

1 PLANNING BOARD COUNTY OF ALBANY  
2 TOWN OF COLONIE

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4 \*\*\*\*\*  
5 SCHUYLER HEIGHTS FIRE DEPARTMENT  
6 849 FIRST STREET  
7 APPLICATION FOR FINAL SITE PLAN APPROVAL  
8 \*\*\*\*\*

9 THE TAPED AND TRANSCRIBED MINUTES of the above  
10 entitled proceeding BY NANCY STRANG-VANDEBOGART  
11 commencing on April 12, 2011 at 9:43 p.m. at the  
12 Public Operations Center 347 Old Niskayuna Road,  
13 Latham, New York 12110

14 BOARD MEMBERS:

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

23 Also present:

- 24 Joe Grasso, Clough Harbour and Associates
- 25 Joe LaCivita, Director, Planning and Economic  
Development
- Richard Campagnola, PE, CT Male Associates
- Skip Francis, PE, CT Male Associates
- Diana Call Benedetti

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1           CHAIRMAN STUTO: Okay, we're calling up  
2 the Schuyler Heights Fire Department project.  
3 This is an application for final site plan  
4 approval.

5           Joe, you want to give us an overview?

6           MR. LACIVITA: With respect to time, I'll  
7 turn it right over to Skip and Joe Grasso.  
8 This is a 47-car parking lot. Again, they are  
9 here for final approval and I'll just turn it  
10 over to these gentlemen.

11          MR. FRANCIS: Good evening. Thank you,  
12 very much. My name is Skip Francis and I'm  
13 with CT Male Associates. We are the site  
14 engineers.

15          Last year we received concept approval,  
16 but since then we have submitted two revisions  
17 of the plans from November 2010 and now in  
18 February. We'd just like to summarize for the  
19 Board the changes that have been made to the  
20 plans.

21          Let me just introduce the existing  
22 conditions of the site are such that the  
23 existing fire house, as you can see right here  
24 (Indicating), has inadequate parking. There  
25 are physically six spaces on the west side and

1           those spaces encroach upon the adjoining  
2           property. This project is intended to provide  
3           parking for emergency responders and this  
4           building is a designated community poll  
5           location.

6           During voter days there have been  
7           problems for places for voters to park. This  
8           parking lot would solve both those problems  
9           for now until a fire house is built. The  
10          construction of the parking lot involves a  
11          DEC environmental mediation project record of  
12          decision dated March 2008, which has been  
13          submitted to the PEDD for their review. So,  
14          there are construction requirements associated  
15          with this.

16          Since the concept review, we have made  
17          some changes to the plans. There has been an  
18          additional six-foot wide asphalt path added to  
19          the width of the driveway to allow for  
20          pedestrians to reach a mid-walk crosswalk to  
21          get to the firehouse. This pathway also allows  
22          for an accessible route.

23                 MR. LANE: Is that on the eastside of the  
24                 firehouse?

25                 MR. FRANCIS: It's on the west side. This

1 directs pedestrians to the crosswalk and keeps  
2 them out of the traffic in the driveway aisle,  
3 itself. That was an improvement. We've added a  
4 mid-block crosswalk. There will be no traffic  
5 signalization at this crosswalk.

6 MR. LANE: What about a pedestrian  
7 crossing sign?

8 MR. FRANCIS: Yes, pedestrian crossing  
9 signs are close to 200 feet from the crosswalk  
10 on either side of the road. Those have been  
11 reviewed and recommended by Clough Harbour who  
12 is not only the TDE for this project but also  
13 the Town's contracted road inventory  
14 engineers. We've had a discussion with Bill  
15 Neely with the DPW office and he has concurred  
16 with the signage, the businesses, locations  
17 and the mid-walk crosswalk.

18 The landscaping buffer improvements have  
19 been made since the last concept submission.  
20 There are additional plantings added to the  
21 east part of the property line. The berm for  
22 the plantings has been raised. This is all in  
23 an effort to provide visual screening for  
24 those eastern adjoining residents, as well as  
25 the plantings along the frontage of the site

1 that would facilitate screening from the  
2 adjoining persons from across the street.  
3 These plantings also sit on an elevated berm  
4 shown on the grading plan.

5 The eastern boundary chain link fence  
6 currently has a wind screen which is torn and  
7 falling apart. It's been a concern. This will  
8 be removed and there will be a new windscreen.  
9 The limits have been defined in this corner  
10 down to this corner (Indicating).

11 MR. LANE: What's that distance?

12 MR. FRANCIS: Approximately 621 feet.  
13 That's the length of this boundary line.

14 MR. GRASSO: And the height in there,  
15 Skip?

16 MR. FRANCIS: It's a six-foot chain link  
17 fence.

18 The site has a stormwater management  
19 report. It has been revised to clarify the  
20 12-inch corrugated culvert that was previously  
21 part on the property and partly in the Town  
22 right of way. We pulled the culvert back onto  
23 the private property and outside of the Town  
24 right of way. No stormwater maintenance  
25 agreement will be required for that and it

1 will be totally owned and maintained by the  
2 applicant to be cleared. There were further  
3 conclusions that no adverse impacts to  
4 downward drainage would result from this  
5 development and it kept the discharge rates  
6 within the allowable tolerances of the Town.

