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PLANNING BOARD COUNTY OF ALBANY
TOWN OF COLONIE

GIARDINELLI CONSERVATION SUBDIVISION
100 MARY HADGE DRIVE
SKETCH PLAN REVIEW

THE STENOGRAPHIC MINUTES of the above entitled
matter BY NANCY STRANG VANDEBOGART, a Shorthand
Reporter, commencing on November 27, 2012 at 7:45
p.m. at the Public Operations Center, 347 Old
Niskayuna Road, Latham, New York 12110.

BOARD MEMBERS:

- PETER STUTO, CHAIRMAN
- LOU MION
- KAREN GOMEZ
- KATHY DALTON
- MICHAEL SULLIVAN

- Also present:
- Elena Vaida, Esq., Counsel to the Planning Board
 - Michael Tengeler, Planning and Economic Development
 - Joe LaCivita, Director, Planning and Economic Development
 - Joe Grasso, Clough Harbour and Associates
 - Jason Dell, PE, Lansing Engineering

1 CHAIRMAN STUTO: Next on the agenda we have the
2 Giardinelli Conservation Subdivision, 100 Mary Hadge
3 Drive. This is here for sketch plan review.

4 I'll ask Joe LaCivita - who do you want to do an
5 introduction on this?

6 MR. LACIVITA: We'll go right into the
7 presentation from the applicant. It's a small two
8 lot subdivision.

9 MR. DELL: Good evening. My name is Jason Dell
10 and I'm with Lansing Engineering. We're here on
11 behalf of the applicant, Craig Giardinelli for the
12 proposed lot subdivision. The existing parcel is
13 approximately 24.5 acres and is currently zoned
14 single family residential with a conservation
15 development overlay. As the gentleman mentioned, it
16 is a two-lot subdivision creating two lots
17 approximately 15.2 acres and 9.2 acres in size. It
18 is the applicant's goal to build his own residence
19 on the northern 15.24 acres of it.

20 The utilities for the project -- the water main
21 will be extended from the existing subdivision up
22 onto the edge of the property. The hammerhead
23 turnaround will be constructed at the eastern edge
24 of Alexander Court which will be a turnaround. The
25 engineering department gave us the specs for the

1 hammerhead that is shown on the plans right now.
2 The sanitary sewer service will be extended up to
3 the proposed residence from the existing sanitary
4 main. It's located at the eastern edge of the
5 current Alexander Court.

6 Additionally, for the project, it is a conservation
7 subdivision, so we did provide the conservation
8 analysis for the project. That was a separate map
9 that was provided. The total area of the project
10 again is approximately 24.5 acres. Of that, we do
11 have constrained land. With the Army Corps of
12 Engineers we've got approximately .53 acres of land
13 as well as slopes greater than 25 percent. The
14 total of unconstrained land is approximately 20.08
15 acres. With forty percent of that unconstrained
16 land, it turned out to be about 8.03 acres. So, we
17 have a total of unconstrained lands allowed for a
18 subdivision of approximately 12.05 acres.

19 In the allowable density calculation performed for
20 the property, it winds up at 29 residences. So, the
21 applicant is only proposing two lots on the
22 property. On the conservation plan that we provided
23 we showed an outline of the lands that are being
24 preserved for the project. That includes various
25 portions of the slopes steeper than 25 percent, the

1 wetland areas and the 40 percent of additional
2 unconstrained lands that are included within this
3 area.

4 We'd be glad to discuss this with the Board and
5 move forward.

6 CHAIRMAN STUTO: Okay, I'm going to ask a
7 couple of basic questions to make sure that we
8 understand it correctly.

9 Can you trace the current lot as it is now?

10 MR. DELL: The current lot is here
11 (Indicating).

12 CHAIRMAN STUTO: Okay, can you trace where it's
13 getting subdivided into two lots? Can you trace the
14 lot where his house is?

15 MR. DELL: Straight through here (Indicating).

16 CHAIRMAN STUTO: Can you trace the other lot?

17 MR. DELL: That would be here (Indicating).

18 CHAIRMAN STUTO: On his lot, can you trace what
19 is land to be preserved?

20 MR. DELL: That is here (Indicating).

21 CHAIRMAN STUTO: How is he getting access to
22 his?

23 MR. DELL: There will be a driveway coming off
24 the edge of the hammerhead that would provide access
25 to his parcel.

1 CHAIRMAN STUTO: Off of Alexander?

2 MR. DELL: Yes.

3 CHAIRMAN STUTO: So, he's going to have a nice
4 long driveway leading up to his house?

5 MR. DELL: Correct.

6 CHAIRMAN STUTO: With respect to the remaining
7 lands, can you trace the lands that are preserved?

8 MR. DELL: That would be here(Indicating).

9 CHAIRMAN STUTO: Is this subject to further
10 subdivision if you got this approval?

11 MR. DELL: Potentially in the future, but not
12 until the waterline would come down from the upper
13 water tower. It's Mr. Giardinelli's goal right now
14 to construct his own house on the land.

