

1 PLANNING BOARD COUNTY OF ALBANY
2 TOWN OF COLONIE

3

4 *****
5 ALBERT MIXED USED DEVELOPMENT
6 840-8444 TROY-SCHENECTADY ROAD
7 SKETCH PLAN REVIEW
8 *****

9 THE STENOGRAPHIC MINUTES of the above entitled
10 public hearing BY NANCY STRANG-VANDEBOGART, a
11 Shorthand Reporter, commencing on
12 October 11, 2011 at 7:43 p.m. at the Public
13 Operations Center 347 Old Niskayuna Road,
14 Latham, New York 12110

15 BOARD MEMBERS:

- 16 PETER STUTO, Chairman
- 17 MICHAEL SULLIVAN
- 18 LOUIS MION
- 19 KATHLEEN DALTON
- 20 TIM LANE
- 21 PAUL ROSANO
- 22 ELENA VAIDA, Esq., Attorney for the Planning Board

23 Also present:

24 Joseph LaCivita, Director, Planning and Economic
25 Development

Michael Tengeler, Planning and Economic Development

Joe Grasso, Clough Harbour and Associates

Francis Bossolini, PE, Ingalls and Associates

Fred Pettingill

Robert Conant

25

1 CHAIRMAN STUTO: Next on the agenda is
2 Albert mixed use development, 840-8444
3 Troy-Schenectady Road, sketch plan review.
4 This is a 10,500 square foot retail/office
5 building and 11 residential apartment units.

6 This is only sketch plan review so we
7 don't have a written letter from Clough
8 Harbour.

9 Have you or Joe LaCivita prepared an
10 introduction?

11 MR. LACIVITA: I can do an introduction
12 on the new proposal. This project is here to
13 redevelop approximately two and a half acres
14 of land known as 840 and 844 Troy-Schenectady
15 Road. This is going to be the future home of
16 the existing Top Tile company which currently
17 exists on the Route 9 corridor. It's going to
18 be a mixed use property where you're going to
19 have apartments to the back. There will be 11
20 apartment units and it will be approximately
21 10,500 square feet of commercial space in the
22 front.

23 It's been reviewed by the various
24 departments from the DCC level. It's also been
25 out to the DOT.

1 Tonight we're here to kind of bring the
2 Board up to speed on it and get a feel for
3 what concerns there may be and bring us back
4 in the future for concept.

5 With that, I can turn it over to Francis
6 Bossolini from Ingalls and Associates.

7 CHAIRMAN STUTO: Okay, Mr. Bossolini?

8 MR. BOSSOLINI: As Mr. LaCivita said, the
9 property is located along Route 7, 840 and
10 844 Troy-Schenectady Road. It's about
11 2.5 acres, or a little less. There are two
12 single family residences on the site,
13 currently. To the east is the DeWalt shop,
14 which is a commercial development. To the west
15 are some more single family residences similar
16 in nature. We're in the COR zone so the retail
17 and residential uses are allowed by the
18 Zoning.

19 Based on the parcel size, we've
20 calculated the allowable densities, both
21 residential and commercial and with the
22 10,000 square foot commercial use, we have
23 enough land use to provide 11 apartments,
24 which we're proposing in one building at the
25 rear. Some of the tenants of the COR zone

1 built buildings in the front street edge and
2 occupy a significant portion of the lot width.
3 We're compliant with that.

4 We provide that parking in the rear of
5 the commercial building. The residential is
6 all the way in the back of the site. We're on
7 municipal water and sewer - and we'll be
8 making those connections.

9 CHAIRMAN STUTO: Can I just ask you one
10 question? How many lots are involved here?

11 MR. BOSSOLINI: Right now there are two
12 tax parcels involved; 840 and 844. As part of
13 the site plan, they'll be merged into one,
14 procedurally. We're proposing access along the
15 easterly edge, more or less across from
16 Knadler Drive to the access to Route 7.