7 Lastly, we just clarified the lighting  
8 that was proposed for this site. No exterior  
9 fixtures. This will be an unlighted parking  
10 lot. We have submitted that in the event  
11 during fall voting days when the days are  
12 shorter and voting hours go to 9:00 PM, when  
13 it is dark, that there will be portable  
14 lights.

15 When they fight their fires, they do roll  
16 those out and it will be sufficient enough to  
17 light the parking lot so that the voters can  
18 safely walk to and from the poles and then  
19 we'll shut the lights down when the voting is  
20 over with. Those are, in summary, in short,  
21 the changes that have been made in the last  
22 year. We're asking for final site plan  
23 approval by the Board so that they can  
24 commence construction in the construction  
25 season and I'll entertain questions from the

1 Board at this time.

2 We also have addressed all TDE comments.  
3 There are no other Town Department impacts.  
4 There are no water services, or sewer services  
5 or anything of that sort.

6 MR. LANE: Is it planned down the road to  
7 build a fire house? Isn't that the eventual  
8 plan?

9 MR. FRANCIS: Yes, sir.

10 MR. LANE: Then why no lighting for the  
11 parking lot?

12 MR. FRANCIS: This is just a temporary  
13 parking lot.

14 MR. LANE: Will it not become a permanent  
15 parking lot? Where is the location of the  
16 firehouse planned for?

17 MR. FRANCIS: The new firehouse will  
18 occupy the same position as this parking lot.  
19 This parking lot will come out and when the  
20 new fire house site it built, this will  
21 totally be removed and the site will be  
22 reconfigured with a fire house and a parking  
23 lot around it, as well.

24 MR. LANE: So the firehouse is going on  
25 the site where the parking lot is? I'm not

1           sure that this makes a lot of sense.

2           MR. FRANCIS: It does make sense from the  
3           standpoint of our applicant in that their  
4           funding of the firehouse is largely dependant  
5           upon DEC cleanup times. Since those funds have  
6           been frozen, they do not have public  
7           referendum funds to fund a firehouse. In the  
8           interim, parking is a true need for this  
9           facility. It's also being a polling place, and  
10          they need parking.

11          MR. LANE: There will be parking next to  
12          the firehouse, though.

13          MR. FRANCIS: That's correct, but this is  
14          a place of business right next door.

15          MR. LANE: I understand that.

16          MR. FRANCIS: If they respond to a call  
17          during the day -

18          MR. LANE: They always have the  
19          opportunity to park in that space. They've  
20          never been denied that.

21          MR. FRANCIS: I understand that, but also  
22          during voter days, there have been problems  
23          with voters -

24          MR. LANE: They did that the last couple  
25          of years. They blocked up those spaces and



1 required people to park off-site.

2 MR. FRANCIS: Correct, and that's made  
3 the adjoining owner upset sometimes on voter  
4 days. So, the Fire District has gone to public  
5 referendum and has secured funds for the  
6 temporary parking lot. They have explained and  
7 have had public meetings to explain to the  
8 district residents the need for this temporary  
9 parking lot and that the firehouse is a  
10 future -

11 MR. LANE: Regardless of the need, it  
12 just seems like they're going to spend money  
13 to build a parking lot, which is not going to  
14 have a light, which is somewhat of a public  
15 safety issue. Then at some point in the  
16 future, they're going to tear up the lot which  
17 they're going to spend money on this year to  
18 build another fire house.

19 MR. FRANCIS: The new facility itself may  
20 not be built for 15 years. Right now it's on  
21 indefinite hold until DEC funds can make the  
22 project viable for them. That's why they need  
23 to do a temporary lot right now. There are  
24 future plans for a firehouse here, but when it  
25 will happen, they're not sure.

1           MR. LANE: So you're going 10 or 15 years  
2 in that lot with no lights - I just think it's  
3 a public safety issue. You're going to put the  
4 voters there -- that's a road with a lot of  
5 heavy equipment, heavy trucks, fast moving  
6 vehicles and require older people to cross  
7 that road -- I know that the voters are there.  
8 You can talk about the voters, etcetera, which  
9 happens twice a year, but primarily it's going  
10 to be for functions that they have there.  
11 Wouldn't that be the primary use? It's going  
12 to be more often parking for functions than it  
13 is for anything else; wouldn't that be  
14 correct?

15           MR. FRANCIS: The firehouse would  
16 continue to hold functions.

17           MR. LANE: So, what would they do for  
18 lighting in those events? Are they going to  
19 put up the Klieg lights or whatever they're  
20 called?

21           MR. CAMPAGNOLA: I'm Rich Campagnola and  
22 I'm a tech with CT Male.

23           The intent of the parking lot, as was  
24 said, is really for first responders and  
25 secondary for the functions that will occur.

