

1 PLANNING BOARD COUNTY OF ALBANY
2 TOWN OF COLONIE

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5 HOFFMAN SENIOR COMPLEX
6 PLANNED DEVELOPMENT DISTRICT
7 1 ALICE AVENUE
8 CONSIDERATION OF FINDINGS AND
9 RECOMMENDATIONS TO THE TOWN BOARD

10 *****

11 THE TAPED AND TRANSCRIBED MINUTES of the above
12 entitled proceeding BY NANCY STRANG-VANDEBOGART
13 commencing on March 1, 2011 at 7:45 p.m. at the Public
14 Operations Center
15 347 Old Niskayuna Road, Latham, New York 12110

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17 BOARD MEMBERS:

- 18 PETER STUTO, CHAIRMAN
- 19 PAUL ROSANO
- 20 MICHAEL SULLIVAN
- 21 LOUIS MION
- 22 KATHLEEN DALTON
- 23 TIMOTHY LANE
- 24 ELENA VAIDA, Esq., Attorney for the Planning Board

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Also present:

- 18 Joseph LaCivita, Director, Planning and Economic
19 Development
- 20 Daniel Hershberg, Hershberg & Hershberg
- 21 Joe Grasso, Clough Harbour & Associates

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1 CHAIRMAN STUTO: Next on the agenda is
2 the Hoffman PDD findings and recommendation to
3 the Town Board.

4 Joe, do you want to give us an
5 introduction on this?

6 MR. LACIVITA: Sure. This has been before
7 the Board under sketch plan review probably no
8 less than five times. Mr. Hershberg and
9 Mr. Grasso could attest to that. It's been
10 through a number of changes throughout the
11 Town. It was last before the Town on
12 December 14, 2010 in which the Board at that
13 time was very happy with the sketch plan and
14 went through the findings period. They made
15 the findings in that meeting on the 14th and
16 we're here tonight to finalize them, adopt
17 them, and make a recommendation to the Town
18 Board for rezoning for a PDD.

19 With that, I can turn it over to
20 Mr. Grasso to summarize.

21 MR. GRASSO: We prepared a draft findings
22 statement for the Planning Board's
23 consideration based on about nine specific
24 findings that you have to look at for a
25 proposed PDD application. If you want, I can

1 go through those, or I can let Dan Hershberg,
2 the applicant, give a description of the
3 project and then we can come back to the
4 findings. We can also just go through the
5 comments from the Board from the draft
6 findings that we put together. I'd be more
7 than happy to go through them after Dan gives
8 an update.

9 CHAIRMAN STUTO: Mr. Hershberg, can you
10 be brief and then we'll go to the findings?

11 MR. HERSHBERG: Thank you, Mr. Chairman.
12 My name is Daniel Hershberg from the firm of
13 Hershberg and Hershberg. I'll be quite brief.

14 We recommend that the Board approve this
15 project. This project has been before you a
16 number of times. December 14th, when a negative
17 declaration was reviewed, it had reached the
18 end of a long process.

19 MR. GRASSO: So, I'm just going to pick
20 up on that.

21 As Joe had mentioned, the project got
22 concept approval and a negative declaration of
23 SEQRA back in December. So, the only thing
24 left for the project before it goes to the
25 Town Board for consideration of the PDD

1 legislation and the zoning map amendment is to
2 approve the findings that support the Planning
3 Board's review of the project in accordance
4 with the criteria set forth in the Town Code
5 for PDDs.

6 The first criteria is that the PDD is
7 consistent with the purpose and the intent of
8 this chapter, including the design standards.

9 I'm just going to read through the
10 finding that we have prepared.

11 The Town Land Use Law Chapter 190-13
12 states the PDDs should advance the goals of
13 the Comprehensive Plan, promote innovation and
14 the design and layout of structures, encourage
15 pedestrian oriented development and
16 redevelopment, ensure adequate provision of
17 community services, preserve significant
18 natural features, and permanently protect open
19 space resources.

20 Our findings are that the latest concept
21 site plan generally conforms to the design
22 standards for multifamily residential in
23 planned development districts. A more thorough
24 review of project details include site
25 planning and architectural design. Lighting

1 and landscaping will occur during the site
2 plan review process, should the Town Board
3 establish the PDD.

4 Based on that, we believe that the PDD is
5 consistent with the intent of the PDD law and
6 design standards.

7 The second finding is that the PDD is
8 compatible with the surrounding neighborhood
9 context and character and is in conformance
10 with the Comp Plan.

