

1 PLANNING BOARD COUNTY OF ALBANY  
2 TOWN OF COLONIE

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5 THE PROPOSED PROJECT OF  
6 SCHUYLER HEIGHTS FIRE DEPARTMENT  
7 47 CAR AUXILARY PARKING LOT  
8 REVIEW AND ACTION ON CONCEPT ACCEPTANCE  
9 \*\*\*\*\*

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8 THE TAPED AND TRANSCRIBED MINUTES of the above  
9 entitled proceeding BY NANCY STRANG-VANDEBOGART  
10 commencing on March 23, 2010 at 7:02 p.m. at the  
11 Public Operations Center 347 Old Niskayuna Road,  
12 Latham, New York 12110

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BOARD MEMBERS:

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CHARLES J. O'ROURKE, CHAIRMAN

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MICHAEL SULLIVAN

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TIMOTHY LANE

15

ELENA VAIDA

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PETER GANNON

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PAUL ROSANO

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PETER STUTO, Jr. Esq., Attorney for the Planning  
Board

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Also present:

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Joe LaCivita, Director, Planning and Economic  
Development

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21

Skip Francis, C.T. Male Associates, PC

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Richard A. Campagnola, C.T. Male Associates, PC

23

Diana Benedetti

24

25

1                   CHAIRMAN O'ROURKE: Our first project on  
2 for this evening is Schuyler Heights Fire  
3 Department, 849 First Street - the parking  
4 lot.

5                   Joe, do you want to bring us up to date?

6                   MR. LACIVITA: Sure. This is actually  
7 under review by Clough Harbour. This came in  
8 to the DCC on November 9, 2009.

9                   Originally there was going to be  
10 additional work with this as a major project  
11 which included a new firehouse. Those plans  
12 have now since changed to just a 47-lot  
13 auxiliary parking lot for the Fire Department.  
14 Like I say, it is being reviewed by the town  
15 designated engineer, Clough Harbour.

16                  MR. GRASSO: Is the applicant here? We  
17 may be early.

18                  MR. LACIVITA: They're here now.

19                  MR. GRASSO: Just to bring the board up  
20 to speed to give the applicant a chance to get  
21 set up, this is a new project for the Planning  
22 Board. It's up for concept review.

23                  It went through DCC review by the town  
24 last fall. A number of comments were generated  
25 during the DCC review by the various town

1 departments. We have followed up with those.  
2 When the applicant did their resubmittal, they  
3 addressed many of those comments. We issued a  
4 comment letter on the completeness review for  
5 concept and then a follow up technical review  
6 on the concept submittal which we then  
7 forwarded to the Planning Board. That letter  
8 is dated March 15, 2010 and I would like to go  
9 through those comments.

10 A number of responses to comments  
11 received during the DCC meeting indicated  
12 certain items such as landscaping, sidewalks  
13 and lighting will not be provided as part of  
14 the project due to project budget restraints.  
15 The response letter suggests the existing  
16 chain link fence with a wind screen provides a  
17 sufficient visual buffer for the adjoining  
18 residents. The site sits lower than many of  
19 the homes along 8<sup>th</sup> Avenue and berming along  
20 the east side of the site may not be  
21 appropriate. However, we continue to recommend  
22 that berming and landscaping be incorporated  
23 into the project along the project's frontage  
24 and that evergreen trees be provided along the  
25 side property lines.

1           Given the anticipated sporadic use of the  
2 parking lot and the proximity to the residents  
3 to the east, daily use of site lighting may  
4 not be appropriate.

5           Consideration should be given at  
6 providing a sidewalk or expanded asphalt  
7 shoulder between the handicapped accessible  
8 parking spaces and the proposed crosswalk so  
9 that pedestrians are not directed into the  
10 drive aisle.

11           You have to remember that on this site  
12 we've got a parking lot on one side of  
13 First Street and the fire house sits on the  
14 opposite side of First Street.

15           The grading for the parking lot proposes  
16 drainage entirely via sheet flow to a proposed  
17 riprap channel within the project frontage.  
18 Consideration should be given to reducing the  
19 concentration of runoff to avoid long term  
20 erosion maintenance. In addition, the proposed  
21 grading does not adequately convey drainage  
22 around the parking lot that would need to be  
23 addressed on the final plans.

24           Then we had some other minor comments on  
25 signage and the way that the environmental

1 restoration phasing line should be  
2 differentiated from the existing property  
3 lines.

