD; 55
and above.

1 MR. FINNING: There are 51 in there.

2 CHAIRPERSON DONOVAN: Anybody else?

3 You're going to go back and get us
4 some plans now?

5 MR. FINNING: We are. You tell us that
6 you're ready and we'll get them done and
7 get them submitted.

8 CHAIRPERSON DONOVAN: Brad, do you
9 have anything else?

10 MR. GRANT: I just want to reiterate
11 the appreciation for the process that they
12 went through and made their best effort
13 with the cost. I think that with the
14 neighbors' comments, I think that the end

15 product will be that much better.

16 CHAIRPERSON DONOVAN: Sir?

17 MR. BENTON: My name is Bruce Benton
18 and I live on Old Loudon Road.

19 The issue of stormwater - with Old
20 Loudon Road we've had for years issues with
21 water and drainage. You, as a board, look
22 at these on a project by project basis and
23 mitigate the effects of stormwater in
24 certain areas. Has the board taken a
25 comprehensive look at development
throughout the town and how the big the
impact of storm drainage is? Eventually
it's kind of like having a bunch of small
project in a forest. If you take a little
bit of forest there and some there, pretty
soon you have no trees. In terms of
stormwater run-off, do you have a
comprehensive view?

CHAIRPERSON DONOVAN: What we attempt
to do -- we get projects in front of us and
what we've attempted to do is to take a
look at not only the impact of the project
on the developable site but beyond that.
We've been trying to do that. But you're

referring to the town as a whole.

We have a stormwater plan for the
town, is that correct?

MR. DELAUGHTER: We don't have an
overall stormwater plan for the town. There
are certain areas of the town where we

1 experience problems and the town has
2 undertaken comprehensive studies of those
3 individual areas.

4 CHAIRPERSON DONOVAN: So we do it when
5 it's brought to your attention and the
6 Planning Department. Is that how we do
7 that?

8 MR. DELAUGHTER: It's generally
9 through DPW. I guess that I would say that
10 we're well versed in stormwater issues. In
11 general, mitigation on a site by site basis
12 is such that there is no additional impact
13 from each site so there is no additional
14 impact.

15 CHAIRPERSON DONOVAN: Siena was iffy.

16 MR. GRANT: The previous year there
17 was a stormwater management done for the
18 town.

19 CHAIRPERSON DONOVAN: I thought that
20 there was done.

21 MR. GRANT: It's global.

22 CHAIRPERSON DONOVAN: Brad worked and
23 did a great job on a problem over in
24 Archmont Knolls. For four or five years the
25 town just couldn't put our finger on what
the problem was and Brad came in as part of
a phase of development over in Archmont
Knolls. They came up with a solution to the
problem.

MR. GRANT: As communities grow, these
issues do come up and some of them
multiply.

CHAIRPERSON DONOVAN: Thank you.

***(Whereas the proceeding concerning the
above entitled matter was adjourned
at 9:01 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 October 26, 2009