11 Our finding is that the natural on-site
12 buffers will be preserved to provide screening
13 to the existing single family residential
14 homes along Eastern Avenue to the northwest.
15 The maximum development potential for the site
16 as permitted by the present zoning is
17 approximately 60 single family residential
18 units. The proposed project consists of a
19 total of 260 senior housing dwelling units.
20 The applicant justifies the proposed increased
21 in allowable density by stating that the
22 additional senior independent living units and
23 assisted living beds are needed in the Town of
24 Colonie that meets the aging population.

25 One of the goals of the Town's Comp Plan

1 is to provide opportunities and incentives for
2 the development and redevelopment of a variety
3 of housing options in the Town to meet the
4 needs of the increasing diverse population.

5 Another goal of the Comp Plan is to
6 protect the Town's important natural resources
7 such as stream corridors, steep slopes, flood
8 planes, wetlands and unique ecosystem.

9 Based on the above, we feel that the PDD
10 is compatible with the surrounding
11 neighborhood and is in conformance with the
12 Comprehensive Plan.

13 The third finding is that the
14 requirements of SEQRA have been fulfilled in
15 the PDD as mitigated potential undue adverse
16 impacts set forth during the SEQRA review to
17 the maximum extent practicable. The Planning
18 Board appointed a TDE, which is CHA, to assist
19 with the technical review of the project. The
20 design engineer, Dan Hershberg, completed a
21 significant amount of additional investigative
22 work and site design modification as request
23 by both the Planning Board and the TDE. In
24 addition, any potential environmental impacts
25 of the project will be eliminated or reduced

1 to small to moderate through existing
2 regulatory requirements including mitigation
3 pursuant to the Boght Road/Columbia Street
4 area GEIS statement of findings.

5 MS. VAIDA: That would include the
6 mitigation fees?

7 MR. GRASSO: That's correct. In nine it
8 talks about any possible amendments regarding
9 the traffic impacts.

10 Based upon the review of the criteria for
11 determining significance contained in the
12 SEQRA regulations and the rules of
13 reasonableness, the Planning Board, acting as
14 lead agency issued a neg dec on
15 December 14, 2010 concluding that the facts
16 and circumstances of the project will not
17 result in a significant adverse environmental
18 impact, and so the preparation of an EIS will
19 not be required based on the fact that the
20 requirements of SEQRA have been fulfilled.

21 The fourth finding is that the PDD will
22 add to the long-term assets to the community
23 and will not erode the livability or economic
24 viability of the existing neighborhood areas.
25 The applicant prepared independent marketing

1 analyses which identified significantly
2 greater demand for independent senior housing
3 and senior assisted living units than are
4 currently available in the market. The
5 applicant identified the following additional
6 public benefits: The Boght Road/Columbia
7 Street area GEIS mitigation costs for the
8 proposed project exceed the mitigation costs
9 from a project that would conform to the
10 current zoning. As such, needed infrastructure
11 improvements in the vicinity can be completed.
12 There would be an increase in estimated real
13 property taxes with little to no demand on the
14 local school district.

15 There would be construction of water
16 system improvements including a replacement of
17 approximately 650 linear feet of water main
18 and replacing a pressure reducing valve and
19 concrete vault.

20 There would be a scenic overlook provided
21 and nature walk within the project.

22 The summary of that finding, based on the
23 above is that the PDD will add to the
24 long-term assets of the community and will not
25 erode the livability or economic viability of

1 the existing neighborhood areas.

2 The open space and recreation areas in
3 the facility provide a commensurate with the
4 level of development proposed. The
5 predevelopment open space resources are
6 potentially available for protection.

7 The project documents offer numerous
8 recreational opportunities in the project
9 including a health club, pool, restaurant,
10 walk-in group sitting areas, exercise
11 stations, bocce ball and shuffleboard. In
12 addition, pedestrian accommodations have been
13 made by the additions of sidewalks along the
14 development roadways.

15 Finally, a scenic overlook nature walk
16 will be provided.

17 As previously noted, significant open
18 space will be preserved.

19 Based on the above, the open space and
20 recreation areas and facilities are
21 commensurate with the development proposed.

22 The sixth finding is that the provisions
23 protecting open-space resources are
24 sufficiently secured by dedication where
25 appropriate and desirable where legal

1 instruments and/or monitoring programs and
2 their establishment or use of an existing
3 trust to ensure their long-term protection.