1           The Fire District personnel - they have their  
2           own fire police, as well, which controls  
3           traffic during functions and things like that.  
4           They would be responsible to crossing guards  
5           and maintaining the safety of both  
6           firefighters and public during those events.  
7           The intent with this lot is the cost of  
8           remediation of the site under the  
9           environmental remediation program and is  
10          estimated at \$585,000. Those funds aren't  
11          available anymore. So to develop this site  
12          currently, because of those remediation  
13          requirements, is really putting a strain on  
14          what the Fire District can do. We are looking  
15          at a number of options right not, short and  
16          long-term. In this case, it's the immediate  
17          plan for a parking lot. In the shorter term,  
18          it may be a combination of retaining the  
19          existing building for certain functions and  
20          putting certain functions in a smaller  
21          facility. Again, a very long-term phase  
22          project where any building would be away from  
23          residential. I think that we said that in past  
24          public meetings. Any structure of apparatus or  
25          other movement can stay toward the more

1 commercial or land use side, as away from any  
2 residential use. We would always maintain a  
3 buffer of parking, or drives, which would keep  
4 the building apparatus away from any of -

5 MR. LANE: So why not design a parking  
6 lot with the future firehouse in mind?

7 MR. CAMPAGNOLA: Part of it will be in a  
8 short-term plan. This will fit with only a  
9 portion, if that is the choice of the Fire  
10 District. This existing building - this was  
11 the original fire station (Indicating). This  
12 little square of a building. I think it was  
13 1966 and there was an ISO study in this fire  
14 district, in order to maintain a rating needed  
15 to accommodate additional apparatus. In  
16 serving the main function of the Fire  
17 District, that apparatus took over their whole  
18 site. This building used to make 25 calls a  
19 year. They're now doing 240 to 250 calls. So  
20 what we're going to be looking at in the  
21 phasing of this project is the parking lot and  
22 the apparatus building to accommodate  
23 additional apparatus. The apparatus size has  
24 drastically changed and anybody going into  
25 this firehouse will see that there is no room.

1           So our intent in developing a long-term plan  
2           will, yes, be to use this parking lot and to  
3           build possibly smaller functions that will  
4           incorporate the use of the car building. If  
5           there is a long term plan, the larger station  
6           which will move all the functions from this  
7           building and then look for another use for  
8           this building. It might possibly be the sale  
9           of it. Then, perhaps look at the impact of the  
10          development of a good portion of this  
11          (Indicating). We don't know that yet because  
12          we don't have a final design for that overall.  
13          All we're doing is trying to plan this as  
14          phasing in the future. This being the first  
15          phase, a potential future phase utilizing this  
16          or a portion of the building. The long-term  
17          plan will be somewhat to modify this or adapt  
18          it for that final use.

19                 MR. NARDACCI: You have how many parking  
20                 spaces? You have 47 spots, right? You have an  
21                 event and it's nighttime and they're full - I  
22                 mean, no lights.

23                 MR. LANE: I don't think that we've ever  
24                 approved a parking lot without lights.

25                 MR. ROSANO: How do we do that? It would

1 be the first time in history that we ever  
2 approved a parking lot of that size and then  
3 we're going to put people in jeopardy - even  
4 the firefighters at 2:00 in the morning  
5 pulling into a parking lot and they don't even  
6 know where they're going to step. It seems to  
7 me that it could be designed at least with a  
8 couple of lights somewhere.

9 MR. NARDACCI: If you don't want to hook  
10 up electrical, are there any solar options out  
11 there? I'm sure that a Fire District could go  
12 to NYSERDA and maybe access some grant  
13 funding. There has got to be alternatives. I  
14 know that cost is an issue.

15 MR. FRANCIS: Largely the parking lot is  
16 intended not to be lit because -

17 MR. NARDACCI: Let's talk about the  
18 social events. A social event happens -

19 MR. CAMPAGNOLA: The secondary use of the  
20 parking lot.

21 MR. NARDACCI: Let's talk about that. A  
22 social even happens and it's nighttime.

23 MR. FRANCIS: In those instances, they  
24 know that they're going to have the function  
25 on a given day on a given evening. They would

1 provide a temporary light plan.

2 MR. NARDACCI: That's on the plan? What  
3 number is that?

4 MR. CAMPAGNOLA: That's on page 8.  
5 Temporary lighting will be used during low  
6 daylight conditions. The intent is there.

7 MR. NARDACCI: Do you have other events  
8 beside the two voting days in a year?

9 MR. FRANCIS: Maybe a Saturday night  
10 function. How often those are, I don't know.  
11 They know when they're going to have a  
12 function and they're going to provide those  
13 facilities.

14 These people are fire safety personnel.  
15 They run into burning buildings. They have  
16 fire safety police who can adequately protect  
17 and assist people in need getting across the  
18 street. They have told us that in the past on  
19 voter turn out days that they are willing to  
20 have someone on watch outside if someone needs  
21 assistance by a cane, wheelchair, or getting  
22 across the road. they could assist in that  
23 manner.

24 MR. LANE: I just want to mention that  
25 the most that I've seen a guy do is tell them

1           that they can't park in the lot. They didn't  
2           help anybody other than to say that they can't  
3           park there. They had cones in the parking  
4           spots so that they couldn't park next to the  
5           building. That's all that person did.