4 I'm not sure if the Planning Board - if  
5 there was any attention made in the packet,  
6 but this project site is under a remediation  
7 plan that has been prepared by C.T. Male. It's  
8 been approved by DEC and the remediation work,  
9 which I'm sure the applicant will go into more  
10 detail during their presentation. Remediation  
11 work will be done commensurate with any  
12 development proposed for the project site. A  
13 commercial use such as is proposed is allowed  
14 by DEC under that current remediation plan.  
15 However, other types of land uses are  
16 restricted and documentation was provided by  
17 the applicant for our review. Those land uses  
18 include such things as residential land uses  
19 and other uses that would result in continual  
20 soil disturbance such as farming and gardening  
21 and other types of soil reclamation  
22 activities.

23 This project is a little unique because  
24 it is a fire district that brings the  
25 application to the town so the fire district

1 was able to handle SEQRA on their own.

2 Back in 2008, they solicited for a lead  
3 agency status. The Town of Colonie was an  
4 involved agency. The town did not show any  
5 interest in becoming a lead agent back in  
6 2008. DEC did not show an interest in becoming  
7 lead agent for the project, which I believe  
8 included both a parking lot expansion as well  
9 as the development of a fire station on the  
10 project site. The fire district declared  
11 themselves a lead agency. They went through an  
12 environmental review and issued a negative  
13 declaration for the project. So, the Planning  
14 Board should not feel compelled that they have  
15 to issue a negative declaration to support  
16 their any site plan determination - whether it  
17 be concept or final because the SEQRA  
18 determination has already been made by the  
19 fire district.

20 We have some other comments on the  
21 stormwater portion. I would just like to  
22 mention that the DEC stormwater regulations  
23 get triggered after over one acre of  
24 disturbance on a project site because of the  
25 small scale of this project. They are not

1 looking to exceed one acre of disturbance and  
2 as such they are not required to comply with  
3 what we commonly refer to as DEC's Phase II  
4 stormwater guidelines.

5 That said, they have put together a  
6 stormwater management report at our request  
7 and the town's request that evaluates existing  
8 drainage conditions and proposed drainage  
9 conditions. They are having, at least based on  
10 the report in the concept plan, negligible  
11 drainage impacts associated with the project  
12 and we concur with their determination that no  
13 detention is required on the site. They are  
14 required to put together an erosion sediment  
15 control plan. They have provided some  
16 information in support of that. They will need  
17 to provide some additional details, assuming  
18 that the project moves forward into final plan  
19 preparation. We'll do the review at that time.

20 That's all that we have at this time. I  
21 can turn it over to the applicant.

22 MR. FRANCIS: Hello, my name is Skip  
23 Francis and I'm from C.T. Male. With me  
24 tonight is Rich Campagnola, a principal  
25 architect.

1           Basically I just wanted to convey to the  
2 board the purpose and drive for this project  
3 is the need for parking for the fire district  
4 itself. The fire district itself has just six  
5 parking spaces available on its property right  
6 here (Indicating). These parking spaces are  
7 actually somewhat shared by the adjoining  
8 neighbor, due to the property line position.  
9 It is difficult for them to accommodate the  
10 gatherings of their own and members at the  
11 firehouse as well as on voting turn out day.  
12 This is a polling station as well. The whole  
13 purpose of this project is to provide  
14 convenient parking for those days and not  
15 affect the neighboring business and his  
16 operations.

17           The TDE summarized the comments that have  
18 been brought forth and the information that  
19 has been submitted to the board. We are  
20 prepared to respond to the TD comments and  
21 prepare a preliminary final package in  
22 response to this. We will address any of the  
23 comments in that package.

24           If the board has any particular questions  
25 about the project, we'll be happy to answer

1           them for you this evening. Otherwise, we are  
2           seeking a concept acceptance tonight.

3                   CHAIRMAN O'ROURKE: Thank you.

4                   For those of you in the audience this  
5           evening, the way that we run the Planning  
6           Board is that the applicant speaks first. They  
7           were running a little bit late, but usually  
8           the applicant goes first. The town designated  
9           engineer briefs the board and then the board  
10          has comments or questions that will be  
11          answered by the applicant. Then it will be  
12          opened up to those of you who may or may not  
13          have questions.

14                   Skip, I had a couple of questions in  
15          regard to this. The EAF - I did not see that.  
16          You did complete the long form?

17                   MR. FRANCIS: The district was lead  
18          agency back in 2008 for the project and so  
19          SEQRA has been concluded.

