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PLANNING BOARD  
TOWN OF COLONIE

COUNTY OF ALBANY

\*\*\*\*\*  
STEWARTS SHOP  
1095 LOUDON ROAD  
SKETCH PLAN REVIEW  
\*\*\*\*\*

THE TAPED AND TRANSCRIBED MINUTES of the above  
entitled proceeding BY NANCY STRANG-VANDEBOGART  
commencing on May 10, 2011 at 7:01 p.m. at the  
Public Operations Center 347 Old Niskayuna Road,  
Latham, New York 12110

BOARD MEMBERS:

- PETER STUTO, CHAIRMAN
- MICHAEL SULLIVAN
- LOUIS MION
- TIMOTHY LANE
- KATHLEEN DALTON
- PAUL ROSANO
- ELENA VAIDA, Esq., Attorney for the Planning Board

Also present:

- Joe LaCivita, Director, Planning and Economic  
Development
- Tom Lewis, Stewarts
- Joe Grasso, PE, Clough Harbour and Associates

1                   CHAIRMAN STUTO: We'll call this meeting  
2 to order.

3                   First item on the agenda is calling for a  
4 public hearing for Loudonville East. Are we  
5 ready to do that yet, Joe?

6                   MR. LACIVITA: I think that we were going  
7 to ask to add an additional date for another  
8 hearing to schedule the public hearings for  
9 the rescheduling for Sable Woods and Loudon  
10 Hills. I guess we need to poll the members  
11 first to see if we could add that extra day.

12                  CHAIRMAN STUTO: Those are two major  
13 projects. You want to have them on the same  
14 night?

15                  MR. LACIVITA: We could probably get  
16 through them both on the same night. They are  
17 lengthy projects and you're going to hear from  
18 the neighbors on both.

19                  CHAIRMAN STUTO: Is all the paperwork in  
20 and so forth on Loudon Hills? Is there was  
21 something that you were still waiting for?

22                  MR. LACIVITA: Yes, we received it late  
23 today. That final piece of information is in.  
24 The one item that we're working through is the  
25 sanitary sewer line in Sable Woods. That would

1 be ample time to get that resolved.

2 CHAIRMAN STUTO: So we're talking about  
3 the month of June, right? I want all the Board  
4 Members to hear this. We're trying to do the  
5 best that we can for the applicant. As in May,  
6 we have an extra Board meeting and we may have  
7 to do the same thing in June to prevent  
8 midnight meetings and so forth.

9 MR. LACIVITA: As it stands right now,  
10 what we try to do is provide them agenda spots  
11 based on TDE recommendations and both of these  
12 projects are being reviewed by Barton and  
13 Loguidice. They are lengthy projects. They're  
14 older projects that have been here prior. We  
15 do need to get them on.

16 CHAIRMAN STUTO: What are the other  
17 larger projects that you're considering for  
18 June? I just want to make sure that we get  
19 this right. I'd prefer not to have the two on  
20 one night, if avoidable.

21 MR. LACIVITA: The next large one after  
22 that would be Forrest Hills.

23 CHAIRMAN STUTO: Then we have the  
24 rezoning of the western part of the Town.

25 MR. LACIVITA: Which will probably be its

1 own hearing that night. Just one night.

2 CHAIRMAN STUTO: Okay, the extra meeting?

3 MR. LACIVITA: Correct.

4 CHAIRMAN STUTO: We're talking about the  
5 west end rezoning. We're calling that in the  
6 middle meeting in June.

7 MR. LACIVITA: we're thinking of adding  
8 the 14<sup>th</sup> -- adding its own date.

9 CHAIRMAN STUTO: What was the other large  
10 development?

11 MR. LACIVITA: Then we have three large  
12 developments coming on; Sable Woods, Loudon  
13 Hills and then Forrest Hills.