17 As Joe said, we submitted to the
18 DOT -- we've gotten some preliminary comments
19 from them. There is adequate site distance for
20 that access; both ways on Route 7.

21 With respect to some other environmental
22 features, there is a DEC wetland to the south
23 that we have a 100 foot buffer. Then, we have
24 a spot where it does encroach on the property
25 outside of that buffer area. We have done a

1 cultural resource assessment on the property
2 to look for any archeological issues and that
3 has been returned with nothing found so we
4 have a sign off on that, as well.

5 With respect to parking, we've calculated
6 a required parking of 62 spaces. What we're
7 proposing is because we have uses that have
8 offsetting time demands - basically the people
9 that live there will probably be away during
10 the day and the people who are patronizing the
11 commercial space will be there during the day.
12 We're asking the Board and the Town to
13 consider some shared parking that would allow
14 us to not have to build all the parking. On
15 that end, we have shown the required amount of
16 parking on the site plan. We're just proposing
17 that a certain portion of that be banked, if
18 the Board would consider that.

19 CHAIRMAN STUTO: If that plays out, would
20 you meet your greenspace requirement?

21 MR. BOSSOLINI: That's correct.

22 CHAIRMAN STUTO: Can you tell us where
23 you propose the banked parking?

24 MR. BOSSOLINI: We're asking for the
25 banked parking to the rear. This would be sort

1 of at the southern end.

2 CHAIRMAN STUTO: How would we be able to
3 force you to pave that?

4 MR. BOSSOLINI: I think that if everybody
5 stayed home during the day, and there was no
6 space for the customers.

7 CHAIRMAN STUTO: So, you want to reserve
8 your right to put parking there.

9 MR. BOSSOLINI: It would probably have to
10 work both ways. If the owners wanted to put
11 that parking in, or if the Town felt that
12 there was some issue with parking.

13 We have a banked area at the rear and a
14 banked area along the western edge.

15 CHAIRMAN STUTO: You still meet your
16 greenspace requirements.

17 MR. BOSSOLINI: Correct. With the banked
18 areas constructed - with them paved; we have
19 almost 52 percent greenspace. Left as
20 greenspace, we approach almost 60 percent.

21 We're looking at the implementation of
22 green infrastructure practices to accommodate
23 our stormwater. So, we're compliant with the
24 current version of the DEC permit.

25 We are connecting to the existing

1 pedestrian facilities along Route 7. We expect
2 that there will be some foot traffic out of
3 this, as well. As far as the use, as Joe said,
4 the owners are the proprietors of Top Tile.
5 They have a shop on Route 9. They'll be
6 relocated to this site.

7 I'll answer any questions you might have.

8 CHAIRMAN STUTO: Where is Top Tile on
9 Route 9?

10 MR. BOSSOLINI: It's just south of
11 Route 7 - south of Sparrowbush Road. On the
12 west side there is a Mobil and a couple of
13 other shops. It's north of the McDonalds.

14 MR. ROSANO: What's the total of this
15 from the back of the apartment to the actual
16 edge of the federal wetlands?

17 MR. BOSSOLINI: The closest corner
18 here - we're about 25 feet from the 100 foot
19 buffer. The buffer is 100 feet. So, we're at
20 minimum, 125 feet down to that.

21 MR. ROSANO: Would that cause that to be
22 designated with signs posted because of the
23 buffer? We've never had to do it at that kind
24 of distance before. Would we still have to do
25 it?

1 MR. GRASSO: It should be a discussion.

2 MR. BOSSOLINI: On other projects we've
3 had to identify the federal wetlands, if
4 they're on building lots.

5 MR. GRASSO: I think that's going to be a
6 decision for the Planning Board when we get
7 into detailed review. Should there be
8 demarcation of the wetlands or the 100-foot
9 regulated adjacent area? The DEC wetlands at
10 the 100 foot buffer - and you're really not
11 allowed to clear a grade within that area
12 without getting a permit. Obviously, as
13 Francis mentioned is not part of the
14 application. Any time that you get into a
15 conversion of the use, you always have the
16 fear of incremental impacts to these areas
17 down the road. I don't know if that's
18 something that the Board should consider.