15 CHAIRMAN STUTO: Are you saying that both
16 parcels could be subdivided?

17 MR. DELL: Potentially, yes.

18 CHAIRMAN STUTO: Why does this have to be
19 before us?

20 Joe, do you want to comment on this? You're
21 reviewing it, right?

22 MR. GRASSO: Yes.

23 CHAIRMAN STUTO: Does this require our
24 approval?

25 MR. GRASSO: It does.

1 CHAIRMAN STUTO: Because why?

2 MR. GRASSO: It's a subdivision.

3 CHAIRMAN STUTO: Not just a minor subdivision?

4 MR. GRASSO: No, because it involves extension
5 of a public roadway.

6 Just to clarify though, the application materials
7 that I think that the Planning Board Members have -
8 at least our office had - were for a five lot
9 subdivision.

10 So, Jason, could you just explain what we have in
11 front of us and why the change to what you're
12 currently proposing?

13 MR. DELL: The plans changed after the DCC
14 meeting. After that meeting we had to provide
15 comments on both the 5 lot subdivision as well as
16 the 2 lot subdivision. The applicant would like to
17 proceed with the two-lot subdivision. We then
18 revised our plan as well as the conservation
19 analysis, which I believe you folks have because we
20 did resubmit those to the Planning Department.

21 MR. GRASSO: I don't have it, so I didn't get a
22 chance to review it.

23 I think that what Jason spoke to was going through
24 the correct methodology at least in terms of
25 figuring out the potential development based on

1 constrained lands. Whether or not it's a two-lot
2 subdivision or a five lot subdivision, it's still
3 considered major because it involves an extension of
4 a public roadway. That's required because the one
5 parcel that is proposed currently for a single
6 family residential dwelling for the owner is going
7 to establish enough public road frontage for a
8 hammerhead. Right now the only legal frontage is
9 over on Mary Hadge Drive. So, that's the purpose of
10 the application before us. I think what is most
11 important is that because this is in a conservation
12 overlay district, the Planning Board needs to look
13 at the constrained lands and other unconstrained
14 lands and establish what's most important in terms
15 of that 40 percent protection area which the Town
16 Law allows establishment of a conservation easement
17 or a deed restriction. From here it's appropriate
18 in this case unless we find out that there is any
19 adjacent park area, which I don't believe that there
20 is.

21 Like I said, we have not seen the conservation
22 analysis, so we don't have a good understanding at
23 this point as where the best lands are in terms of
24 protection. It's something that the Planning Board
25 can either discuss now or take into consideration as

1 the project comes back for formal concept review.

2 CHAIRMAN STUTO: The lands above at Shellco --
3 where are we with that?

4 MR. LACIVITA: It's progressing. I know that
5 it's been in litigation for awhile. That's the one
6 that received final approval by this Planning Board.

7 CHAIRMAN STUTO: Okay, it's in litigation. One
8 is Ridgewood, which we voted on final and it's under
9 litigation and there is another one.

10 MR. LACIVITA: Correct.

11 CHAIRMAN STUTO: Any members of the
12 neighborhood here?

13 (There was no response.)

14 CHAIRMAN STUTO: They haven't been noticed
15 because it's sketch plan.

16 MR. LACIVITA: Correct.

17 CHAIRMAN STUTO: Do you want to comment on it
18 or give any suggestions, Joe?

19 MR. GRASSO: Regarding the description of the
20 areas proposed for the conservation easement or deed
21 restriction, it appears that it is being proposed
22 mostly on the lot to be retained by Giardinelli.
23 That will, in turn, allow greater developability on
24 the remaining remnant piece which is the five acre
25 piece -- at least on my plan it was five acres. I

1 believe it was a nine-acre piece. So, it's
2 something for the Planning Board to keep in mind.
3 That's why I think that the Planning Board really
4 needs to look at the whole parcel and have an
5 opinion as to how are the other areas that should be
6 permanently protected through deed restriction or
7 conservation easement. Again, an answer is not
8 required now, but I think that it's something that
9 we should try to nail down at the time of concept
10 review. We'll provide more basis for determination
11 at that time.

12 MS. VAIDA: Does the Comprehensive Plan address
13 that area?

14 MR. GRASSO: That's a good question. I don't
15 know because we haven't looked into that.

16 Jason, do you know if there is any reference to
17 this area in the Comp Plan?

18 MR. DELL: Off the top of my head, no. Our
19 thought process in concentrating on the northern
20 side is that it's the side of steeper slopes and
21 wetland protection.

