

1 PLANNING BOARD COUNTY OF ALBANY
2 TOWN OF COLONIE

3

4 *****
5 THE SALVATION ARMY THRIFT STORE
6 190 TROY-SCHENECTADY ROAD
7 APPLICATION FOR CONCEPT ACCEPTANCE
8 *****

9 THE TAPED AND TRANSCRIBED MINUTES of the above
10 entitled proceeding BY NANCY STRANG-VANDEBOGART
11 commencing on May 10, 2011 at 8:55 p.m. at the
12 Public Operations Center 347 Old Niskayuna Road,
13 Latham, New York 12110

14

15 BOARD MEMBERS:

16 PETER STUTO, CHAIRMAN
17 MICHAEL SULLIVAN
18 TIMOTHY LANE
19 KATHLEEN DALTON
20 LOUIS MION
21 ELENA VAIDA, Esq., Attorney for the Planning Board

22

23 Also present:

24

25 Joe LaCivita, Director, Planning and Economic
Development

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Brad Grant, PE, Barton & Loguidice, PC

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Mark Pearson, Schopfer Architects

28

Moon Tse

29

Carol Miller

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Paul Robetor

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Jim Tatrault

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1 CHAIRMAN STUTO: Next we have the
2 Salvation Army project at 190 Troy-Schenectady
3 Road. The application is for concept
4 acceptance.

5 Joe, can you bring us up to date since
6 we've been here last time?

7 MR. LACIVITA: A little brief history on
8 the site, the applicant came in with an
9 approved zoning verification in December of
10 2009 and went through the application process
11 which we received in January 2010. This came
12 before the Board in March of 2010 for concept
13 at that time. The Board asked the applicant to
14 go back and redesign and make some changes
15 along the way. After several meetings with
16 this Board, the neighbors and the TDE are back
17 before us this evening with a retail store.
18 Based on the new zoning verification, the
19 Board had asked, along with the neighborhood,
20 that the developer move the building a little
21 bit. The zoning verification that was
22 currently in place has been denied. This
23 moving the building back - we found that the
24 building was actually within a 100-foot zoning
25 buffer of a single family resident by 12 feet.

1 The applicant has shown you a layout of a
2 smaller building this evening which actually
3 takes care of the buffer issue. It's moved out
4 of it. The building is a little bit longer,
5 but actually the building is a different size.
6 That is currently being reviewed by our
7 Building Department or zoning verification and
8 we're here tonight to talk about a little bit
9 about the stormwater concerns and to review
10 other items.

11 CHAIRMAN STUTO: Are we in the position
12 to grant concept or not without the zoning
13 verification?

14 MR. LACIVITA: It has not gotten through
15 an approved zoning verification. It's
16 currently being reviewed at this point. So, I
17 without having the approved zoning
18 verification, we can't offer concept. This was
19 postponed last time. We reposted it. The
20 neighborhood is here and trying to get though
21 to see if we can move this a little bit closer
22 toward the next step.

23 CHAIRMAN STUTO: Sir, please state your
24 name for the record.

25 MR. PEARSON: I'm Mark Pearson from

1 Schopfer Architects.

2 As Joe was saying, we have somewhat of a
3 history here. We submitted this plan that's on
4 the board in February of this year. Subsequent
5 to that we have been asked to put in a long
6 form environmental assessment form, which we
7 have done. We have submitted the SWPPP plan.
8 Since that submission on March 22nd, we have
9 had a conference call with Brad Grant, myself,
10 our engineer and Joe LaCivita to discuss how
11 we will be able to move forward with the
12 stormwater issues.

13 Last week we were informed that
14 the -- we had basically drawn a 100-foot
15 buffer line on our drawing. It runs parallel
16 to this property. What we didn't realize was
17 that this here (Indicating) also has to be
18 taken into consideration. In the handout that
19 I've given you, you can see that in that
20 corner - you can see where our building was
21 overlapping that 100-foot buffer.