20                   CHAIRMAN O'ROURKE: Right, but was an EAF  
21          filled out; a long form or a short form?

22                   MR. FRANCIS: There was not one submitted  
23          back in November or December because the SEQRA  
24          hadn't been concluded.

25                   MR. GRASSO: I think his question is: Was

1 a full EAF completed in 2008 when the SEQRA  
2 determination was made by the fire district?  
3 We know that it wasn't submitted to the town.

4 CHAIRMAN O'ROURKE: The long form.

5 MR. SARGENT: Yes, the long form was  
6 submitted and was provided to the town in the  
7 SEQRA documents.

8 MR. GRASSO: I don't believe so.

9 MR. SARGENT: I have it on record. I have  
10 a signature copy of it.

11 CHAIRMAN O'ROURKE: Joe, you don't have a  
12 copy of that, right?

13 MR. LACIVITA: No, we don't have one here  
14 that I see.

15 CHAIRMAN O'ROURKE: I think that's an  
16 important thing and we need to make sure that  
17 it gets into Mr. LaCivita's hands.

18 MR. GRASSO: Yes, we would like a copy  
19 for review as well.

20 MR. FRANCIS: I do have record of sending  
21 the town the SEQRA final determination and all  
22 of the correspondence of all the town  
23 departments.

24 CHAIRMAN O'ROURKE: The next thing that  
25 I'd like to talk about is the crosswalks. The

1 town law is that we're not supposed to have  
2 crosswalks without signals. How are we going  
3 to get around that?

4 MR. STUTO: I'm not sure.

5 CHAIRMAN O'ROURKE: Now, is there a  
6 signal there?

7 MR. FRANCIS: There is a signal. It is  
8 suspended on a pole across to the fire  
9 district building itself. It's the signal that  
10 controls when the emergency vehicles exit.

11 CHAIRMAN O'ROURKE: Is it blinking red  
12 only?

13 MR. FRANCIS: It's blinking yellow  
14 constantly until it's activated.

15 MR. GRASSO: I'm not aware that there is  
16 a town law that prohibits mid-block crossings  
17 on town roads.

18 CHAIRMAN O'ROURKE: I could be mistaken.

19 MR. GRASSO: I know that mid-block  
20 crossings are often discouraged. You can  
21 implement them with a crosswalk and  
22 appropriate signage; both signage at the  
23 crossing themselves and advanced warning signs  
24 regarding the crossing. Those are pretty  
25 routine, but Pete and I can look it up and

1 see. That's something that we may want to  
2 solicit comments from the Highway Safety  
3 Committee on to see if there is precedent in  
4 the town one way or the other in terms of  
5 handling crosswalks.

6 Based on the use and the parking lot  
7 being across from the building, we do think  
8 that a crosswalk is warranted. There may be  
9 other options regarding its location that we  
10 can investigate with the applicant's  
11 consultant.

12 MR. STUTO: I live near there and Tim  
13 does, too. On Ward's Lane we have them coming  
14 down - I don't know if you can visualize them  
15 but they do have the signage. It's also the  
16 village and it's not the town.

17 MR. LANE: There are signs that are in  
18 the center of the street.

19 MR. GANNON: The ones on Ward's Lane are  
20 probably utilized in daylight for the school  
21 kids. I imagine a lot of the firehouse's  
22 gatherings are in the evening.

23 MR. FRANCIS: Right, most of the uses for  
24 using this parking lot would be an evening use  
25 or even a voter turn out day.

1                   CHAIRMAN O'ROURKE: My next question is  
2 the size of the lot. It's over seven acres.  
3 Although this doesn't fall within the  
4 stormwater, was anything submitted with regard  
5 to the construction because you'd be building  
6 a firehouse on that site as well, correct?

7                   MR. FRANCIS: Correct.

8                   CHAIRMAN O'ROURKE: A future firehouse.

9                   MR. FRANCIS: Right. We would have to  
10 pass a bond referendum to even make that  
11 happen and we're not at that stage right now.  
12 We're just at the parking lot stage.

13                   CHAIRMAN O'ROURKE: So the stormwater,  
14 although it doesn't apply now, it would then  
15 apply for the future development, right Joe?

16                   MR. GRASSO: It would not only apply to  
17 the future development, but we would probably  
18 apply it to this existing development, too.  
19 It's not permissible to phase a project or  
20 divide a project into pieces less than an acre  
21 in order to avoid having to comply with it.