14 CHAIRMAN STUTO: So, it's going to be  
15 hard to avoid having two on one night. We'd  
16 probably have to hear two.

17 MR. LACIVITA: As I look at the agenda  
18 now, what we have, Sable Woods is actually on  
19 for the 17<sup>th</sup>. I'll be talking with the TDE and  
20 the engineer on this one and we're going to  
21 push that back to the 7<sup>th</sup> because they hadn't  
22 been able to nail down the trestle for the  
23 sanitary sewer systems.

24 CHAIRMAN STUTO: Loudonville's won't be  
25 reviewed in time for the 17<sup>th</sup>?

1           MR. LACIVITA: That's correct. That was  
2 based on documents not received. But that's  
3 the full agenda; we have three items on that  
4 night as well. That would have been four with  
5 Loudonville and Sable Woods. If we push that  
6 out to the 7<sup>th</sup>, we should be good.

7           CHAIRMAN STUTO: I don't know if we can  
8 avoid on two on the 7<sup>th</sup>.

9           All we have to do is call the hearing for  
10 Loudonville's, right?

11          MR. LACIVITA: Correct.

12          CHAIRMAN STUTO: We'll call the for  
13 June 7<sup>th</sup> at 7:00 pm.

14          MR. MION: And also have an additional  
15 meeting on the 14<sup>th</sup>?

16          CHAIRMAN STUTO: Yes.

17          MR. LANE: We're not going to add Sable  
18 Woods, then?

19          CHAIRMAN STUTO: We already called that  
20 hearing.

21          That's out of the way for housekeeping.  
22 Sorry, everybody.

23          We have Stewarts shops here for a sketch  
24 plan.

25          Joe, do you want to give us an

1 introduction on that?

2 MR. LACIVITA: This is 1095 Loudon Road.  
3 They're here for a sketch plan tonight.

4 Tom Lewis is here tonight from Stewarts  
5 and the TDE on this project is Clough Harbour.  
6 Joe Grasso is with us.

7 The brief summary about the project is  
8 that this is the location of the Boght Fire  
9 Department. The Boght Fire Department, as it  
10 is currently, will come down and it will be  
11 replaced with 2,900 square foot convenience  
12 store and fuel island. With that, I'll turn it  
13 over to Tom.

14 MR. LEWIS: This is another one of the  
15 same things as Loudon except a little more  
16 complex. This is kind of new. It's a  
17 redevelopment.

18 Before I go into the details, you've  
19 heard this once before. It's true. We accept  
20 no very graciously. We really do. We know our  
21 business and we know what works; a convenience  
22 shop with a gas operation. For us, at least,  
23 we have to have the gas up front and you've  
24 got to have the parking up front. Nothing  
25 against your Town Code, but we're not a

1 destination like a doctor's office where it  
2 doesn't matter where the parking is.

3 Six or seven months ago I was at another  
4 town for the same thing. We accepted no very  
5 graciously. They said, well, you can only do  
6 it if you alter X, Y and Z. We said, thank you  
7 very much, but we can't. Afterwards they were  
8 really angry with us. I'm sure that this Board  
9 won't be.

10 Right now there are three buildings on  
11 this site. We have no idea what we will do  
12 with the back of the lot. The market is such  
13 that we thought about doing some sort of  
14 retail center behind it. I just don't see that  
15 happening. So, we would knock down the main  
16 building and the new shop would actually be  
17 2,990. The gas island is 1,380. We'll have 14  
18 parking spaces at the building, six at the  
19 pump and there are 38 behind. So there is lots  
20 of parking.

21 This is the largest piece of property  
22 that I've ever purchased in my life. We're  
23 also spending more than we ever did.