22 So, Friday and part of Monday I spent
23 reorganizing and reevaluating the building
24 layout to avoid that. What you can see is a
25 dotted line of what was actually submitted

1 February 3rd and what we're now looking at
2 that's in the verification process.

3 Since we were last here, we have three
4 modifications to the DCC comments. We
5 submitted our responses previously.

6 We've eliminated the park that was in
7 this corner, the bicycle rack and we accepted
8 the comment that the park might attract a
9 public congregating for the wrong reasons.
10 We've also eliminated the drive off of
11 Semons Avenue. We've submitted, as I said, the
12 long form EAF, as was requested.

13 DOT has issued a letter with six
14 comments, mostly having to do with the traffic
15 signal and turning lanes in and out of the
16 property. That is currently with Creighton
17 Manning Engineers. They are completing a
18 concept study to be submitted to DOT probably
19 within a week. In eight weeks we're expected
20 to have comments from the DOT for what has to
21 be done. At that point we are contracted with
22 Creighton Manning to do all of that design
23 work. Hopefully, that will work concurrently
24 with actual construction.

25 Just a brief overview - this is a three

1 and one-quarter acre site along
2 Troy-Schenectady Road. It's directly opposite
3 of Kmart. We have resolved all the utility
4 work that needs to be done. Electric and
5 telephone will be coming off poles along
6 Troy-Schenectady Road. The proposed building
7 that was submitted was 23,775 square feet.
8 Because of the modifications, we have
9 decreased slightly to 22,980; just short of
10 800 square feet. It takes us from 119 required
11 spaces down to 115, but we're still showing
12 118 so we have some flexibility there in terms
13 of parking.

14 Coverage of the site - 17 percent is
15 building, 36 percent pavement and 48 percent
16 is left as greenspace.

17 Landscaping - the concept here is that we
18 have a perimeter with a series of trees here.
19 Those will be rather tall deciduous trees. At
20 full grown they will be 55 to 65 feet in
21 height. In between that there are a host of
22 other plantings that vary in height along with
23 a Yellow Tree Dogwood hedge between that. That
24 all sits behind a fence which and you can see
25 the wrought iron style fence between them.

1 That basically creates the perimeter of the
2 site. We chose the Yellow Tree Dogwoods and we
3 also chose some red tree dogwoods because they
4 are deciduous.

5 There is other landscaping within the
6 parking area. Are all evergreen and junipers
7 so there will be a host of color in that front
8 area. The back area, we have a six-foot berm,
9 as requested between the building and the
10 neighborhood property. We have additional
11 plantings on the top of that that will create
12 additional screening to create some variation.
13 Within that we have Austrian Pine and Siberian
14 Spruce. We tried to keep a little bit more
15 natural feel to it.

16 I believe that's where we're at and I
17 would like to say that with regard to our
18 conference call on stormwater - I spoke to our
19 engineer and submitted in February was a dry
20 pond or a dry detention area that would take
21 all the stormwater to it. In a wet or heavy
22 rain, it would fill up with rain and then
23 slowly release.

24 In speaking with Brad and other
25 individuals that were involved in this

1 decision, we have concept for developing a
2 great infrastructure that DEC is looking for.
3 We're going to take the stormwater from the
4 roofing to a grass swale behind the building
5 and then collect it into an underground system
6 and underground detention in the parking lot.
7 With the sand filtration system, we would be
8 eliminating any type of detention pond, wet or
9 dry which it will take from that filter and go
10 right out into the road. I believe that we
11 resolved all of the issues that have come up
12 so far and we're working through the DOT
13 comments.

14 CHAIRMAN STUTO: Brad, would you like to
15 comment?

16 MR. GRANT: I think that they're on the
17 right path with the stormwater. There is a
18 need to attenuate the free flow from the new
19 impervious areas on the site. That's a work in
20 progress. We're getting there.

21 We did review the submission of materials
22 from Schopfer Architects. The SWPPP came a
23 little after our letter of March 24th. I see
24 that Planning got it on the 24th. We got it
25 shortly thereafter.

1 I'll go through our comment letter and
2 just hit the highlights of it.

3 There was a long form as opposed to a
4 short form and that was completed by Mark.
5 Part one was filled out. That was dated
6 March 22, 2011. The site statistics and soil
7 characteristics - there are no environmental
8 conditions in there of particular concern with
9 an undeveloped site.