19 MR. BOSSOLINI: The wetlands themselves
20 are actually off the property. What's on this
21 property is strictly the regulated buffer.

22 MR. GRASSO: And it's a sensitive buffer
23 because it's the headwaters to the Shaker
24 Creek that goes back through there.

25 CHAIRMAN STUTO: Are you done with your

1 presentation?

2 MR. BOSSOLINI: Yes, we were answering
3 questions.

4 MR. GRASSO: Pete, if you want, I can go
5 through some of the comments. We've just
6 provided a cursory review of the application
7 materials.

8 I apologize that we didn't get a chance
9 to do a formal concept review letter, Francis.
10 It's tied in with our escrow. I did have a
11 chance to review information before the
12 meeting.

13 There are just a couple of things that we
14 think should be added or clarified in the
15 application when you come back for formal
16 concept review.

17 Access to the adjoining properties - both
18 to the east and the west - there is a
19 resounding theme brought up by many agencies.
20 This application has gone through the DCC
21 process back in 2009 with a different plan.
22 That was one of the comments made that they
23 tried to address through the resubmission.

24 I will just say that you don't see a lot
25 of comments with a project of this magnitude

1 coming from the department because a lot of
2 their comments kept being addressed through
3 the redesign of the project over the past
4 couple of years. So, I commend the applicant.

5 CHAIRMAN STUTO: Let's stay on that
6 access thing.

7 MR. GRASSO: That is an important one.

8 CHAIRMAN STUTO: You almost wish you had
9 a service road going down there because how
10 many curb cuts do you want?

11 MR. GRASSO: The long term plan is that
12 as properties get redeveloped along Route 7 or
13 converted from residential to commercial use,
14 what we want to do is minimize the number of
15 curb cuts. Obviously every property is
16 entitled to one curb cut, but if we can plan
17 for some locations that work well that could
18 serve multiple properties, we should try to
19 build those types of provisions into the site
20 plan review process. They've got a nice
21 central spine in between two properties - the
22 one already commercially oriented to the east
23 and then this property. It would be easy to
24 build a cross connection to the property to
25 the east. Also, we have an existing

1 residential use to the west and if that
2 property comes up for commercial development,
3 it would be nice for them to build an access
4 through this site and use this curb cut
5 without developing another commercial curb cut
6 on the Route 7 corridor. What that would mean
7 is some kind of notation on the site plan, or
8 a legal mechanism such as a cross access
9 easement be reserved through this property.
10 One of the difficulties with trying to nail
11 down an easement and not overly encumber this
12 property is we don't know when these
13 properties get redeveloped exactly where the
14 best tying location is going to be. That's
15 something that we should pay close attention
16 to as we review the site plan and provide
17 feedback back to the applicant. Then, we would
18 have to hear back from the applicant whether
19 or not they're willing to encumber their
20 property with a cross assessment connection.

21 CHAIRMAN STUTO: That makes total sense.

22 MR. GRASSO: There was a comment
23 regarding the interior island greenspace
24 calculation and the specific requirements
25 regarding the interior greenspace that needs

1 to be provided. You may do it with that
2 central island, but there is an actual
3 calculation that you need to go through. That
4 would be helpful at concept. As we have seen
5 on other projects that can sometimes drive a
6 whole parking lot design.

7 It's good that you got the Phase I
8 archeological investigation done. If you could
9 include that in the concept materials for a
10 review, that would be great.

11 The parking and the shared parking
12 arrangement is probably going to be one of the
13 most significant planning considerations, and
14 whether or not we feel comfortable with that
15 level of shared parking between the different
16 uses. Also, the demarcation of the different
17 parking spaces is going to be something
18 important because they're proposing having
19 certain spaces on the site reserved for
20 certain uses. So, what the look and feel of
21 that demarcation should be -- as well as the
22 enforcement provisions -- what is going to be
23 the enforcement provisions either by the
24 property owner, the tenants or by the Town.