24 The greenspace is well over 35. The  
25 pavement increase only goes from 40 to 42.

1           As to architecture, I think that this  
2 Board hopefully knows that we'll work with you  
3 on that. I didn't give you elevations. I hope  
4 that the thing that we find out this evening  
5 is the Board okay with another set of waivers  
6 on gas island and where the parking is. Then,  
7 we have to get a variance on the canopy. I  
8 don't think that will be difficult, based on  
9 our last meeting at the Zoning Board. We did  
10 address a lot of time hoping to buy the pizza  
11 shop. That didn't work out. Our company is  
12 fairly good at figuring out how much business  
13 will you do if you do X -- if you invest X  
14 amount of dollars and get a return on it;  
15 otherwise, let's just not do it. We never have  
16 shops that don't work.

17           What I had hoped was where the pizza shop  
18 is - I was hoping that we could have our  
19 building here and the gas here (Indicating),  
20 but it didn't work out that way.

21           This is really our only option. From our  
22 point of view, everything on this works, in  
23 terms of access. I'm sure that there are  
24 details like some things have to be moved a  
25 little bit. This functions well; otherwise, we



1 wouldn't have signed a contract.

2 So, that's what I have tonight.

3 CHAIRMAN STUTO: Joe, do you have  
4 anything that you'd like to tell us?

5 MR. GRASSO: Yes, we had some comments.

6 The project has gone through the DCC  
7 reviews, so there are some comments that I  
8 didn't bring to the Board's attention. All the  
9 other departments have provided comment and we  
10 would expect those issues to be resolved as  
11 the project went through the final site plan  
12 process - other than the one item that Tom  
13 mentioned that the variance would be required  
14 for that canopy.

15 Tom mentioned that waivers are going to  
16 be required for parking in the drive lanes,  
17 which will be in the front yard. There is also  
18 a pavement setback at the front lot line.  
19 We've got also the fuel canopy, as well.

20 In general, this is consistent with what  
21 we have seen with other Stewarts redevelopment  
22 projects.

23 The Planning Department in their  
24 comments, which I believe the Planning Board  
25 has copies of, said it was a maximum front

1 yard setback of 25 feet. That normally applies  
2 and is not mandatory for this site. That's  
3 really only because there are other buildings  
4 located within the site that are going to be  
5 retained. In essence, the intent of the  
6 regulation is still to meet the 25 foot  
7 maximum setback. Because the fuel canopy is up  
8 front, that is not proposed. The Planning  
9 Department recommended swapping the fuel  
10 canopy with the Stewarts convenient store.  
11 That would push the canopy down Boght Road and  
12 still have good frontage on Boght Road. The  
13 building would be located right up in the  
14 corner which is consistent with the pizza  
15 parlor being located closer to Route 9. Like  
16 Tom mentioned, that's not in accordance with  
17 their plan.

18 In general, we support redevelopment of  
19 this site. There are other buildings there,  
20 and it's kind of a haphazard development  
21 pattern. If the plan moves forward with the  
22 canopy up front, it's important that the  
23 layout works well with the other buildings  
24 there as to what the future development of the  
25 site may look like. Right now, you can look at

1 the plan and say, well, the back of the  
2 Stewarts is basically the front of the  
3 building right behind it. Those are the  
4 comprehensive things that are really being  
5 looked at, as the development plan evolves.

6 Regarding access to the site, there is  
7 going to be a significant change in the volume  
8 of traffic that accesses the site. Therefore  
9 the need for access management is going to  
10 become much more important for the site.  
11 Because the site is at a prominent  
12 intersection in the Town and has frontage on  
13 two relatively major thoroughfares in the Town  
14 where those access points are, whether or not  
15 movements are restricted is going to be very  
16 important.

17 They are proposing for the one on  
18 Route 9, closest to Boght Road in front of the  
19 canopy. DOT is agreeable to the lefts in and  
20 obviously rights in as well as rights out.

21 CHAIRMAN STUTO: You're talking about the  
22 Route 9 access point.

23 MR. GRASSO: Yes. We asked Stewarts to  
24 consider eliminating that access point and  
25 shifting it north of the pizza parlor.