10 Traffic and drainage and some of the
11 neighborhood comments are the key concerns
12 here. There are going to be some waivers
13 required. There is a maximum setback of
14 25 feet. This is quite a ways back and this is
15 in response to some of the neighbor's
16 concerns. There will be a waiver on the
17 building setback.

18 The provision of the sidewalk along
19 Route 2 - the distance of approximately
20 11 feet between the edge of the pavement and
21 the parking. The parking on that concrete
22 sidewalk in the Land Use Code requires a
23 sidewalk there. You can only move the building
24 around so much to squeeze things in.

25 The wrought iron fence has been provided.

1 I don't know if Mark pointed it out, but
2 that's going all along the front of Route 2
3 and down Semons.

4 One of our comments was blank windowless
5 walls are strongly discouraged. One side of
6 the building is proposed to be windowless and
7 blank. We recommend windows. This particular
8 building is unique.

9 I don't know if you want to respond to
10 that.

11 MR. PEARSON: We did try to address that
12 on the one side and we do have both corners
13 with some windows. The more windows that we
14 produce in the building, the less shelving
15 that we're able to have. They are in the
16 business of selling product. In some
17 discussions, like was was already said, this
18 is not a big box store. This is not a Kmart or
19 a Sam's Club. None of those have any windows.
20 But it's more of a smaller scale like a TJ Max
21 or a Marshall's. Again, you don't see a lot of
22 windows in those types of stores. Sometimes in
23 strip malls, but generally, this size retail
24 is looking for maximum of wall space. We
25 varied the building materials on both sides

1 facing Route 2 so that it's not just a blank
2 wall.

3 MR. GRANT: This elevation is indicative
4 of all the windows proposed, Tom?

5 MR. PEARSON: Yes. This elevation is
6 going to change slightly. When we reconfigured
7 the building and we worked out the new layout,
8 we ended up having to shift the entry further
9 to the west. We are going to end up having to
10 refigure things.

11 MR. MION: On the end there you have the
12 four windows on one side and then you have the
13 blank wall. Would it be possible to put two
14 and two? Two on one end and two on the other
15 end and then have that whole -- instead of
16 having the four window together, have two
17 windows on one side and two windows on the
18 other and then you have the middle space.

19 MR. PEARSON: We could consider something
20 like that; sure.

21 MR. MION: I guess my question is: Would
22 you lose wall space then? You'd still have the
23 same space between the two windows.

24 MR. PEARSON: The shelving goes along the
25 walls. I have to be very particular with

1 column space and window space and laying out
2 all that. It's conceivable that we could
3 create a different pattern.

4 One of the comments that I would make
5 would be that the back of the Salvation Army
6 stores tends to be the electronics department
7 and the furniture, whereas these windows would
8 all be used in areas with clothing on racks. I
9 think that this is preferable for the
10 Salvation Army as well as the Town.

11 MR. MION: That's where I was going with
12 that. Would that be acceptable? Would that
13 fall more in compliance?

14 MR. GRANT: With bringing those two
15 windows down?

16 MR. MION: Two and two.

17 MR. GRANT: I would think so. I'm looking
18 at that particular corner where it's blank. It
19 does have landscaping fairly tight to it. I
20 would encourage it.

21 MR. ROSANO: Those windows on the back of
22 the building, they're basically just cosmetic
23 anyway, aren't they?

24 MR. PEARSON: Yes.

25 MR. ROSANO: I work in a building that

1 has the whole side of the building that is
2 just windows and that whole side of that store
3 is showing. So basically if you had two, four
4 or six windows, they're not going to be used
5 for windows anyway; you know what I mean?

6 MR. PEARSON: Your suggesting something
7 like an expandable glass panel where you can't
8 see anything, but just a cover over the
9 inside.

10 MR. ROSANO: Right. We're just talking
11 aesthetics here. You're not going to use those
12 as a window. Let's be honest. That's not what
13 they're there for.

14 MR. GRANT: Are there any code
15 requirement on the operable windows? Do they
16 need to be operable for ventilation?

17 MR. PEARSON: No.

18 MR. GRANT: I think we've already said
19 that there is written approval from DOT for
20 curb cuts and stormwater. The only entrance
21 and exit from the site will be a signalized
22 intersection. The one entrance was eliminated
23 as per the Planning Board request.