25 They included a full EAF in the

1 application materials and there is just a
2 couple of minor comments that we have on that
3 form. I think that we'll wait to provide
4 comments when we actually do our formal
5 concept review. I would suspect that the Board
6 is not going to do a SEQRA determination until
7 preliminary or final so we can get those
8 comments out at concept. Overall, we think the
9 full EAF does a really good job describing the
10 environmental characteristics of the site and
11 the potential for environmental impacts.

12 The mitigation fee calculation has
13 already been done, which is good, with a fee
14 of approximately \$102,000 to be paid.

15 Has that been made aware to the applicant
16 and are they agreeable to that fee?

17 MR. BOSSOLINI: We have discussed it. I
18 don't know if they're agreeable to it. I think
19 that it's part of the landscape here.

20 MR. GRASSO: It would be good for you to
21 review that calculation with them. If they are
22 not in agreement, then that's something that
23 should be reviewed during the concept review.
24 Obviously, it's something that needs to be
25 agreed to before a SEQRA determination is

1 made.

2 MR. BOSSOLINI: For the record, it is a
3 substantial cost for our project of this
4 magnitude that a local business person is
5 trying to undertake. I don't know how much you
6 want to talk about that.

7 CHAIRMAN STUTO: Are you talking about
8 the GEIS money?

9 MR. GRASSO: Yes. We reviewed the
10 calculations and it doesn't seem that there
11 are any errors in the calculation.

12 The traffic mitigation fee is not set by
13 the Town. It's actually calculated by CDTC.
14 They actually run the trips from this project
15 through their model. I didn't see whether or
16 not they took credit for the two existing
17 residences. It's the only thing that could
18 drive that traffic fee down a little bit. It's
19 a question that we can go back to CDTC with.

20 MR. BOSSOLINI: The residential component
21 is the majority of this fee for the 11 units.
22 We'll want to review it a little bit more in
23 depth. Maybe we can ask for credit to use
24 that.

25 MR. LACIVITA: Based on the calculations

1 that I'm reading before me, the two homes to
2 be raised are credited. So, you're actually
3 being charged for the 9 units. That was based
4 on a memo of September 15, 2011 from CDTC. It
5 seems like they took that into consideration.

6 MR. GRASSO: Just continuing on with our
7 notes. The Conservation Advisory Council - the
8 Town's commission - had recommended fencing
9 along the wetlands or the buffer area. That
10 might be something that we can follow up on.

11 We talked about the DOT comment regarding
12 the cross access.

13 Another significant comment from DOT was
14 their curb cut has the two radii and the one
15 encroaches onto the property that's going to
16 be on the east direction. DOT standard is that
17 when that touches down to the existing edge of
18 Route 7 on that radii, that's supposed to be
19 five feet away from the property line.
20 Actually, you encroach over the property line.
21 What they say is that you either have to
22 revise your alignment of the driveway or seek
23 an authorization from the adjacent property.

24 MR. BOSSOLINI: We're looking into some
25 resolutions of that.

1 MR. GRASSO: Okay, that's an issue to
2 follow up on.

3 During the concept review, it's helpful
4 in order to provide the context of the project
5 if you could bring a copy of the air photo.
6 One like off Google Earth or Big Maps - and
7 just mount that on the board. That helps
8 clarify the adjacency of the different uses
9 and stuff.

10 CHAIRMAN STUTO: What's the commercial
11 use? Is it just to the east there?

12 MR. GRASSO: It's small retail center.

13 MR. BOSSOLINI: It's DeWalt power tools.
14 Maybe there is a restaurant there, too. It's
15 like a little café there. Just farther east is
16 the Teacher's Union building there.