4 Our finding is that a concept plan calls
5 for the preservation of significant open
6 space, avoid steep slopes, freshwater wetlands
7 and the dry river. Approximately 80 percent of
8 the total site will be greenspace and
9 approximately 58 percent of the site will
10 remain undisturbed from its existing
11 conditions. A condition of the Planning Board
12 concept acceptance of a PDD is that preserved
13 land on-site be protected in perpetuity.

14 Based on the above, the PDD protects the
15 open space resources sufficiently for the
16 long-term.

17 The seventh finding is that the proposal
18 is conceptually sound and that it meets local
19 and area-wide needs and it conforms to the
20 accepted design principals in the proposed
21 function of roadway and pedestrian system,
22 land-use configuration, open space, drainage
23 system and scale of the elements both
24 absolutely and to one another.

25 The findings are that after numerous

1 design iterations, the concept plan has been
2 developed to preserve open space, avoid steep
3 slopes, freshwater wetlands and the protected
4 dry river. The concept plan provides for a
5 functional roadway and pedestrian system land
6 use configuration and infrastructure to
7 support the project. The project will maintain
8 buffers along Eastern Avenue single family
9 homes to the northwest. Architecture and site
10 design will comply to the Town's multi-use
11 residential design standards.

12 Based on the above, the PDD is
13 conceptually sound, meeting a local and
14 area-wide need in conformance with the
15 accepted design principals.

16 Next is that there are adequate community
17 facilities, services available or proposed to
18 be made available in the construction of the
19 development.

20 The findings are that the project design
21 will require construction of roadways and
22 parking, sidewalks, sanitary sewer, water
23 main, storm sewers and other utilities that
24 serve the project. In addition, the applicant
25 has committed to making improvements for the

1 existing water distribution system in the
2 project vicinity.

3 Finally, the project applicant will
4 contribute funds toward mitigation fees
5 specified in the Boght Road/Columbia Street
6 GEIS to support infrastructure improvements
7 within the study area.

8 Based on the above, the PDD has adequate
9 community facilities, services to serve the
10 development.

11 The last finding is relative to traffic
12 and states that the traffic will not have an
13 adverse impact on the adjoining transportation
14 system. The supporting finding is that the
15 proposed finding will result in a small
16 increase in traffic on the local highway
17 system. Mitigation of impacts will be provided
18 in accordance with the Boght Road/Columbia
19 Street area GEIS statement of findings through
20 the payment of mitigation fees in accordance
21 with the schedule fees and place at the time
22 each mitigation fee payment is made. In
23 addition, site access will be provided by
24 utilizing the existing New York State Route 2
25 curb cut for the adjacent Highland Club

1 apartment complex. Improvements will be made
2 to the private access drive to accommodate a
3 shared driveway. Since no modifications are
4 proposed within the New York State right of
5 way, DOT had no traffic related review
6 comments.

7 Finally, a parking assessment was
8 submitted demonstrating that the proposed
9 1.5 parking spaces per dwelling unit is
10 adequate for the proposed senior housing
11 project.

12 Based on the above, it appears that the
13 project will not have an adverse impact on the
14 adjoining transportation system.

15 In summary, therefore, the Planning Board
16 issues the above written findings pursuant to
17 Chapter 190-13 of the Colonie Land Use Law
18 documenting the facts and information relied
19 upon to reach its conclusions in rendering a
20 decision to recommend approval of the Hoffman
21 Senior Housing Planned Development District to
22 the Town Board.

23 CHAIRMAN STUTO: Thank you.

24 Does the Board have any comments or
25 questions?

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

2 CHAIRMAN STUTO: Do we have a motion
3 to adopt these findings?

4 MR. LANE: I'll make a motion to
5 adopt the findings.

6 MR. MION: I'll second it.

7 CHAIRMAN STUTO: All in favor?

8 ***(Ayes were recited.)***

9 CHAIRMAN STUTO: All opposed?

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

11 CHAIRMAN STUTO: None being opposed,
12 the motion is adopted.

13 Thank you.

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17 ***(Whereas the proceeding concerning the above***

18 ***entitled matter was adjourned at 7:58 p.m.)***

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CERTIFICATION

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

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15 -----
16 **NANCY STRANG-VANDEBOGART**

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19 **Dated March 14, 2011**