24 The sum of our comments pertain to things
25 further down the road.

1 The site lighting, per the Town Code,
2 will be no higher than the roof height. We
3 have talked about this in previous meetings.

4 MR. PEARSON: Our understanding is that
5 the exterior has the amount of lighting for
6 security purposes and we are required to have
7 a light at each exit. We always have the
8 lighting that is 100 percent down lighting.

9 We will have parking lot lighting on
10 poles and it will not exceed the 20-foot
11 height of the building. We use a timer set up
12 to turn them on, based upon the lighting, and
13 shut them off. That is typically at 9:30.
14 Stores function until 9 and it takes a little
15 while to clean up and do the paperwork and the
16 employees should be out of there by 9:30. All
17 parking lot lighting goes off at that point.
18 We just maintain perimeter security lighting.
19 We don't want to spend all that money.

20 MR. GRANT: Has anything been submitted
21 to the Albany County Planning Board?

22 MR. LACIVITA: We actually have a
23 recommendation that is dated March 17th. We
24 discussed modifying the approval of intent,
25 access and drainage.

1 MS. VAIDA: Did you see that?

2 MR. GRANT: I did. We're in the middle of
3 a move. We have stuff in boxes. I don't want
4 to tell you what my office looks like.

5 That's all I had.

6 MR. PEARSON: I'm not sure what you're
7 looking at, but at other retail properties
8 like this where there is a cross access
9 between the properties, they were looking for
10 a cross easement at that location and also the
11 sewer.

12 MR. GRANT: The existing water main along
13 Route 2, I believe that's going to need an
14 easement. That's in the DOT right of way.

15 MR. PEARSON: So, you're saying that
16 there is an existing easement.

17 MR. GRANT: Yes.

18 The next comment - install a sidewalk and
19 cross walk on the entrance drive.

20 MR. PEARSON: Currently we have a
21 crosswalk here (Indicating). We would propose
22 that we do it in that location at the
23 entrance.

24 MR. GRANT: Where would the project and
25 the facility sign be?

1 MR. PEARSON: Right here at the entrance.

2 MR. ROSANO: Do you have dimensions on
3 that sign?

4 MR. PEARSON: I don't; no.

5 MR. ROSANO: So we're talking one end of
6 the building and one in the front.

7 MR. GRANT: There is one over the front
8 entrance and the emblem is in addition.

9 MR. PEARSON: I don't mean to talk about
10 the other Salvation Army project, but I did
11 bring both renderings and I brought them for a
12 reason. The gray and red for the one on
13 Central Avenue is the preferred color scheme.
14 However, we have recently run into one of the
15 criteria to be compatible with the adjacent
16 buildings. I came up with a different color
17 scheme. Whatever we do, we want to make both
18 of them the same. This one is obviously the
19 preferred scheme of the Salvation Army, but if
20 this is the scheme that is more
21 preferred -- we wanted to get some feedback.

22 CHAIRMAN STUTO: Where are you, Brad, on
23 your letter?

24 MR. GRANT: Done.

25 CHAIRMAN STUTO: Paul?

1 MR. ROSANO: Nothing right now, Peter.

2 CHAIRMAN STUTO: Bear in mind that we're
3 not ready to act on this tonight either.

4 Mike?

5 MR. SULLIVAN: The only question that I
6 had was on the DOT comment letter and that
7 will be addressed. You said that Creighton
8 Manning has been hired to respond to that.

9 MR. PEARSON: As soon as I have their
10 concept and report for DOT, I will forward
11 that onto the Town.

12 MR. SULLIVAN: Do you expect comments
13 back from DOT in eight weeks?

14 MR. PEARSON: They said six to eight
15 weeks.

16 MR. SULLIVAN: Are you looking for an
17 indication of which concept we prefer, as far
18 as colors?

19 CHAIRMAN STUTO: It seems to me that if
20 we wanted that for the surrounding
21 neighborhood, that would override your desire
22 to match the Central Avenue one in another
23 part of Town? I'm willing to listen to the
24 rationale, but that's just how it strikes me.
25 We made a comment that the top one looks like

1 the Toyota color scheme on Central Avenue.