17 MR. GRASSO: So, the thing that is an
18 issue that we see at this time is the impact
19 on the residential property to the west.
20 Obviously, we are converting this property
21 with a much more intensely developed use,
22 including commercial uses. We're looking at
23 how to memorialize the adequacy of the parking
24 in this shared parking provision and the
25 enforceability of that and then the cross

1 access provision. That's where we stand now.

2 CHAIRMAN STUTO: Okay, anybody from the
3 public want to say their piece on this?

4 MR. PETTINGILL: I'm Fred Pettingill. I
5 just had one question. On the zoning map
6 available on the website this morning, the
7 area is covered by Local Law 908, 1030-08. I
8 just wonder what restrictions or approvals
9 were given this property under that law.

10 CHAIRMAN STUTO: Of 2008?

11 MR. PETTINGILL: Yes. I was on the map
12 this morning and I was looking at it.

13 MR. LACIVITA: Francis, was this the
14 reason that back in that time frame that they
15 rezoned it to the commercial component?

16 MR. BOSSOLINI: I think that's probably
17 what those refer to.

18 CHAIRMAN STUTO: There was an '07
19 rezoning of the whole Town. Then there was an
20 adjustment made on Route 7. It sounds like it
21 might have been 2008. In other words, there
22 was a mistake in the original zoning and I
23 think that they corrected it to what the
24 current zoning is now.

25 What's the current zoning?

1 MR. BOSSOLINI: It's COR now. It might
2 have been residential or something else
3 before.

4 MR. LACIVITA: This was the Boghosian
5 property and a few of the other properties
6 that went right along with it. They did it as
7 an aggregate of 10 sites, if I'm correct.

8 CHAIRMAN STUTO: Sir, that's our best
9 answer for you.

10 MR. PETTINGILL: Thank you. There wasn't
11 any description, so I was just wondering.

12 CHAIRMAN STUTO: Anybody else form the
13 public?

14 MR. CONANT: My name is Robert Conant.
15 I'm at 814 Troy-Schenectady Road.

16 Since the entrance to this is going to be
17 almost across from Knadler Drive, is there a
18 proposal to put a traffic light in that
19 location?

20 MR. GRASSO: There is no current
21 proposal. DOT controls Route 7, obviously.
22 They were brought into the review process to
23 see if there is any access changes or
24 signalization proposals out there. They didn't
25 raise any issues with that. Based on them not

1 mentioning it, I don't assume that there are
2 any plans to put a signal there at any point
3 in the near future.

4 MR. ROSANO: And the fact that Knadler is
5 a dead end street - that doesn't seem like
6 anything is going to happen over there. There
7 isn't a lot of traffic.

8 MR. GRASSO: I think that the next signal
9 down is at NYSUT Drive, which is in relative
10 close proximity to this. It's down about a
11 quarter of a mile or so to the east. That
12 provides some queuing along Route 7 and
13 provides some gaps there for people to get
14 out.

15 CHAIRMAN STUTO: Does that answer your
16 questions?

17 MR. CONANT: Yes, thank you.

18 MS. DALTON: Is this concept acceptance?

19 CHAIRMAN STUTO: Sketch plan.

20 MS. DALTON: Can you explain what we're
21 voting on?

22 CHAIRMAN STUTO: We're not voting. This
23 is just an introduction to the project and if
24 we want to give any preliminary feedback, we
25 can do that and they will use that for

1 concept.

2 MS. DALTON: Were there any notice
3 requirements on this?

4 MR. GRASSO: Not for a sketch plan. We
5 had expected this to be a formal concept
6 review, but we didn't have enough time to get
7 our review done. So, we asked that it just be
8 considered for sketch plan review in order for
9 us to provide initial feedback to Francis to
10 make sure that the concept application is
11 complete.