22                   CHAIRMAN O'ROURKE: That's where I was  
23 going with this.

24                   MR. GRASSO: It's all based on when  
25 Phase II requirements were in place. Any

1 disturbance after that gets looked at  
2 cumulatively as well as all your stormwater  
3 management needs to address that cumulative  
4 development.

5 CHAIRMAN O'ROURKE: And the things that  
6 were in those reports, again, I'm a little  
7 concerned with wind control and those things.  
8 There are heavy metals, PCBs -

9 MR. GRASSO: And those erosion sediment  
10 controls would be required as part of this  
11 plan. The things that they wouldn't need to do  
12 right now they may not be required to do even  
13 when a disturbance goes over an acre because  
14 this is considered one of those DEC hotspots.  
15 Sometimes DEC does not want to encourage any  
16 kind of water detention on a site that has  
17 remediation site contaminates because part of  
18 this plan is to not remove all of the  
19 contaminated soil. It's basically to put a cap  
20 over it so that it's contained and not exposed  
21 to the air or other future soil disturbances.  
22 So when you put in a stormwater management  
23 system, you're forced to dig into the ground.  
24 They often involve groundwater intrusion into  
25 the ground, which DEC will not be willing to

1 permit. So, they may not be willing to do the  
2 conventional stormwater detention that we so  
3 often see.

4 CHAIRMAN O'ROURKE: So again, my  
5 questions are along the line of - we have  
6 looked at this from your standpoint as if they  
7 are going to put a firehouse in.

8 MR. GRASSO: There are no changes to this  
9 plan. They haven't provided a plan for the  
10 firehouse or any details associated with it.  
11 But we have looked at this plan and there is  
12 nothing that we think needs to be changed to  
13 this plan in order to accommodate a future  
14 firehouse going on this. We're confident that  
15 they'll be able to design a stormwater  
16 management system that brings the site into  
17 compliance in the future. That will probably  
18 require some coordination meetings with DEC  
19 regarding how they should approach stormwater  
20 management.

21 CHAIRMAN O'ROURKE: The last thing that I  
22 have tonight is the town designated engineer  
23 and I feel very strongly that the buffering,  
24 the sidewalks - if you want to put that  
25 parking lot in for the fire company's benefit,

1 those things need to be included. You'll have  
2 to find the money somewhere.

3 MR. FRANCIS: We're considering  
4 landscaping and I'm not sure how we're going  
5 to incorporate that in at this time, versus  
6 when future development starts.

7 CHAIRMAN O'ROURKE: Paul?

8 MR. ROSANO: Nothing right now.

9 CHAIRMAN O'ROURKE: Elena?

10 MS. VAIDA: What kind of contaminates are  
11 there at the site?

12 MR. FRANCIS: I believe that most of it  
13 are heavy metals. A lot of it is detailed in  
14 the ERP. Our environmental staff prepared  
15 that. There are engineering controls that are  
16 written in that ERP that will be implemented  
17 during that construction due to the dust  
18 control, the monitoring and so forth; given  
19 those contaminates. They're all bound by the  
20 ERP. For a parking lot or in the future, it is  
21 bound by those controls that will be monitored  
22 and so forth.

23 The ERP, the environmental restoration  
24 plan, may give a few more specifics with  
25 regard to the contaminates that are involved.

1 MR. GRASSO: Copper, VOCs, tar.

2 MS. VAIDA: And in conclusion I take it  
3 that from skimming through the record of their  
4 decision, the best way to handle that is to  
5 cap it off. They've done testing, obviously,  
6 to make sure that there is no off-site  
7 contamination or ground water contamination?

8 MR. FRANCIS: Correct. In the course of  
9 the record of the decision, I think that there  
10 were several alternatives on record that have  
11 been considered and this was the best  
12 alternative for this site.

13 CHAIRMAN O'ROURKE: I'm not sure that  
14 they said it was the best. I think that what  
15 they said was that it was effective and it was  
16 the most cost effective. I don't believe that  
17 they said it was the best; just for clarity.

18 MS. VAIDA: This has been designated as a  
19 brownfield area?

20 MR. FRANCIS: Correct.

21 MS. VAIDA: And that has all been  
22 processed, that's all completed.

23 MR. FRANCIS: Correct. The record of  
24 decision by DEC finalizes that process.

25 MS. VAIDA: And in developing the parking

1 lot and the fire house there is going to be  
2 virtually nil soil disturbances.