2 MR. MION: So, it fits right into the
3 neighborhood.

4 MR. PEARSON: We have done the gray
5 masonry and this scheme on about 10 stores now
6 throughout New York State. Up until about six
7 months ago, it was all blue trim. We sent
8 these renderings down to ARC command and they
9 said what would it look like with the red
10 trim? So, we did it and that's what we're
11 doing now on this gray with red trim.

12 MS. DALTON: Are those samples of what
13 your exterior walls are made of?

14 MR. PEARSON: Yes.

15 MS. DALTON: So there is no real red
16 involved.

17 MR. PEARSON: It's not bright red.

18 CHAIRMAN STUTO: Can you discuss your
19 rationale? Is it a marketing thing or
20 identifying thing?

21 MR. PEARSON: It is. What you've seen in
22 the past is the term thrift store. They're
23 moving toward the concept of a family store.
24 It's going to be less of a thrift store and
25 look more like a Marshall's or TJ Max. They're

1 going to have that appearance inside the store
2 and keep it at that level. They do want to
3 have a brand. It's a good system.

4 CHAIRMAN STUTO: Maybe there is an in
5 between that suits your needs of consistency
6 between the Town and the two locations; I
7 don't know.

8 MR. GRANT: With the Central Avenue
9 store, it's down off the road a little bit and
10 you have to look for it.

11 MR. LACIVITA: The red provides for a
12 residential feel. You could do the downward
13 lighting to provide that softness.

14 CHAIRMAN STUTO: Any more comments?

15 MR. MION: Nothing more than I just said.

16 CHAIRMAN STUTO: Kathy?

17 MS. DALTON: No.

18 CHAIRMAN STUTO: Okay, we'd like to hear
19 from the residents. We ask that you go to one
20 of the microphones.

21 Moon Tse.

22 MR. TSE: This looks pretty good.

23 CHAIRMAN STUTO: Which one are you
24 referring to? The bottom one is the proposed
25 one for the Route 2 location. I want to make

1 sure that's the one that you're referring to.

2 MR. TSE: The current parking at Semons
3 Avenue, currently the people park on the side
4 of the street. It would be better to have some
5 type of curb there. They park on the grass.

6 CHAIRMAN STUTO: Can you repeat your
7 point about the parking? I didn't understand
8 it.

9 MR. TSE: The parking for the All Star
10 Academy - when they park, they're parking on
11 the grass and in the street. If they have a
12 curb, that would be helpful. I think last time
13 I proposed them to maybe put a curb in so that
14 when they park, it won't be on top of the
15 grass.

16 CHAIRMAN STUTO: You're talking on the
17 other side of Semons.

18 MR. TSE: On my side.

19 MR. ROSANO: Are they parking all the way
20 on the grass, or just part of it on the grass?

21 MS. MILLER: Wherever they want.

22 MR. ROSANO: My concern is that if you
23 put the curbing in, are they going to park in
24 the street?

25 MS. MILLER: They do anyway.

1 MR. ROSANO: Well, that moves it out into
2 the street more. I've never seen it, honestly.

3 MS. MILLER: We have a really wide
4 street. The fact that they park there isn't so
5 much the issue; it's the fact that they park
6 in the road, diagonally to the road and at
7 every little angle that you could possibly
8 imagine all the way up the road.

9 MR. ROBOTOR: They park single file. I'm
10 not sure curbing is the answer.

11 MR. ROSANO: That's what I mean. Is
12 curbing going to make it worse?

13 CHAIRMAN STUTO: So you're saying that
14 it's a negative in a sense.

15 MR. ROSANO: It could become a negative
16 if it moves the cars out further.

17 MS. MILLER: Unless you enforce a no
18 parking.

19 MR. PEARSON: We did have curbing down
20 there and I think that this debate has gone
21 on. I thought we settled.

22 MR. ROSANO: That's why I stopped right
23 there because I know that we and talked about
24 this before.

25 MR. PEARSON: I have heard this all

1 before.

2 MS. MILLER: I think that in one
3 previous, they talked about a sidewalk up that
4 side when there was a driveway on that side.
5 We don't want either of those.