6           MR. SULLIVAN: What would the power  
7           source be for the temporary lighting? Would it  
8           be a generator?

9           MR. FRANCIS: A self-contained generator.

10          MR. SULLIVAN: Are they gasoline powered  
11          or diesel powered?

12          MR. FRANCIS: Either.

13          MR. SULLIVAN: Is there going to be a  
14          noise issue with the generator?

15          MR. FRANCIS: Temporary, yes.

16          MR. SULLIVAN: But during the evening  
17          function, you're going to have a generator  
18          running while the lights are on.

19          MS. DALTON: Can I ask a question? You're  
20          going to have to have insurance right? I can't  
21          imagine that you would get insurance on a  
22          parking lot with no lights. It's a liability  
23          from my perspective.

24          MR. FRANCIS: I don't know the answer to  
25          that question. Counsel is not with us tonight.



1 That's a valid question.

2 MS. DALTON: If I were the insurance  
3 company, I wouldn't do it.

4 MR. MION: Going back to the noise issue,  
5 has anybody talked to the neighbors about it?  
6 They're going to be the ones that are going to  
7 be affected by it in the evening; depending on  
8 how late the function is.

9 MS. DALTON: My other question is with  
10 regard to going to the noise issue and the  
11 temporary nature of the lighting. I would  
12 admit up front that I'm Irish Catholic. My  
13 family has a lot of parties, but my family are  
14 also firefighters downstate. We use that fire  
15 station all the time - all the time. I  
16 question the real temporary usage issue. How  
17 many weeks out of the year? How many nights?  
18 How many weekends? Just in my experience, it's  
19 an awful lot.

20 MR. CAMPAGNOLA: Right now they have a  
21 limited use. They have no accessible  
22 bathrooms. You have to go through the  
23 apparatus area to actually use the bathrooms.  
24 The main use, again, is firefighter use. There  
25 are monthly meetings that are required to be

1 attended by the public. But that pretty much  
2 limits them to what they can do.

3 MS. DALTON: So you're not doing 60<sup>th</sup>  
4 birthday parties.

5 MR. CAMPAGNOLA: They can't. They have a  
6 big event out on the field every year because  
7 they don't have the facilities to bring the  
8 public in. That's what's really been limiting  
9 the public voting. One of the things that  
10 prevent them from public voting is that they  
11 don't have the accessible bathrooms to  
12 accommodate people. That pushes us into that  
13 future building.

14 CHAIRMAN STUTO: Joe, do you have any  
15 comment on the lighting?

16 MR. GRASSO: Yes, there is a note on the  
17 plans. Can you read it again? I thought that  
18 it referenced only lighting during the polling  
19 times. There is an assumption that meant only  
20 once or twice a year. We thought that the  
21 temporary lighting plan was temporary  
22 mitigation for the lighting because obviously  
23 there are lighting impacts if you have  
24 lighting every night, or more often.  
25 Obviously, that doesn't seem to be the case. I

1 think that we need to clarify the frequency of  
2 the events that would dictate the need for  
3 lighting. It's obviously within the Planning  
4 Board's purview to restrict uses for hours of  
5 use or frequency of events. I think that's  
6 where we should focus the discussion on. Then  
7 we can determine what the appropriate lighting  
8 is. If there are going to be parties there at  
9 night, or if they're outside of the polling  
10 times, I don't think that the temporary  
11 lighting plan is feasible. If the only  
12 intended use is for polling events, it would  
13 have been satisfactory to us. If that's not  
14 the case, then we need to know what we expect  
15 to see and how often they're going to occur.

16 MS. DALTON: If we're going to table this  
17 until we get answers to that, I really would  
18 like an answer to the insurance question and  
19 if you're going to have an issue with that. I  
20 think that it could be problematic.

21 MR. GRASSO: Assuming that there are  
22 enough events there that are going to dictate  
23 lighting, then we might as well just talk  
24 about what lighting is going to be. It's not  
25 that big of a lot. Obviously there is concern

1 about the neighbors and the heights of the  
2 lights.

3 MR. LANE: It's not exactly the greatest  
4 thing. Everybody obviously doesn't want  
5 glaring lights.

6 MR. GRASSO: What normally is utilized in  
7 these types of setting is an 18-foot high  
8 pole. You could probably cover it with two  
9 double headed fixtures on the center parking  
10 row. You could always go out about 60 feet of  
11 coverage on a double headed pole. That would  
12 probably be enough to light the lot.

13 MR. NARDACCI: And it would stay on the  
14 site and there wouldn't be glare off site.

15 MR. GRASSO: It would be central to the  
16 parking lot. That's what we would recommend.  
17 Is that something that you think is  
18 acceptable? I can see where this is going with  
19 the frequency of use. Does the Board feel  
20 comfortable with them being on a timer or  
21 something where there is switch at the  
22 firehouse?

23 MR. LANE: That would be fine because  
24 obviously you don't want to spend money  
25 lighting a lot that is not in use. It's not

1           like it's a retail facility.

2                   MR. GRASSO: It's just occasional use so  
3 it would be switch control from inside the  
4 firehouse.