12 MS. DALTON: Thank you. I'm going to tell
13 you that this is my house (Indicating), and I
14 had no idea that this was going on. I know
15 that my neighbors had no idea that this was
16 being proposed. I know that this is wetland
17 property and it may seem like it's unnecessary
18 to notice all the people on Garling and Laura,
19 but we're used to having all of that space.
20 The kids play back there. There are ATVs back
21 there. Animals are back there. I walk my dog
22 back there. This is an important component of
23 that neighborhood for all those residents
24 behind us.

25 MR. BOSSOLINI: We'll review the notice

1 requirements. The placards will be posted.
2 There is a statutory distance that we have to
3 do. That's really all that we, as the
4 applicants, are required to do. I know that
5 the meeting agendas are posted with a proper
6 meeting notice from the Town's meeting rules.
7 We notice what we are required to do within
8 that distance; whatever it happens to be.

9 MR. ROSANO: Francis, one of the things
10 that this Board has always tried to impress
11 upon you was to try to reach out to the other
12 neighbors. I know that people that live in the
13 houses don't maybe own the homes, but maybe
14 try to reach out to some of the neighbors like
15 on Knadler and up and down Troy-Schenectady
16 Road. There are several people outside the
17 200 feet and it would not hurt to reach out to
18 them a little bit.

19 MR. BOSSOLINI: And if we have
20 individuals that might want to be notified,
21 we'd be happy to oblige.

22 MS. DALTON: What I'm saying is that when
23 you look at the houses here, you're looking at
24 the density right next door and up here
25 (Indicating). In truth and in fact, the

1 neighborhood that's right here on the other
2 side, is the neighborhood which would be most
3 impacted in terms of this development. We're
4 the ones who are kind of contiguous and are
5 used to having some greenspace. The noise
6 factor would be an issue to us. What kind of
7 fence you're going to put there would be an
8 issue.

9 MR. BOSSOLINI: Well, it is somebody's
10 back yard right now. I wouldn't characterize
11 it as undeveloped. There are two lots that
12 have residences on it, and that is their back
13 yard.

14 MS. DALTON: Those lots are really deep.
15 I would suggest that is a very big warehouse
16 building and then you're talking about putting
17 11 units of apartment on something that is
18 currently woods. That makes a difference to
19 those neighbors. I live in the neighborhood so
20 I can tell you that for sure. What I'm
21 suggesting to you is that the next time that
22 you appear, when you do notice - it would be
23 nice to notice the people who are going to be
24 affected by this. I know that given the
25 current law, thinking about the neighborhood

1 essentially to the southwest, might not be
2 something that you might automatically think
3 of because of it's on the other side of the
4 wetland. But these neighbors over here on
5 Knadler are not going to be the ones that are
6 going to be affected by the loss of
7 greenspace. That's my suggestion. When you
8 come back for concept approval, I would
9 suggest those few things.

10 MR. MION: I agree with what Kathy was
11 saying. All Kathy is saying is be good
12 neighbors. Reach out to them. We found that it
13 goes a lot smoother.

14 MR. BOSSOLINI: Understood. I think that
15 the intention at first blush is that we
16 complied with the notification. If there are
17 other people that you feel need to be
18 notified, we'll be glad to reach out. Our
19 obligation is what the regulations say.

20 MS. DALTON: We talk all the time about
21 the way that the law is currently constructed
22 with regards to notice. It's probably not
23 adequate for notifying people who would be
24 most interested in what was happening. In this
25 particular piece of property, it accentuates

1 that point. As I said, the neighborhood that
2 is probably least likely to be covered by the
3 formal notice requirements is the neighborhood
4 which is probably going to be most likely
5 affected by the lack of those trees and
6 greenspace in terms of noise.

7 In terms of apartment residents, now
8 other people are going to be using that space
9 behind there.

10 CHAIRMAN STUTO: Tim?

11 MR. LANE: Were there any elevations for
12 the apartment building?

13 MR. BOSSOLINI: We're looking at a
14 three-story building to get 4 units on each
15 floor, less one at the rear. It's compliant
16 with the height restrictions.