1           Obviously, that would mean that the access  
2           road would have to loop around the back of the  
3           pizza parlor. It would probably require the  
4           Stewarts shop to be shifted back 15 or  
5           20 feet. We thought that would provide better  
6           long-term access management scenario. So,  
7           that's something to consider.

8                         CHAIRMAN STUTO: You mentioned that  
9           before they did the drawings, or after?

10                        MR. GRASSO: After. It was based on the  
11           review of the plan that you have before you  
12           tonight. DOT has not seen that comment from  
13           us. It's just our initial reaction to the  
14           sketch plan and understanding the comments  
15           raised by DOT.

16                        A couple of other comments regarding the  
17           access points on Boght Road. DOT had suggested  
18           that access - that curb cut get shifted east  
19           about 40 feet, which does two things. It  
20           pushes it away from the intersection and it  
21           also provides a direct alignment across the  
22           front of the store - that drive aisle that  
23           goes between the fuel canopy and the store.  
24           That was a similar comment that we had brought  
25           to the DCC meeting. So, we're on the same page

1 with DOT with the comments.

2 The other comment that we shared with DOT  
3 is if you go further to the east, there is a  
4 proposed curb cut that is extremely wide. It's  
5 approximately 100 feet wide. DOT said that if  
6 this site is going to be redeveloped, they're  
7 going to push for that curb cut to be narrowed  
8 down to the 30 to 35 foot range, and that's  
9 consistent with our comments.

10 MR. LANE: They don't mind two curb cuts  
11 on that?

12 MR. GRASSO: They don't mind curb cuts,  
13 understanding that there are multiple uses  
14 going on at this site.

15 I can't say that we disagree with you.  
16 I'm sure, though, that they would like to see  
17 the access point on Route 9 get put on the  
18 other side of the pizza parlor.

19 When we look at a redevelopment project  
20 like this, we know that a pizza parlor has the  
21 parking too. We would normally look for a  
22 cross connection and to try to accommodate a  
23 shared access. The pizza parlor lot is so  
24 restrictively small and you've got the  
25 building that basically takes most of the

1 site. There is limited parking and a curb cut  
2 right across the front. There is really little  
3 opportunity for any cross access to where the  
4 pizza parlor is now. That said, assuming that  
5 parcel is to be redeveloped at some point in  
6 the future, we would look for that parcel to  
7 take advantage of an access point to create  
8 their project. That's something for the Board  
9 to consider.

10 Getting into more minor comments, when  
11 you look at the sewers and the parking around  
12 it on the sides of the building, parking faces  
13 6 and 7 - it really should be converted into  
14 interior landscaped islands.

15 The last comment that I thought was  
16 significant was the pedestrian access to the  
17 site. Both DOT and the Planning Department  
18 supported pedestrian accommodations across the  
19 site's frontage - the Planning Department  
20 supported bringing the sidewalks down across  
21 from New England Avenue and they had supported  
22 midblock crossings. We are not very supported  
23 of midblock crossings unless there is a unique  
24 circumstance that really supports them. When  
25 we have a signalized intersection so close to

1 the destination points and generators, we  
2 would really support pedestrian traffic being  
3 directed up to the signal and then have a  
4 cross walk for a pedestrian crossing. It's  
5 much more preferred to be at the intersection  
6 as opposed to a midblock crossing. So what it  
7 means to this project is it's going to be a  
8 little bit difficult to plan and implement,  
9 but it would mean in consideration of a  
10 sidewalk on the opposite side of Boght Road  
11 from the Stewarts. Maybe terminating at New  
12 England Avenue or terminating at Landor Lane,  
13 and a sidewalk that extends all the way up to  
14 the intersection with Route 9 and a cross walk  
15 at the signal as you come into the Stewarts.  
16 So, DOT was a little bit more generalized in  
17 their comments. They said that:

18 "The evaluation of existing pedestrian  
19 ability holds sidewalks and intersection  
20 crosswalk accommodation and proposals and any  
21 improvement and/or upgrades should be  
22 conducted and presented for our review."