5                   MS. DALTON: But again, it goes back to  
6 the ongoing use because that parking lot stays  
7 there, but another building goes up on the  
8 other side, now it's serving two different  
9 smaller buildings. There is nothing that says  
10 that other building is not going to have a  
11 higher usage rate.

12                   MR. GRASSO: It's hard to be presumptuous  
13 about what the plan is. I'm sure that the  
14 lights will be able to be reused. Obviously,  
15 like Skip said, about half of the parking lot  
16 is going to get ripped out when you start to  
17 change the grades and stormwater management  
18 and change the circulation patterns. Yes, the  
19 light pole basins will get ripped out too.

20                   MR. FRANCIS: When the firehouse actually  
21 goes in, the whole lighting pattern will  
22 change.

23                   In response to this, since the concept  
24 plan was approved last time, we took great  
25 care in wording this because the big

1 discussion last time was about what are voters  
2 going to do? How are they going to see and get  
3 across the street? I'm just giving you  
4 background on this. We could propose such that  
5 temporary lighting could be used during low  
6 daylight conditions during public functions.

7 MR. NARDACCI: Here's where I'm  
8 challenged. I don't know how many nights a  
9 year you use this facility. It's clearly more  
10 than two, which represented on the plan to me  
11 was that it was only two times a year. Okay,  
12 you can deal with temporary. In looking  
13 through the concept, it's pretty clear that  
14 there are more uses. I'm sure that you could  
15 talk to your client and find out over the  
16 course of the last five years on average, how  
17 many night events have you had. Sure, one year  
18 is different than the next, but is it 10? Is  
19 it 50? I think that's relevant to this  
20 discussion.

21 MR. FRANCIS: We'll talk to our client to  
22 clarify any ambiguity. If our client decided  
23 to go with pole fixtures -

24 MR. GRASSO: I don't think that you  
25 understand the concern. If there are events

1 outside at night, we have to provide permanent  
2 lighting. Temporary lights will not suffice.

3 MR. FRANCIS: So, you're indicating that  
4 permanent lighting be provided for public  
5 functions other than voting.

6 MR. GRASSO: That would be our  
7 recommendation to the Board.

8 MR. ROSANO: And you're telling us five  
9 to 10 years that this parking lot could be  
10 sitting there. I can't believe that they're  
11 going to function every time perfectly unless  
12 you had lights. I would rather see them go in  
13 and you flip a switch and not have to worry  
14 about somebody getting out of their car and  
15 tripping and falling. It's a major safety  
16 issue. If you told me that it's going to be  
17 six months and you might have the funding to  
18 build the building -- but you said five, 10,  
19 15 years. This temporary parking lot is going  
20 to be around a lot longer than probably me.

21 MR. NARDACCI: I think that we have our  
22 guidelines in the Land Use Law that are very  
23 specific with regard to the type of lighting;  
24 down style, it doesn't glare onto the  
25 neighboring properties and Joe suggested two

1 for coverage. Then for the turn off - because  
2 look if you're not using it, it's not Price  
3 Chopper. You don't have 365 days a year, and  
4 maybe it's 12 times a year. I don't know. It's  
5 clearly more than two, though.

6 MR. GRASSO: The pole with two lighting  
7 heads on either end of the parking lot?

8 MR. FRANCIS: We'll get back to our  
9 client.

10 CHAIRMAN STUTO: Okay, where are we in  
11 the presentation?

12 MR. GRASSO: I think that Tim had started  
13 to pick up some comments. I can go through our  
14 last letter of January 13<sup>th</sup>.

15 They are relatively minor, but I think  
16 that it's important sometimes for the Planning  
17 Board to see the evolution of our comments.

18 Generally, we are supportive of the  
19 parking lot.

20 With regard to the crosswalk issue, we  
21 have reviewed it in accordance with the Town's  
22 Department of Public Works regarding its  
23 location and design. We're supportive of the  
24 crosswalk feature of the project. We have  
25 reviewed the grading, and the stormwater



1 impacts have been addressed. We touched on the  
2 site lighting. There were some comments  
3 regarding the method of landscaping across the  
4 front and along the eastside of the site. The  
5 plan currently shows 18 - five to six-foot  
6 high evergreen trees on like a three or  
7 four-foot high berm. It's pretty much along  
8 the side of the parking lot. The site does go  
9 a little bit lower than the residents so by  
10 the time that you add up the heights of the  
11 trees and the berm, you're going to have eight  
12 to ten feet. That will do a pretty decent job  
13 of screening headlights in vehicles and things  
14 like that. We feel relatively comfortable with  
15 the landscaping there.

16 Along the frontage of the site, we had  
17 some outstanding comments about the need for  
18 additional landscaping along the frontage. The  
19 plan currently shows nine 24-inch evergreen  
20 shrubs on a relatively low one to two-foot  
21 berm and the berm is really confined to the  
22 southeast corner of the site. We thought that  
23 that could be expanded more towards the curb  
24 cut and decrease the height and perhaps add  
25 some additional landscaping. Obviously, they

1 have expressed some concerns in the past  
2 regarding the expenses which should be  
3 something that should be considered by the  
4 Planning Board.