6 CHAIRMAN STUTO: Kathy and Paul Robetor,
7 did you want to say something?

8 MR. ROBETOR: I'm Paul Robetro and I'm
9 the closest to the property. Will there be
10 screening? Will there be a sound barrier?

11 MR. PEARSON: There will be screening.
12 The screening is typically more visual than a
13 sound barrier.

14 MR. ROBETOR: That is a concern. We have
15 issues with the AC and so forth on that other
16 building and it's loud.

17 MR. PEARSON: There might an issue with
18 that equipment. Usually those come in at about
19 60 decibels. I'm not sure what the issue is
20 there.

21 There might be one to two AC units in our
22 building, but it shouldn't be an issue with
23 noise.

24 MR. GRANT: When the Siena dorms were
25 being looked at there were different levels of

1 noise they were looking at. There is different
2 equipment that's manufactured that might
3 change attenuations. They're like panels on
4 the side.

5 CHAIRMAN STUTO: That's the last name on
6 the list. Is there anybody else that wants to
7 speak?

8 MR. TATRAULT: I'm Jim Tatrault and I
9 live on Semons Avenue. We just wondered about
10 the dumping.

11 CHAIRMAN STUTO: Can you talk about the
12 dumping issue again?

13 MR. PEARSON: This was an issue at the
14 Central Avenue store as well. There, they have
15 a gate that's strictly enclosed. That
16 encouraged dumping at the street. We're
17 eliminating that. There are signs to indicate
18 no dumping. There are peak periods where this
19 seems to occur. Sunday afternoons seem to be a
20 popular time. It usually happens Saturday or
21 Sunday afternoons after hours. We're going to
22 arrange to have someone there with a truck to
23 assist in that. We don't typically like to
24 have a drop box there. We don't like that
25 method. With a truck, we're able to have

1 someone help and all the items can be placed
2 in the truck, as opposed to a drop box where
3 items are just dropped next to it.

4 MR. GRANT: Will there be security
5 cameras in that area where if I came there on
6 a Sunday afternoon to dump my stuff that
7 didn't sell at my garage sale, someone could
8 pick up a license plate number -

9 MR. PEARSON: That was mentioned last
10 time and really that's just shifting the
11 onerous from one person to another. If you do
12 have a camera and you get somebody's license
13 plate, you then have to turn it over to the
14 police. Then you have to prosecute them. It's
15 just not something that the Salvation Army
16 wants to be involved in. If they identify the
17 periods when dumping occurs like on Sunday
18 afternoons which seems to be a big one, they
19 get somebody out there with a truck and fix
20 that.

21 CHAIRMAN STUTO: Anybody else?

22 MS. MILLER: I'm Carol Miller and we're
23 at 10 Semons.

24 I realize that this is just driveway, but
25 does that need to be within that 100-foot

1 setback as well? I realize that the trucks
2 have to pull in and turn around and go into
3 the loading dock.

4 CHAIRMAN STUTO: Can you repeat the
5 question?

6 MS. MILLER: Yes. This little section
7 that comes out of the parking lot, it clearly
8 looks to be that it's for their trucks to pull
9 up and back up into their loading dock. Does
10 that need to be contained outside that
11 100-foot buffer zone as well?

12 MR. GRANT: I think that needs to meet
13 the building setbacks.

14 MS. MILLER: So, nobody is going to let
15 the truck sit and idle there?

16 MR. PEARSON: It will not be sitting
17 there. Typically, the truck leaves the ARC in
18 the morning and they make stops and at the
19 last store, they park and they may stop the
20 truck and come in for a delivery. Depending on
21 which store this is and if there is a delivery
22 in the morning or a pick up in the afternoon;
23 it will depend.

24 MS. MILLER: Is this part of the roofline
25 (Indicating)? Is that the real roofline or is

1 it raised up on the side?

2 MR. PEARSON: This would be roofline
3 right here (Indicating).

4 MS. MILLER: So this would be all the way
5 around.

6 MR. PEARSON: Yes.

7 CHAIRMAN STUTO: Thank you.

8 Anybody else?

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

10 CHAIRMAN STUTO: I think that this is an
11 improvement. I think that the elimination of
12 the entranceway on Semons is an improvement
13 and I think that was one of the neighbor's
14 important concerns.