17 MR. LANE: Is there any specific group
18 that this is going to be marketed to; seniors
19 or anything of that nature?

20 MR. BOSSOLINI: We're not going to have
21 an age restriction on it. They're market rate
22 apartments.

23 MR. LANE: What about rent?

24 MR. BOSSOLINI: I'll speak generally.
25 It's about \$1,000 a month for a two-bedroom

1 apartment. It's all dependants on amenities
2 and location, obviously. It's between \$800 to
3 \$1,200; something in that range.

4 MR. LANE: I don't know if I've ever seen
5 anything where it's a commercial office space
6 and an apartment complex behind there.

7 MR. BOSSOLINI: I think that the
8 intention of the master plan in this zoning
9 district is to have an excuse. We have people
10 living along the corridor with a higher
11 density -

12 MR. LANE: I'm thinking more like you
13 have the residential, but then you have
14 commercial retail. Is there going to be retail
15 in this?

16 MR. BOSSOLINI: Well, the retail for the
17 store - the Top Tile. That's a retail
18 establishment.

19 MR. LANE: I'm not familiar with Top
20 Tile.

21 MR. BOSSOLINI: They sell residential and
22 commercial tile. The way that the business is
23 set up is you have a show room where you look
24 at a board with your tile on it and they keep
25 them in back.

1 MR. LANE: I thought that the intent for
2 that kind of thing is that you'd have the
3 residents next to the store in a short walking
4 distance.

5 MR. BOSSOLINI: It's not a long distance
6 from here to here (Indicating). It's 150 feet.

7 MR. LANE: So, there's going to be like a
8 retail store in there.

9 MR. BOSSOLINI: They're going to have
10 their retail store where people are purchasing
11 tile -

12 MR. LANE: No, I mean groceries and
13 things of that nature. I think you missed my
14 point.

15 MR. BOSSOLINI: The code just talks about
16 retail. It doesn't say what kind.

17 MR. LANE: I think that was more the
18 intent. It just seemed like an odd setup. I'm
19 not dismissing the plan. I just think that
20 it's out of the intent of what they were going
21 for with the commercial retail next to the
22 residential. I think that when they said
23 retail, they meant accessible stores to
24 support a living environment.

25 MR. BOSSOLINI: You can only have so many

1 grocery stores. I will say that perhaps
2 someone who works in the store wants to live
3 nearby, or someone who works at the State
4 Police building that's being constructed or
5 the teacher's union building. Those people can
6 walk. There isn't an opportunity for someone
7 who wants to rent an apartment in that
8 area -- they can walk down this sidewalk 500
9 yards.

10 MR. LANE: There are no apartments in
11 that area?

12 MR. BOSSOLINI: There are houses and
13 perhaps it might be rented. Here is an
14 opportunity for someone who is a young
15 professional or someone who is not in the
16 position to buy a house. You might be a
17 secretary or someone in that sort of
18 occupation and you can't afford to buy a
19 house. So, you have an opportunity to live
20 near where you work. There are lots of
21 commercial establishments within walking
22 distance of this site.

23 Grocery stores are a different animal
24 now. We're looking at 50,000 or 100,000 square
25 feet grocery stores. To build all your

1 residential within a radius of that might not
2 be practical either.

3 MR. LACIVITA: It also fits in with these
4 mixed use zoning districts that they have.
5 They really provide for a transition from a
6 signal family, to a mixed use, to a
7 commercial. The commercial corridor is there.

8 Had it been retail on the bottom, there
9 probably would have been a different density
10 calculation for the building itself. So, you
11 have that residential component in the density
12 calculation in the back. The mixed zone does
13 provide for a transition component as well.

14 I don't know if you want to expand on
15 that a little bit.

16 MR. BOSSOLINI: I will say from a
17 building architectural standpoint, it is more
18 difficult to put everybody in one building as
19 well. If you're talking about storefronts on
20 the first floor and maybe apartments over the
21 top of that - that becomes a different issue
22 as well.