5 Do you want to pick up on on the  
6 landscaping now before I go into the other  
7 comments?

8 CHAIRMAN STUTO: I agree with you, Joe.

9 MR. GRASSO: Are there any other comments  
10 on the landscaping?

11 MR. FRANCIS: I'll do the best that I can  
12 with my voice. I don't think that I have much  
13 longer, but I'll do the best that I can.

14 The landscaping - there is a possibility  
15 that there would be a little bit more room to  
16 the west. It's intended to be shrubs, when  
17 matured. This parking lot is lower in grade  
18 than the grade across the street. Some of past  
19 concerns were impressed by the neighbors of  
20 headlights and circulation though this parking  
21 lot, passing through there. The lights are  
22 pointed down. It's lower in elevation past  
23 these shrubs. We feel like the plantings on  
24 the berm was enough to mitigate things, given  
25 that they would eventually mature and fill in.

1           We can look at adding a couple more to the  
2           west to buffer that. Given the sight line  
3           through here, we think that it would cover  
4           most of the parking lot.

5           MR. GRASSO: In response, I still think  
6           that it's minimal landscaping. I don't think  
7           that it's going to provide the desired effect.  
8           The shrubs are 24 inches, but the shrubs that  
9           are specified - that's actually going to be a  
10          width and not a height. That species of shrubs  
11          is probably going to top out at two feet. Like  
12          I said, the berm is a maximum of one to two  
13          feet high and it does stop about 50 feet from  
14          the southeast corner of the site. We can work  
15          with the applicant to try to work on grading  
16          to get the berm taller and extend it to the  
17          west.

18          CHAIRMAN STUTO: We're here for final.  
19          I'm in total agreement with the TDE on this  
20          one. I don't know about everybody else.

21          MR. FRANCIS: If that can be a condition  
22          to modify the species -

23          MR. GRASSO: Can you agree to swap out  
24          the nine shrubs and go with nine trees,  
25          similar sized, to the ones that you did along

1 the east side?

2 CHAIRMAN STUTO: Are you calling for a  
3 berm, too?

4 MR. GRASSO: Yes. They are currently on a  
5 one to two-foot berm. I think that I'd like to  
6 see that extended toward the curb cut. The  
7 grading - you have some drainage features up  
8 there that you could try to accommodate.

9 MR. FRANCIS: We have to maintain the  
10 swale from this point to the parking lot,  
11 itself. But we can't widen the berm. With  
12 that, you can't go higher. We can go longer,  
13 but we can't go higher.

14 CHAIRMAN STUTO: I think that it should  
15 go longer.

16 MR. GRASSO: Any other comments from the  
17 Board regarding landscaping? Obviously, we  
18 haven't heard from the public yet.

19 There is a concern about the screen fence  
20 along the east side. Your comments were a  
21 little bit vague. Maybe you can clarify that  
22 you're going to replace the screen slats along  
23 the fence? I think that the Board should  
24 review the intent of the windscreen fence and  
25 whether or not it's an appropriate net to

1 provide visual screening of the site.

2 CHAIRMAN STUTO: Are you talking about  
3 the east side gain?

4 MR. GRASSO: The east side, yes. That's  
5 the one that you said was the 620 feet long by  
6 six feet high. It's an existing chain link  
7 fence -- you would see it typically around a  
8 dumpster enclosure.

9 CHAIRMAN STUTO: And you're saying that  
10 they need to be refreshed.

11 MR. GRASSO: We just asked for  
12 clarification. He's going to replace it with  
13 new.

14 CHAIRMAN STUTO: Are there trees on the  
15 east side?

16 MR. GRASSO: There's a berm closer to the  
17 edge of the parking lot. The fence that we're  
18 talking about is like right along the property  
19 line.

20 MR. FRANCIS: The fence, itself, extends  
21 all along here (Indicating).

22 MR. GRASSO: Can you show that on the air  
23 photo? That would put it in context a little  
24 bit better.

25 MR. FRANCIS: There are property owners

1 here on the east. Then, the fence turns and it  
2 comes out to 8<sup>th</sup> Avenue. There is a right angle  
3 out at 8<sup>th</sup> Avenue, down to the south where it  
4 comes to First Street.

5 CHAIRMAN STUTO: Where is the berm going  
6 to be? Can you show it on that same map?

7 MR. FRANCIS: The berm is only the length  
8 of the parking lot.

9 CHAIRMAN STUTO: Just right next to the  
10 fence?

11 MR. FRANCIS: Yes.

12 CHAIRMAN STUTO: What do you recommend?

13 MR. GRASSO: Based on the low intensity  
14 of the east, we would probably recommend that  
15 the fence not even be there. I think that's  
16 going to be the dominant visual element, as  
17 you look from the residences, I would rather  
18 see a nicely landscaped lot with berming trees  
19 as opposed to looking at an unsightly fence. I  
20 don't expect that fence is going to continue  
21 to hold up well or be well maintained.

