

TOWN OF COLONIE PLANNING BOARD MINUTES

May 12th, 2009

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PRESENT: Chairperson Donovan, Members Holland, Nardacci, O'Rourke, Lane, Sullivan, Vaida, Counsel Stuto, Director LaCivita

Also Present: Sr. Planner DeLaughter, Joe Grasso: Clough Harbour Associates, Mark Sargent: Creighton Manning

ABSENT: none

* Chairperson Donovan called the meeting to order at 7:00 PM at the Public Operations Center.

* **Minutes of April 11th, 2009 were tabled due to changes recorded by Board members**

* **Boght Road Traffic Update:** Chairperson Donovan introduced Joe Grasso from CHA and asked that he updated the Board on the ongoing traffic study.

Mr. Grasso noted that he had addressed the Board a little over one month ago when he responded to the comments that the Board and the public had. During the March appearance some comments were raised as to the intersections that they, CHA and Creighton Manning, had studied – including the intersection of Rt 9 and Rt9R. These intersection were, with the suggested improvements were able to keep the level of service to a “C” level for the “short-term”. The long-term, in the year 2020, some service levels drop to a service level of “F”.

CHA and Creighton Manning had also held meetings with DOT and CDTC during the past month to discuss the levels of service and also look at the potential for further development to come on parcel # 28, which would in the long-term add to the decline in the level of service in this area. CHA and Creighton Manning reiterated the potential for the board to look at the allowable land uses and possibly reduce the allow density on this parcel.

The other intersection of focus was the Dunsbach Ferry Road and Rt 9. Understanding the long-term service would decline to a level of “F”, it is the recommendation of both CHA and Creighton Manning to monitor the service and development as it continues. The reason for such a recommendation was that they felt DOT would not support such changes until there were safety concerns.

Mr. Grasso wanted Mr. Sargent from Creighton Manning to explain the alternative improvements that could be included within the study. Additionally, he addressed the resolution that will needed to be adopted to formally update or amend the statement of findings – noting the Planning Board is lead agency.

Chairperson Donovan introduced Mr. Sargent. Mr. Sargent addressed the concern one may have on “level of service F”. Level of service F in engineering terms does not always relate to safety – it just means that you will wait a longer period of time. *A series of charts were then explained as to how they got to the expected levels.* He went on to say that during the years to come and the amount of development that was expected, delays would increase. Additionally, all the proposed improvements are included within the mitigation fee process.

Member O'Rourke asked if it took into account the WalMart project. Mr. Grasso responded “yes”. Member O'Rourke then asked about the Starlight Theater. Mr. Grasso

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responded that this location is in the long-term and it includes 900,000 sq ft of potential development in a COR zone.

Mr. Grasso went on to say that even though the study and the projects are taken out to the year 2020, it is also hard to predict exactly what will be built out through that time period as well as what improvements will be built. A projected cost estimate for the improvements back in 1989 was approximately 19 to 20 million dollars – today that figure would be approximately 13 to 15 million, the reduction primarily due to the removal of the proposed third lane on Rt 9.

The members of the board and Mr. Grasso exchanged a number of questions until they were satisfied. Chairperson Donovan stated that the public hearing for this study had been closed and this update was part of the process. Any questions could be forwarded to the Planning Department. The project will come back before the board once CHA and Creighton Manning has the opportunity to work on the total costs for the improvements.

* **Open Arms Fellowship Church – 2714 Curry Road** - The project is back before the Planning Board to amend the approval previously received from a footprint of 11,953 to 13,733 sq.ft. Chairperson Donovan moved this ahead on the agenda due to the amendment. Mr. Joe Bianchine presented for the developer.

Mr. Bianchine explained that the reason the amendment came was due to shifting the interior usage of the building around in the design and an additional 1,630 sq ft were needed. All other aspects of the project remained the same, drainage, parking and landscaping.

Member Lane had brought up a concern regarding a sprinkler system being supplied by well water. Member Lane addressed he had when speaking with Fire Services Director Lattanzio. This area of Town is serviced by well water. There is a tank that supplies pressure to the system.

Having addressed all issue surrounding the concern of the sprinkler system and the fact that the Fire Services Director had previously approved the project for the original square footage a motion was asked for approval on the amended plan. This motion was made by Member O'Rourke. Member Nardacci seconded the motion. Members approved unanimously.

* **Hoffman Senior Complex, 1 Alice Avenue** - This project is a proposed Planned Development District (PDD) and Open Development Area located at 1 Alice Avenue. The proposed site design consists of 198 units of senior housing (55 and older), an 93 unit assisted living complex and an 40 + Alzheimer's unit.

Chairperson Donovan introduced Mr. Daniel Hershberg. Mr. Hershberg asked the members of the Board if they have copies of the April 16th comment letter – and attests that most of the concerns have to do with the grade of the site.

Mr. Hershberg began to mention that there are a few key elements to this site – steep grade exiting the property, steep slope behind the property and land constraints. The existing grades are challenging but they think they have engineered around them. The project has been around since 2002 and got caught up in the middle of the Land Use Law changes which they were advised to wait until it was passed in order to come back and be in conformance at that time. Additional confusion comes from the property address 1 Alice Avenue – there is no

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entrance to this site from Alice Avenue – this is one a means of egress for emergency purposes. Admittingly the street is too narrow for emergency services to use this as a main access point. Access to this location is from Route 2.

Mr. Joe Grasso, TDE reviewing this project and agrees that this appears to be consistent with the PDD guidelines and the use seems to be appropriate for the Town of Colonie. However, the site does have significant constraints to development of the project. We all agree that there are steep slopes, bad soils, wetlands and overhead power lines that split the site. With the number of constraints we have to question if this site can be developed to the extent we see here, without significant impacts.

Chairperson Donovan also shared a letter from the Highway Safety Committee that addressed the concerns of the slopes and the entrance way. The traffic that will be generated from this site is also of question.

Various board members addressed their concerns of the site design and the constraints that the site offers for development. The major concern that appeared to be echoed was the overall use, senior housing, alzheimer’s resident and assisted living. The location does not appear to lend itself for this use. Additional concerns were addressed as to the amount of fill that had been brought into the site, there needs to be additional geological study for the site.

There were a number of residents from the area of Western, Eastern and Alice Avenue who spoke to the concerns of accessibility to this site, including the ability to access the fire access off Alice Avenue. With cars parked on the street no fire truck will make its way to that access point.

Having heard no additional concerns and the fact that this project had received many comments from the TDE and the Board, Chairperson Donovan had tabled any decision for a vote on this project in order to give the developer time to take a look at the site and address these concerns. No action was taken and no timeframe to come before the board was given

* With no other business adjournment was called for by Member Holland and 2nd by member O’Rourke at 10:05pm.

JL

G:PB/minutes/2009

_____(Chairperson) _____

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CERTIFICATION:

"The information provided in the minutes above are a highlighted summary of the project that was before the Planning Board this evening. This summary is not intended to be used as final action or within any legal proceeding as a full stenographic record has been taken for the project. Any conditions placed upon this project will be duly noted within the stenographic record that is kept on file in the Planning and Economic Development Office located at 347 Old Niskayuna Road, Latham, NY 12110"