3 MR. FRANCIS: The soil that will be  
4 disturbed will be what will then lie under the  
5 parking lot and the grading associated with  
6 the runoff and so forth. All the other  
7 greenspace area will then be capped with a one  
8 foot soil clean cover and a layer of  
9 demarcation beneath that. There will be  
10 vegetation on top of the 12 inches.

11 That's the cap that's recommended to put  
12 on the greenspace area and the pavement and  
13 the cap, of course in the area of the  
14 disturbed parcel.

15 MS. VAIDA: And there are no underground  
16 screens in the area?

17 MR. FRANCIS: No.

18 MS. VAIDA: Where is the closest  
19 residential area to this site?

20 MR. FRANCIS: I believe it's 8th Avenue.

21 MR. GRASSO: Skip, could you show the air  
22 photo that you have? It may be easier to  
23 understand the proximity of the parking lot to  
24 the residences that exists.

25 MR. FRANCIS: These are the residences

1 along 8th Avenue right here (Indicating). They  
2 have long narrow lots. The lots extend back to  
3 this area. The parking lot will utilize an  
4 entrance very close to the existing road that  
5 you see here on the aerial photograph. The  
6 parking lot itself will be disturbing less  
7 than an acre. This area is right across the  
8 street from the fire house.

9 MS. VAIDA: Have there been test soils or  
10 any kind of testing done offsite to just  
11 ensure that there has been no movement  
12 underground and no groundwater contamination?

13 MR. FRANCIS: I can't answer the  
14 specifics to that. I'm not prepared tonight to  
15 answer the specifics of the environmental  
16 investigation program, myself, personally. I  
17 know that our firm has explored a lot of the  
18 background of the history of the site, the  
19 groundwater, the soil and the contaminants on  
20 the site. This information has ultimately been  
21 culminated with the record of decision by DEC.

22 MR. GRASSO: Elena, just to clarify that,  
23 based on the information that's been  
24 submitted, they documented the investigations  
25 that took place on the project site only and

1           there was no reference to any studies or  
2           investigations that occurred outside the  
3           property line. Those investigations included  
4           soil testing and groundwater testing.

5           MS. VAIDA: Obviously, our state  
6           environmental department is satisfied with  
7           this remediation.

8           MR. GRASSO: As it relates to this  
9           project site, yes.

10          MR. FRANCIS: That's correct.

11          MS. VAIDA: That's all I had. Thank you.

12          CHAIRMAN O'ROURKE: Tim?

13          MR. LANE: First thing is that there was  
14          a letter to Rosemary Nichols as I recall from  
15          Mike Lyons in reference to the General  
16          Municipal Law 239 in the notification of the  
17          nearby municipality.

18          MR. LACIVITA: We haven't received the  
19          response. That's my understanding.

20          MR. LANE: So they didn't submit anything  
21          back?

22          MR. LACIVITA: That's correct.

23          MR. LANE: Under 239 do they also have to  
24          approve the project since it's nearby.

25          MR. LACIVITA: No. It's in our

1 jurisdiction. They just have to be notified.

2 MR. LANE: And then they can address any  
3 comments. So you take from that - that no  
4 response would be no issues?

5 MR. LACIVITA: At this point in time,  
6 Tim, that's the response that I would take;  
7 yes.

8 MR. LANE: The comments regarding the  
9 landscaping - I take that very seriously as  
10 C.J. had mentioned. The site is very open.  
11 It's brushy and rather unsightly.

12 Take into consideration that it's those  
13 residents that are actually paying for this  
14 work because the bond affects the people in  
15 that fire district. So take consideration to  
16 that request and that the engineers are also  
17 stating that there should be landscaping  
18 involved on a project. That should be  
19 definitely something that should be involved  
20 in this project. Find the money someplace,  
21 even if it's not part of the bond. It can be  
22 done very economically, at least along the one  
23 property line on the back side of the  
24 8<sup>th</sup> Avenue homes. The screen that's there now  
25 is aghast as far as I'm concerned. I think

1 that it supposed to be temporary, based upon  
2 what's going to happen down the road.

3 There are no lights yet but once the fire  
4 station is underway, I presume that lights  
5 will be part of the project.

6 CHAIRMAN O'ROURKE: You want a lit  
7 parking lot.

8 MR. FRANCIS: Correct. This is a  
9 temporary parking lot. There's no lighting  
10 that's proposed at this time. If the building  
11 will be used at later hours, the fire house  
12 will have affordable light plans so in the  
13 late evening hours of November or on election  
14 night, they'll have some illumination for  
15 those visitors. For that entryway, we need to  
16 light the parking lot. No permanent light  
17 fixtures are proposed for this project, but  
18 when the time comes for a fire house, itself,  
19 we'll have those on the site plan at that  
20 time.