22 CHAIRMAN STUTO: You're saying rip it out  
23 for the whole length or just along the parking  
24 lot?

25 MR. GRASSO: Yes, I think that the fence

1 was installed when the remediation work was  
2 ongoing, I would presume. I don't really see  
3 it as containment, but maybe we'll get some  
4 feedback from the public. That would just be  
5 my thought.

6 CHAIRMAN STUTO: Tim, do you have any  
7 opinions?

8 MR. LANE: On the fence, itself? It's in  
9 really kind of rough shape. We have a resident  
10 that's here. She probably has a better  
11 perspective on it than myself, but I don't  
12 recall it being awful. It's just your standard  
13 six-foot fence.

14 CHAIRMAN STUTO: But you're saying that  
15 it's getting old?

16 MR. LANE: Yes. Taking it out is probably  
17 not a bad idea as long as there is something  
18 else there for people to look at.

19 CHAIRMAN STUTO: Okay, well, we'll think  
20 about the fence.

21 MR. GRASSO: My last comment is touching  
22 on the SEQRA and what's been done with the  
23 project.

24 MR. FRANCIS: The Fire Commissioners  
25 determined that the Fire District was the

1 appropriate lead agency for a future fire  
2 station project. In 2008 they coordinated lead  
3 agency correspondence with the Town of Colonie  
4 and the Fire District on December 9, 2008 and  
5 resolved that the fire station project would  
6 not have a significance effect on the  
7 environment and they issued a negative  
8 declaration. That negative declaration has  
9 been previously submitted in the final.

10 CHAIRMAN STUTO: Do you have that in the  
11 file, Joe?

12 MR. GRASSO: Yes, the full EAF is  
13 included in the packet. We felt that it  
14 adequately addressed the project, as proposed  
15 and no additional SEQRA is required.

16 MS. VAIDA: They did a coordinated  
17 review.

18 MR. GRASSO: That's all I had.

19 CHAIRMAN STUTO: We'd like to hear from  
20 the public.

21 MS. BENEDETTI: My name is Diana Call  
22 Benedetti and I just want to point out that  
23 this house right here is where I live. This is  
24 the firehouse and this is our back yard. The  
25 side of our house right here - there are three



1 bedrooms with windows located on this side  
2 (Indicating). We also have air conditioning  
3 and central air on this side of our home where  
4 it's directly across from the parking area.  
5 There are a few things that I'll address.

6 I completely agree with the TDE on  
7 raising our side of the berm and installing  
8 trees rather than shrubs. If they're getting  
9 trees and a raised berm, it's only fair that  
10 we also have that, as well. We're right here  
11 (Indicating). Their back yard is here, but our  
12 bedrooms are right here. So, I support that.

13 CHAIRMAN STUTO: We already said that  
14 we're going to have that.

15 MR. LANE: Would you happen to know the  
16 condition of the fence over there?

17 MS. BENEDETTI: The fence actually runs  
18 next to our house as well. It goes along here  
19 (Indicating) and also back here and it's in  
20 really bad shape. It's also on our side as  
21 well. So, if the fence is replaced over here  
22 with screening as well, we'd want it here,  
23 too.

24 MR. LANE: Do you want that just taken  
25 out?

1 MS. BENEDETTI: I think that having  
2 something there is important, especially if  
3 they're going to put a parking lot there. Kids  
4 can just wander in and hang out.

5 MR. LANE: When did a fence stop a kid?

6 MS. GRASSO: Do you have any preference  
7 whether or not the fence should stay, or go,  
8 or have slats, or not have slats?

9 MS. BENEDETTI: I think that replacing  
10 the fence and putting new screening up would  
11 be great if it's going to help on this  
12 construction being done. I also oppose the use  
13 of a generator with lighting. We have three  
14 bedrooms there.

15 I have someone at home right now that is  
16 very, very ill. I want to be able to sleep at  
17 night. I know that events occur once in  
18 awhile, which is understandable. I do support  
19 the firehouse in the fundraising it does.

20 I also wanted to point out that one thing  
21 about that is that I know that there are  
22 voters and events. This is a firehouse, this  
23 is our house, this is where the stage is set  
24 up for the Refrigerators to play. This is  
25 their largest fundraiser that they have in the

1 summer. That is probably going to be the best  
2 use of this parking lot. There will be a crowd  
3 of people that come back here and attend this  
4 fundraiser. It's loud, it a long several hours  
5 even though it's once a year. There is a  
6 grassy yard back here. I don't know if they  
7 could use that for parking area. I know that  
8 they use it for other things. We have our back  
9 yard here and our garden here and our side  
10 yard here (Indicating).

11 We do have plowing that happens here. So,  
12 whatever fence or trees or berms that you put  
13 in, they have to be durable and set back  
14 enough or standard enough so that they'll be  
15 able to survive plowing. Because our plowing  
16 happens and it goes down the street, but it's  
17 also pushed over toward that lot.

18 Regarding the plans for the parking lot  
19 being temporary, I'm concerned about other  
20 sketches that I've seen where they want to do  
21 a "U". We do not want to do it now or later or  
22 at any time in the future. We don't want any  
23 entrance or exit roads coming toward our home.  
24 It would have an effect on our peaceful  
25 living, especially in the bedrooms. That's our

1           strongest stand. Right now, as long as that's  
2           not the plan for the future, that would be  
3           fine.