23 That's something that they're going to  
24 ask for more information as this goes forward.  
25 It's important for the project to implement at

1           some point. Those are our comments that we  
2           have so far.

3           CHAIRMAN STUTO: Mr. Lewis, is there  
4           anything that you'd take exception to?

5           MR. LEWIS: Only one thing. There was a  
6           curb cut. Our customers would not do this  
7           (Indicating). Not having a left turn  
8           here (Indicating) - most everyone would be  
9           going out this way. Moving this over  
10          40 feet - that's fine. Obviously that would  
11          make this a whole lot shorter. That makes  
12          sense.

13          My expectation is that is at some point  
14          when the project moves ahead, I'm sure that  
15          Mr. [SIC] Chuda, who I talked with numerous  
16          times, will want to lease extra parts in here.  
17          If that's the case, we would come to this  
18          Board and see what we can accommodate for him.  
19          We really do not know what we would do with  
20          this building and this building (Indicating).  
21          We would look to lease it out to whomever.  
22          We're certainly okay with having any - if  
23          something in the future calls for a cross  
24          connection, we can put that on the plan.  
25          That's fine. We can make 6 and 7 green; that's



1 fine. We're fairly confident we can do work  
2 with this Board.

3 CHAIRMAN STUTO: So Joe, you don't have  
4 any insurmountable objections to the waivers;  
5 is that correct?

6 MR. GRASSO: No.

7 CHAIRMAN STUTO: Paul?

8 MR. ROSANO: I have nothing right now.

9 CHAIRMAN STUTO: Tim?

10 MR. LANE: No, nothing. I think that the  
11 question is really about the access on Route 9  
12 with DOT.

13 MR. GRASSO: I think that they are  
14 willing to approve the access where it's  
15 proposed. It's shifting the access point away  
16 from the intersection. I think that sometimes  
17 the other thing that they would want to  
18 restrict is lefts into the site, based on  
19 volumes and movements.

20 MR. LANE: So what about signage?

21 MR. GRASSO: They feel that it's an  
22 acceptable concept.

23 They were at the DCC meeting and provided  
24 great comments.

25 MR. LEWIS: I expect that they'll want

1           one of those little pork chop things so that a  
2           car is not physically able to make a left in.

3           MR. GRASSO: Well, they're still able to  
4           do it. They just violate the signage.

5           CHAIRMAN STUTO: Mike?

6           MR. SULLIVAN: Mr. Lewis can you explain  
7           why the other curb cut north of the pizza shop  
8           wouldn't work?

9           MR. LEWIS: Sure. You've got this little  
10          narrow area here. The second reason is just  
11          really difficult movement. I mean the vast  
12          amount of people who come here are all on 9.  
13          There is a much smaller number on Boght. It's  
14          funny but it took me 10 years to get this. In  
15          the convenience store business, access is the  
16          most important. Access in this kind of  
17          business just has to be easy in and easy out.  
18          A movement like this is just - most people  
19          won't do that.

20          MR. SULLIVAN: I would think that it's  
21          easier than dealing with traffic at the  
22          intersection. If you're coming north on  
23          Route 9, you're going to turn onto Boght and  
24          then take a left in. If you're coming south on  
25          Route 9, you can avoid the intersection. It's

1 not as though you're going miles out of the  
2 way. It's an easier left turn, I would think.

3 MR. LEWIS: We respectfully see it  
4 differently. A movement like this is way more  
5 complicated than this.

6 CHAIRMAN STUTO: Once they get onto the  
7 property or just initially getting onto the  
8 property?

9 MR. LEWIS: Getting out of the property.  
10 Some percentage - maybe one-third of the  
11 people will go right into the gas island. If  
12 they have to go a long way to get to the gas  
13 island - even the building - they just won't  
14 come. They'll just keep going to someplace.