22 MR. GRASSO: So, all the wetlands are on the
23 north side of the site and the only constrained
24 lands on the south are the steep slopes?

25 MR. DELL: Yes.

1 CHAIRMAN STUTO: Joe, if this ultimately gets
2 subdivided, what do you think it's going to look
3 like? How big will the lots be?

4 MR. GRASSO: I think that it's going to be
5 limited based on the frontage provided by the
6 cul-de-sac of Mary Hadge Drive.

7 Jason, do you know how much frontage you have
8 there?

9 MR. DELL: We did provide the five lot
10 subdivision that we had gone into the DCC meeting
11 with, and it was five lots.

12 MR. GRASSO: I'm not talking about the
13 extension of Alexandra Court, but I'm just looking
14 at the nine acre piece at the end of Mary Hadge. Is
15 there just enough frontage to have just one lot
16 there?

17 MR. DELL: Off the top of my head, I do not
18 know.

19 MR. GRASSO: It looks like one or two. If it's
20 only one, it's important for the Planning Board to
21 note that is going to be a legal subdivided lot and
22 they could apply for a building permit right after
23 subdivision approval -- the two-lot subdivision
24 because they're going to have a conforming lot.

25 CHAIRMAN STUTO: They could come off of Mary

1 Hadge or Alexandra, couldn't they?

2 MR. GRASSO: Yes.

3 CHAIRMAN STUTO: Karen, do you have any
4 questions?

5 MS. GOMEZ: No, thank you.

6 CHAIRMAN STUTO: Mike?

7 MR. SULLIVAN: My question was also about the
8 further subdivision.

9 Are you saying, Joe, that they could get two more
10 lots?

11 MR. GRASSO: I haven't seen this hammerhead
12 configuration, so I don't know how much road
13 frontage is being provided there. Based on that, I
14 assume that you could only get one lot there, so
15 there is one lot there. I'm assuming that there is
16 maybe at the most, 200 linear feet of frontage along
17 Mary Hadge Drive's cul-de-sac. So, you have two
18 lots there. If it's not 200 feet, then they're
19 going to be limited to one.

20 Jason is this subject to an 80-foot frontage or
21 100-foot frontage? It says a minimum lot width of
22 80. It would have to be -- as long as it's less
23 than 240 feet, which I'm positive that it is, it's a
24 maximum of two lots there.

25 CHAIRMAN STUTO: Lou, do you have any questions

1 or comments?

2 MR. MION: No.

3 MS. DALTON: I'm looking at the cul-de-sac on
4 Mary Hadge Drive and I'm wondering what it is, if
5 anything, that keeps the owner from extending that
6 and making it not a cul-de-sac there but moving it
7 around through that property and making a cul-de-sac
8 there and essentially it ends at the 15-acre lot.
9 Do you understand what I'm saying?

10 CHAIRMAN STUTO: You're saying to continue the
11 cul-de-sac in the lateral direction.

12 MS. DALTON: Exactly. Is there anything that
13 prohibits that or should we be considering that as a
14 possibility for that particular parcel, once it's
15 subdivided?

16 MR. GRASSO: Based on the constraints of the
17 site and the configuration, I don't think that it's
18 a viable access arrangement. We probably would have
19 some concerns relative to the enviromental impacts
20 versus the benefit of having a loop road through
21 that. If it were a deeper parcel, I would think
22 that has some merit from a circulation standpoint.
23 Based on what is already been built up there --
24 because Mary Hadge Drive is an existing
25 cul-de-sac -- I think that this is the best

1 configuration.

2 CHAIRMAN STUTO: I don't have any questions.
3 I'm not personally opposed to this. I would like to
4 hear what the neighbors have to say once they get
5 noticed. I think that there is an active
6 neighborhood group, which is good. They probably
7 will be coming out and having opinions, so we'll
8 have to see what they have to say.

9 MS. DALTON: We would encourage you always to
10 check with them and work with them before you appear
11 before us again.

12 CHAIRMAN STUTO: It usually works out better
13 that way. You may want to consider a little bit for
14 a buffer along the residential. That's just a
15 suggestion. I don't know if that works or not, in
16 terms of what you're trying to do with your lot. If
17 you want to have some of the conservation area and
18 somehow buffer the residents, it's just something to
19 think about.

20 Thank you.

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22 (Whereas the above proceedings were concluded at
23 8:00 p.m.)

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CERTIFICATION

I, NANCY STRANG-VANDEBOGART, Shorthand Reporter and
Notary Public in and for the State of New York,
hereby CERTIFY that the record taken by me at the
time and place noted in the heading hereof is a true
and accurate transcript of same, to the best of my
ability and belief.

NANCY STRANG-VANDEBOGART

Dated December 10, 2012