21 MR. LANE: Thank you.

22 CHAIRMAN O'ROURKE: Mike?

23 MR. SULLIVAN: I know that initially this  
24 was proposed to be a firehouse. Were there any  
25 plans drawn up to show where the firehouse

1 would be and what size was planned on? If you  
2 were aware of that, can you show us where it  
3 would have been, or where it will be in the  
4 future?

5 MR. CAPAGNOLA: At the stage that the  
6 fire district had developed plans just at a  
7 concept level, the intent was to keep it away  
8 from a residential area. It would be more  
9 towards the side of the property. Again, there  
10 would be no need for a connection to the  
11 previous station at that point because it  
12 would be replaced. Part of the thought was  
13 with regard to the location of the apparatus,  
14 again, as far away from the residential and  
15 use the parking lot as the buffer for that.

16 MR. SULLIVAN: Thank you. I have no  
17 further questions.

18 CHAIRMAN O'ROURKE: Peter?

19 MR. GANNON: Well, Michael took one of my  
20 questions, as usual.

21 I'm not a member of the firehouse, but I  
22 know plenty of people who are and I guess my  
23 concern is with the hours of operation of a  
24 firehouse for providing emergency services. I  
25 understand what those entail but I also

1 realize that firehouses are host sometimes to  
2 social functions. A wind fence may cut down on  
3 debris and visual, but the noise that may come  
4 with the parking lot and some of the  
5 activities that happen in social settings at  
6 night can sometimes be similar to a bar or  
7 other type of banquet or restaurant facility.  
8 What are these residents supposed to do about  
9 that type of noise?

10 MR. CAMPAGNOLA: There are currently  
11 functions of the fire district but again, I  
12 think that an important part of the  
13 understanding is that this is the existing  
14 Fire Department's property. There is no place  
15 for first responders to park here. They are  
16 using offsite parking currently. The first  
17 call of action is providing the responders a  
18 place to park and get to vehicles to get out  
19 as quickly as possible without interrupting  
20 commercial properties. Basically, we're using  
21 their parking lot right now. That is the first  
22 priority. Yes, there are functions here but  
23 it's no different than what's happening now.  
24 Those people are parking off this property  
25 site as it is. We're trying to contain it into

1 a paved area that's close to the property that  
2 the fire district does have.

3 MR. GANNON: That was my second question.  
4 What's being done now for existing members for  
5 parking? Do you have accommodations for that?

6 MR. CAMPAGNOLA: Those are accommodations  
7 for six. The sidewalk - 90% of that parking  
8 space is off the property.

9 MR. GANNON: I think in the documentation  
10 one of you gentleman used the term temporary  
11 parking lot. What's the long term plan for the  
12 parking lot and the house? Can you give us an  
13 idea of where the house will be located? What  
14 happens to the parking lot in that scenario?

15 MR. CAMPAGNOLA: For the most part the  
16 parking lot is intended to be incorporated  
17 into the final design. We known that based  
18 upon concept level documents so far that there  
19 will have to be some utility connections which  
20 will have to cross this. This is part of the  
21 reason that we're addressing this temporarily.  
22 There will be some pavement that is done.

23 MR. GANNON: I travel this road twice a  
24 day to get to my office. You may want to give  
25 some consideration to preventing turnarounds

1 in that parking lot when there is a train  
2 going by for your own benefit.

3 That's all I have.

4 CHAIRMAN O'ROURKE: Thanks, Pete.

5 Paul?

6 MR. ROSANO: You're talking about a  
7 parking lot where the responders are going to  
8 have to cross a road. I don't think that I've  
9 ever seen that before. How are you going to  
10 protect the responders, especially at night  
11 when they're coming in and they park their  
12 vehicle and they cross that road at night to  
13 get to the firehouse?

14 MR. CAMPAGNOLA: Fortunately, the Fire  
15 Department does have traffic control means.  
16 There are fire safety police that control the  
17 scene when the apparatus is moving in and out  
18 from the building. The same procedure would be  
19 followed on a call.

20 MR. ROSANO: My question is what if  
21 they're the first people there?

22 MR. CAMPAGNOLA: More than likely the  
23 first people there would be the ones parking  
24 adjacent to the building. The first responders  
25 are the ones turning on the lights, opening up

1 the doors and getting everything ready for the  
2 call sheets.