15 CHAIRMAN STUTO: So, that's once you're  
16 on the property. The extra movement is once  
17 they get on the property. Those are the  
18 movements that they make after the drive in.

19 MR. LEWIS: Once they're in, I just see  
20 this as a way more complicated than this. It  
21 might only be 200 feet, but that's how people  
22 function in our sites.

23 MS. DALTON: Mr. Lewis, isn't that  
24 directly across the street from another  
25 establishment that has gas pumps?

1                   MR. LEWIS: Yes, there is a Cumberland  
2 Farms there.

3                   MS. DALTON: I'm sure that you've done  
4 research, but what makes you think that  
5 they're going to drive past one gas station to  
6 come to yours?

7                   MR. LEWIS: Experience. There are lots of  
8 other sites where there is Cumberland or Hess.  
9 I'm not sure that I understand your question.  
10 You're saying why would they come here rather  
11 than Cumberland?

12                   MS. DALTON: You're saying that moving  
13 that entrance, if you will, that far away  
14 would be problematic because of the  
15 convenience factor. I'm thinking if that's my  
16 issue, than I'm going to pull into the one  
17 that is 200 feet before yours and -

18                   MR. LEWIS: That's right. You will.  
19 Somebody will more likely go to Cumberland  
20 than us if it's difficult getting into our  
21 site.

22                   MS. DALTON: My argument would have been  
23 the opposite - the further that your entrance  
24 is away, probably the better off you would be.  
25 I understand what you're saying.

1           MR. LEWIS: Our opinion is that once  
2 they're in the lot, how they get to where they  
3 want to get to becomes a critical factor. This  
4 is an easy one for me in figuring out whether  
5 the project is worth doing. This isn't  
6 complicated.

7           MR. SULLIVAN: Will the building be  
8 shifted to the east? Do you plan on pushing  
9 the building back, as was suggested by the  
10 Planning Department?

11          MR. LEWIS: That was a setback issue.

12          MR. SULLIVAN: In order to make the main  
13 roadway through the site in front of your  
14 building, they suggested moving your building  
15 to the east about 20 feet. In doing so, you  
16 would also -- I think that would lend itself  
17 to having the access north of the pizza  
18 place -

19          MR. LEWIS: Moving it this way 20 feet?

20          MR. SULLIVAN: Right.

21          MR. LEWIS: There would have to be a  
22 relationship between the distance between here  
23 and here. That means that everything has to  
24 move back. Then I don't think that you would  
25 get in there because this is here.

1           MR. SULLIVAN: My point is that if we  
2           were to not have the curb cut there and if you  
3           are thinking of possibly leasing space to the  
4           pizza place, their parking is currently south  
5           of their building. You would have a space  
6           there where they extend their parking and then  
7           you could then have - also if you're moving  
8           the curb cut on Boght to the east, everything  
9           I think, would wind up better. The flow would  
10          be better.

11          MR. LEWIS: I think that the answer has  
12          to be that there is very little room there  
13          going east. We spent hours and hours on these  
14          things. I recognize that this is a difficult  
15          site.

16          MR. SULLIVAN: The problem that I have is  
17          that you said that it was a 2.5 acre site. It  
18          seems like we have an abundance of land, but  
19          we're left with no left turns out. I would  
20          think that there is a possibility of getting  
21          everything to work and have better access to  
22          and from without restricting the movements.

23          MR. LEWIS: There certainly would be if I  
24          owned this area {Indicating) and then  
25          everything would be a lot easier.

1                   MR. SULLIVAN: I guess that we  
2 respectfully disagree. I think that there  
3 might be another option.

4                   MR. LANE: The purpose of site plan is  
5 that we do make suggestions and sometimes it  
6 differs a little. Every now and then there are  
7 some good ideas here.