23 It might work in Saratoga Springs where
24 they are literally building a Price Chopper on
25 the first floor and condos above it. It's a

1 different construction technique and different
2 regulations at play there.

3 This is completely compliant with both
4 the intent and the letter of the law, as far
5 as the allowability of density uses.

6 MR. LANE: Thank you.

7 MR. SULLIVAN: The only question that I
8 had dealt with the proximity of the curb cut
9 to the property line. You had mentioned that
10 the solution is currently underway.

11 MR. BOSSOLINI: We received comments from
12 the DOT so that's something that we're looking
13 at in just adjusting the design of that curb
14 cut.

15 MR. SULLIVAN: Are you planning on
16 relocating it?

17 MR. BOSSOLINI: We have an option of
18 shifting it over a little bit or modifying the
19 configuration of it as well so that we're
20 consistent with their standard.

21 MR. MION: That's shifting over the
22 current curb cut. There is one there.

23 MR. BOSSOLINI: The one for the residents
24 is here. The residential curb cut is here
25 (Indicating) and there are really two. They're

1 farther to the west. The curb cut for the
2 adjoining property is here (Indicating). It's
3 quite a ways to the east. Almost 100 feet.

4 MR. MION: So, the driveway is going to
5 be on the left side of the telephone pole?

6 MR. BOSSOLINI: Yes, more or less at the
7 property corner. So, it meets the west of
8 that. We're trying not to move that pole.

9 MR. SULLIVAN: Thank you. That's all I
10 had.

11 MR. ROSANO: Francis, I thought that it
12 was kind of unusual to have a double curb cut
13 there.

14 MR. BOSSOLINI: There are two building
15 lots so they both have their own driveway.

16 MR. ROSANO: I will have more questions
17 about the driveway.

18 CHAIRMAN STUTO: I just have a couple. I
19 just think that Joe did a good job. In
20 reviewing this, I think that you made a lot of
21 excellent comments. I think that if you work
22 closely with him and take into consideration
23 your neighbors, we'll all be better served
24 with that.

25 The cross access I think is important.

1 The parking, I think, needs to be closely
2 examined and I think that Joe said that he was
3 going to do that with you.

4 Architectural, I think, is important to
5 this Board. The rendering looks okay, but it
6 doesn't have a lot of detail. So, we'll be
7 interested in that with respect to the retail
8 building.

9 The apartment drawing -- I don't know if
10 you had a small renditions for next time
11 around.

12 MR. BOSSOLINI: We can give you different
13 versions.

14 CHAIRMAN STUTO: Are there any sidewalks
15 there?

16 MR. GRASSO: Yes, right across Route 7.

17 MR. BOSSOLINI: Route 7 has sidewalks on
18 both sides. We're going to connect across and
19 bring the sidewalk into the site.

20 CHAIRMAN STUTO: Can you show me where it
21 runs on Route 7? It doesn't show on that
22 picture?

23 MR. BOSSOLINI: It's the gray right here
24 (Indicating).

25 MR. GRASSO: They're on both sides.

1 CHAIRMAN STUTO: And they're already
2 there?

3 MR. GRASSO: Yes.

4 MR. BOSSOLINI: We're going to connect to
5 it.

6 CHAIRMAN STUTO: Any more questions from
7 the audience?

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

9 CHAIRMAN STUTO: Okay, there is no vote
10 tonight so if there's nothing else, we'll look
11 to see you next time around.

12

13

14 ***(Whereas the proceeding concerning the***
15 ***above entitled matter was concluded at***
16 ***8:10 p.m.)***

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CERTIFICATION

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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 taken by**
8 **me at the time and place noted in the heading**
9 **hereof is a true and accurate transcript of**
10 **same, to the best of my ability and belief.**

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15 **NANCY STRANG-VANDEBOGART**

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18 **Dated October 31, 2011**

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