3 MR. ROSANO: I don't think that you  
4 answered my question. Who is going to protect  
5 them when they cross the road -

6 MR. CAMPAGNOLA: The same people that  
7 protect them when they go fight the fires.  
8 They are trained personnel.

9 CHAIRMAN O'ROURKE: Anyone in the  
10 audience?

11 Yes, ma'am. For the record, could you  
12 please state your name?

13 MS. BENEDETTI: My name is Diana  
14 Benedetti and I have a letter to give to you.

15 We are the house that has been forgotten  
16 in all of this. We are located right next door  
17 to the firehouse. Our house is here, our  
18 backyard is here (Indicating) and then there  
19 is the firehouse. We're on the corner of  
20 1st Street and 9th Avenue. The planned  
21 construction site, the one for the parking  
22 lot, is located directly across the street  
23 from our home and backyard.

24 Just so you know, we do support the  
25 firehouse and what they're trying to do. I

1 don't have enough handouts for everyone. I'm  
2 sorry. I would just like to read the letter to  
3 all of you.

4 We have owned there for more than 50  
5 years. I also have a great uncle who was one  
6 of the initial founders of this original  
7 firehouse. We have lots of family members who  
8 are EMS and firefighters, as well.

9 Basically our concerns are for you to  
10 please know that this is a request to make  
11 sure that as a direct residential neighbor to  
12 the firehouse, our privacy and peaceful living  
13 is respected. With the planned construction of  
14 future buildings, roads and parking area, we  
15 wish to make it clear that we don't want an  
16 entrance or exit off the road, planned to be  
17 constructed or placed directly across from the  
18 side of our home and building located at  
19 1 9th Avenue in Watervliet. Our house is on  
20 the corner of 9th Avenue and 1st Street,  
21 directly across from the planned site. Nor do  
22 we want any flashing lights or any invasive  
23 type parking lot lighting establishing in the  
24 area directly across from our home on the 1st  
25 Street side. On the 1st Street side of the

1 home there are three bedrooms with windows  
2 where we reside each evening and we don't want  
3 to be disturbed by any flashing lights,  
4 headlights or parking area lighting that is  
5 evasive. There are different kinds of  
6 lighting.

7 We don't want the increased sound of fire  
8 engines or traffic flow from events including  
9 very large fundraisers that have been being  
10 held or holding concerts in the back of the  
11 fire house yard. They are so loud at times. We  
12 support a good community party, but at times  
13 we have shut the windows and doors to hear the  
14 television and the walls and the windows are  
15 vibrating. Again, we support fund raising but  
16 we would like things to be on a reasonable  
17 understandable community level, respecting the  
18 residents.

19 If there are any plans that contradict  
20 our request then we are requesting that the  
21 plans be changed to accommodate our request,  
22 seeing as we are in direct location from a  
23 planned construction site as residents.

24 We support the firehouse with residents'  
25 rights to privacy and peaceful living.

1           We thank you for your understanding and  
2 we do expect that in the future if the plans  
3 are changed you will keep us informed and make  
4 us aware of any meetings that are being held  
5 so that we can voice our input in working with  
6 you and not against you. I just want to make  
7 that clear that we are working with you and  
8 not against you. We are concerned for our home  
9 and where we have lived for all this time.

10           We are concerned, as we heard you mention  
11 crosswalks. I just want to come closer and see  
12 your plan.

13           Our house is right here (Indicating). We  
14 are the closest lot to the existing firehouse  
15 and the parking lot that's being planned.

16           We just want to make sure that if there  
17 is any kind of turn around, or U, or entrance,  
18 or exit, that nothing is shifted to come out  
19 directly across from our home so that increase  
20 traffic or the fire engines or the lights  
21 don't effect our bedrooms and our living  
22 quarters. We certainly would not want it  
23 coming directly out towards our home.

24           I also support what was mentioned earlier  
25 about the landscaping and certainly the

1           9th Avenue side has been considered in every  
2 occasion, but we're on the 1st Street side of  
3 where that parking area will be and we would  
4 really appreciate it if landscaping was placed  
5 there as well to protect our home, our  
6 windows, our air conditioning unit and the  
7 unit that takes the air in. That's on that  
8 side of 1st Street, as well. We want to be  
9 protected by any extra shrubbery or berms that  
10 might be planned to help protect our home.