15 I'm not going to take a lot more time
16 with comments since we're not here to vote.
17 We're going to see you again for concept. If
18 nobody else has anything, we can move to
19 adjourn.

20 MR. PEARSON: I'm not asking to build a
21 concept based on this. Do we really need a
22 concept phase approval -- we've got a concept
23 now that I think everybody agrees with. The
24 zoning verification is correct, but we do have
25 stormwater and we have all of those

1 components. Why not just go to final? That's
2 really where we're at now is to try to
3 assemble all of that engineering. Is concept
4 something that we actually have to have before
5 we go to final?

6 CHAIRMAN STUTO: I'll ask our engineer
7 and our counsel what they think on that. I
8 know that if you're rejected on concept that
9 you can still come back.

10 MS. VAIDA: There were issues that the
11 Board Members felt need to be delved into more
12 clearly on discussion. I know that Mike wanted
13 some traffic data.

14 MR. PEARSON: We can come back in three
15 or four weeks or whatever the schedule allows
16 for a concept hearing with all that paperwork
17 that's filed. I would prefer to start work on
18 a final submission about eight weeks from now.

19 MS. VAIDA: I was saying to Joe that it's
20 just a question of getting some paperwork.
21 Since we've had no public input and questions
22 have been answered, we could have them come
23 back when they have the zoning paperwork for
24 just a quick appearance and final vote and
25 that shouldn't be too time consuming.

1 MR. LACIVITA: This is pending with Bob
2 Cordell now and being reviewed. We'll probably
3 see that within the next couple of days. It is
4 what it is.

5 MR. PEARSON: If it's all
6 paperwork -- because I'm not hearing a lot of
7 objections to the concept -

8 CHAIRMAN STUTO: If I thought that we
9 were going to take a vote, I was going to ask
10 more architectural questions and materials
11 questions.

12 To me, that's mimicking a brick. It looks
13 artificial to me. I'm not sure exactly what's
14 around it to match.

15 I was going to probe more into that, if I
16 could, if we were going to take a vote
17 tonight.

18 FROM THE FLOOR: We have some real brick
19 on our street, but not that color.

20 CHAIRMAN STUTO: That's what I was going
21 to personally probe more into if I thought
22 that we were taking a vote. I don't have any
23 other major problems with the project. I want
24 it to look good when you drive by it. That's
25 what this Board takes pride in for having

1 input into anything. We'd like to keep the
2 neighbors as happy as possible and accommodate
3 their needs.

4 MR. PEARSON: Do you want us to resubmit
5 concept?

6 MS. DALTON: I think that's the process.
7 The process has elongated for you; I
8 understand. The process is what it is. It
9 seems to me to be appropriate to follow what's
10 there. It's not that big a deal.

11 MR. PEARSON: We have two projects and
12 they're just about simultaneously on track.

13 MS. DALTON: That's understandable.

14 CHAIRMAN STUTO: Technically, we could
15 just vote on concept and vote it down and then
16 have him apply for final?

17 How many times do the neighbors want to
18 come back?

19 FROM THE FLOOR: Why are you changing the
20 procedure?

21 CHAIRMAN STUTO: It consistent with the
22 procedure. That's the point. Do you want to
23 come back twice?

24 FROM THE FLOOR: We just want it done
25 right.

1 CHAIRMAN STUTO: I think that it's
2 helpful to have the two steps. We'll have to
3 go over what happened to the zoning
4 verification.

5 Anything else?

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

7 CHAIRMAN STUTO: Motion to adjourn?

8 MR. MION: I'll make the motion.

9 CHAIRMAN STUTO: Second?

10 MS. DALTON: Second.

11 CHAIRMAN STUTO: All in favor?

12 ***(Ayes were recited.)***

13 CHAIRMAN STUTO: All opposed?

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

15 CHAIRMAN STUTO: The ayes have it.

16

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19 ***(Whereas the proceeding concerning the above***

20 ***entitled matter was adjourned at 9:47 p.m.)***

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CERTIFICATION

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4 **I, NANCY STRANG-VANDEBOGART, Approved**
5 **New York State 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
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14
15 **NANCY STRANG-VANDEBOGART**

16
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18 **Dated June 13, 2011**

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Legal Transcription

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