8                   MR. LEWIS: I've learned over the years  
9 that it's easier to say yes than no and  
10 anything that you can do -- what we don't do  
11 is anything that will hurt the site from  
12 functioning the way that we think that it  
13 needs to in order to do business. That's the  
14 way that we do it in all our stores. In this  
15 case, the site is very constrained.

16                   MR. LANE: Joe, What would be constrained  
17 moving the building?

18                   MR. GRASSO: Well, it would encroach on  
19 the drive aisle that goes between two  
20 buildings. The building is closer together -

21                   MR. LANE: But do they still have a  
22 setback?

23                   MR. GRASSO: Yes. I don't know if it's so  
24 much about pushing the building back, but if  
25 you're pushing it back in order to accommodate

1 a revised access point, it's problematic with  
2 rights in off of Route 9 and full access to  
3 the north that serves the whole site.

4 MR. LEWIS: There is a right in and a  
5 right out and more than half the cars in the  
6 morning are headed this way (Indicating).  
7 That's the major route, out of all the  
8 movements.

9 CHAIRMAN STUTO: I don't want to go too  
10 far over schedule.

11 Lou?

12 MR. MION: Nothing.

13 CHAIRMAN STUTO: Kathy?

14 MS. DALTON: Nothing else.

15 CHAIRMAN STUTO: I have no categorical  
16 objections to their waiver, personally. If the  
17 neighbors come out and they say some other  
18 persuasive things that persuade me otherwise,  
19 I don't want to be locked into that. I don't  
20 have any objection, right now, as I sit here.

21 I think that it's worthwhile for us to  
22 think about the north ingress/egress a little  
23 bit more. I don't fully understand why one is  
24 better than the other. I don't know if you  
25 could try to run that by us one more time.



1 Your suggestion on moving it farther  
2 north -- why is that better?

3 MR. GRASSO: Anytime that you can get the  
4 access point further away from the  
5 intersection so that they come out on the  
6 queue of the intersection -- obviously there  
7 will be queues in the left turn lane. People  
8 are going to want to move out to take a left  
9 turn to the site. Anytime you can get that  
10 access point away from the intersection, you  
11 have less chance for conflicting turns.

12 MR. LANE: So, if something comes from  
13 Public Safety, that's something that you have  
14 to consider.

15 MR. LEWIS: We think that there is no  
16 public safety issue. I think that this will  
17 work very well. You're the decision makers.  
18 There are certain things that probably do make  
19 sense. We understand your position. We can  
20 call the owners and say, we have an option so  
21 we're not bound in this.

22 MR. GRASSO: Excuse me for interrupting.  
23 One thing that we can do is to try to move  
24 forward and try to work towards resolution.  
25 We can talk to DOT about their comment and our

1 comment and share the Planning Board's  
2 concern. We can also drill down into the  
3 queuing that takes place at the intersection  
4 and try to better evaluate that.

5 CHAIRMAN STUTO: I think that would be  
6 helpful.

7 MR. GRASSO: It might validate concerns  
8 and then we can kick it back to the Board with  
9 that.

10 CHAIRMAN STUTO: What do you think about  
11 that, Mr. Lewis?

12 MR. LEWIS: Okay. It sounds like there  
13 are four maybes and there are two that are  
14 probably not comfortable with this.

15 CHAIRMAN STUTO: More data and study are  
16 always helpful.

17 MR. LEWIS: My only hesitation is that I  
18 don't want to impose on the Fire Department.  
19 If it doesn't work out with us, they're going  
20 to need to put it back on the market. It's  
21 certainly reasonable to talk to DOT and let  
22 this Board take a look at it, obviously. So,  
23 maybe when we come back in six weeks or  
24 something, we will be here next Tuesday for  
25 another one of these on Vly Road location.

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Thank you, very much for your time.

CHAIRMAN STUTO: Thank you.

*(Whereas the proceeding concerning the  
above entitled matter was adjourned  
at 7:37 p.m.)*

**CERTIFICATION**

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3  
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**

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18 **Dated June 10, 2011**

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