11           The last thing is a gentleman brought up  
12 the issue of noise. We do support fundraising  
13 and community and family events. With the size  
14 and volume of the type of fundraising such as  
15 concerts that have been held and in the  
16 backyard of the current parking lot, it has  
17 been a lot on the residents who live on  
18 9th Avenue. Anything to do to help with noise  
19 reduction certainly would be appreciated.

20           I hope that this was helpful and  
21 presented to be understandable. We don't want  
22 to be forgotten. Like I said, we support the  
23 firehouse, but we also have a right as  
24 residents to the reasonable request that we're  
25 making.

1                   CHAIRMAN O'ROURKE: Were you notified  
2 tonight, ma'am, of this one?

3                   MS. BENEDETTI: Yes. I just want to make  
4 sure for the future so that we get notified.

5                   CHAIRMAN O'ROURKE: The applicant was  
6 listening and those are all certainly  
7 reasonable requests when a community bonds out  
8 to build something.

9                   I'm a little taken back that you're not  
10 going to do the lightening now and you're  
11 going to dig up the parking lot later. I just  
12 want to make sure that as this moves forward  
13 that the landscaping is a must. Those are all  
14 reasonable requests that certainly we as a  
15 board try to stay proactive and be sure that  
16 all applicants meet with the neighbors. It's a  
17 firehouse and it's been a firehouse. We want  
18 you to be able to have a parking lot for the  
19 responders. There were some issues raised  
20 tonight and certainly as this moves forward,  
21 we would expect that you make a determined  
22 effort to make sure that at least the  
23 residents of the nearby homes are taken care  
24 of.

25                   MS. BENEDETTI: I'm sure that if you held

1 a fundraiser, even if you need the extra money  
2 for the landscaping - I'm sure that if you  
3 notify the community that you're going to have  
4 a fundraiser for that purpose, that you would  
5 find tons of donations for that. People really  
6 are for that kind of improvement.

7 CHAIRMAN O'ROURKE: Anyone else in the  
8 audience?

9 MS. BENEDETTI: The road is currently  
10 going to be where it is now as it is on the  
11 property? There is nothing being shifted at  
12 all?

13 MR. FRANCIS: At this time, the road is  
14 going to be right here (Indicating). There is  
15 already an entrance here.

16 MS. BENEDETTI: Is that permanent?

17 MR. FRANCIS: It's permanent for this  
18 project.

19 MS. BENEDETTI: So for the future, I know  
20 that when a new firehouse is built that it  
21 will need an out and I just want to make sure  
22 that the out will not be directly across from  
23 our house.

24 CHAIRMAN O'ROURKE: Anybody else on the  
25 board?

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

2                                   CHAIRMAN O'ROURKE: I'm looking for a  
3 motion on concept.

4                                   MR. LACIVITA: C.J., would the conditions  
5 of addressing the landscape plan, the  
6 buffering, sidewalks and crosswalks be  
7 included in that?

8                                   CHAIRMAN O'ROURKE: Yes.

9                                   MR. LACIVITA: And also would any future  
10 development of the site - the neighbors be  
11 notified also be considered a condition?

12                                  CHAIRMAN O'ROURKE: That actually goes  
13 without saying. I just want to make sure that  
14 the applicant had contacted the neighbors.

15                                  MR. LACIVITA: So the motion of concept  
16 acceptance to include that the developer will  
17 include a landscape plan, buffering to the  
18 site, sidewalks and crosswalks.

19                                  CHAIRMAN O'ROURKE: Correct. Actually I  
20 want to ensure that a crosswalk is something  
21 that we can do. Between Peter and  
22 Joe -- depending on how we have to mark it.

23                                  MR. GRASSO: I think also to add as a  
24 condition addressing all of our comments as  
25 the project moves forward, because we cover a

1 lot of those things that were discussed.

2 MR. LANE: I'll make the motion.

3 CHAIRMAN O'ROURKE: Do I have a second?

4 MR. SULLIVAN: I'll second.

5 CHAIRMAN O'ROURKE: All in favor?

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

7 CHAIRMAN O'ROURKE: Opposed?

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

9 CHAIRMAN O'ROURKE: Good luck and we'll  
10 see you soon.

11

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

13 ***entitled matter was adjourned at***

14 ***7:49 p.m.)***

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**CERTIFICATION**

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

11  
12  
13  
14            \_\_\_\_\_  
                 **NANCY STRANG-VANDEBOGART**

15  
16  
17            ***Dated April 1, 2010***