4           The contaminated soil - I just want to  
5           make sure that we have adequate protection  
6           from any dust or dirt that's going to fly.  
7           It's a concern for me and my family and with  
8           an illness in the family - the contamination,  
9           even if it's a little bit, it would be a lot  
10          for us. I don't want to see that go  
11          unaddressed. I don't want to see that this  
12          side is left out if things are being done for  
13          this side, over here.

14          That's pretty much it. I submitted my  
15          letter. They're not huge requests. I think  
16          that they're reasonable ones. Thank you.

17          CHAIRMAN STUTO: Joe, did you see her  
18          letter?

19          MR. GRASSO: Yes. I read her letter and  
20          based on where we are currently with the  
21          application, we've adequately addressed her  
22          concerns.

23          CHAIRMAN STUTO: No entrance or exit;  
24          that's addressed. No invasive or extreme  
25          lighting. We're leaning in the direction of

1 down lighting.

2 MR. GRASSO: Bear minimal and internal to  
3 the parking lot. There won't be any glare.  
4 There will only be when they're using the lot.

5 CHAIRMAN STUTO: No generator.

6 MR. GRASSO: No generator.

7 CHAIRMAN STUTO: We're going to do the  
8 berms and the plantings along -- is that First  
9 Street?

10 MS. BENEDETTI: Yes.

11 CHAIRMAN STUTO: Can you speak again  
12 about the clean up and how the dust is going  
13 to be constrained?

14 MR. FRANCIS: The fence will go where  
15 it's going to go with the slats. We'll try to  
16 specify like a brown vinyl slat that will be  
17 new on a continuous existing fence that's  
18 there. There will be some temporary  
19 construction fence up and some silk fence up  
20 to control run off and dust and debris during  
21 construction. We don't expect any dust and  
22 debris during construction. We don't expect  
23 any issues with regarding any inhalation. The  
24 site is currently operating under a DEC  
25 consent order. This project won't violate any

1 of that. It dovetails nicely with the DEC.

2 CHAIRMAN STUTO: Thank you.

3 So what are we doing with the fence?

4 MR. GRASSO: We're going to replace the  
5 slats with brown vinyl privacy slats.

6 CHAIRMAN STUTO: Do the whole length?

7 MR. GRASSO: The whole length of the  
8 fence so that it's all continuous across the  
9 front, unless somebody else wants a different  
10 color.

11 CHAIRMAN STUTO: Any comments from the  
12 Board Members?

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

14 MS. BENEDETTI: I have one more question.  
15 Were the residents on the 8<sup>th</sup> Avenue  
16 side - were they notified of this meeting?

17 MR. LACIVITA: Anyone within a 200-foot  
18 area was notified from the perimeter of the  
19 property. What street would that have been?

20 MS. BENEDETTI: Eighth Avenue.

21 MS. LANE: That's quite a bit outside of  
22 200 feet.

23 MR. LACIVITA: We had a number of people  
24 identified on Eighth Avenue anyway.

25 MR. GRASSO: They knew you were coming

1 and knew that you would do a great job  
2 covering things.

3 MR. LACIVITA: It actually went to Ninth  
4 Avenue, too.

5 CHAIRMAN STUTO: I guess we'll entertain  
6 a motion for final approval. There are three  
7 conditions that I have. The lighting that we  
8 discussed on the record for the permanent  
9 lighting in the parking lot, extending the  
10 berms and the plantings and replacing the  
11 slats on the entire length of the fence with  
12 brown slats.

13 MR. GRASSO: Which they were already  
14 proposing to do.

15 CHAIRMAN STUTO: Any other conditions?

16 MR. GRASSO: And we're going to remove  
17 that note regarding the lighting so that  
18 temporary lighting plans will not be allowed  
19 on the site.

20 CHAIRMAN STUTO: With those conditions,  
21 do we have a motion -

22 MR. SULLIVAN: Will the permanent  
23 lighting be on a switch?

24 MR. FRANCIS: Yes.

25 MR. MION: I'll make a motion.

1 MR. NARDACCI: Second.

2 CHAIRMAN STUTO: All those in favor?

3 **(Ayes were recited.)**

4 CHAIRMAN STUTO: All those opposed/

5 **(None were opposed.)**

6 CHAIRMAN STUTO: The ayes have it. Motion

7 is passed.

8 MR. ROSANO: Motion to adjourn.

9 MR. SULLIVAN: Second.

10 CHAIRMAN STUTO: All those in favor?

11 **(Ayes were recited.)**

12 CHAIRMAN STUTO: All those opposed/

13 **(None were opposed.)**

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17 **(Whereas the proceeding concerning the**

18 **above entitled matter was adjourned**

19 **at 10:35 p.m.)**

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**CERTIFICATION**

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3  
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.**  
12  
13  
14

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15 **NANCY STRANG-VANDEBOGART**  
16  
17

18 **Dated May 16, 2011**  
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