

1 PLANNING BOARD COUNTY OF ALBANY
2 TOWN OF COLONIE

3 *****
4 SIENA COLLEGE CENTER FOR EDUCATION
5 AND SOCIAL SCIENCES
6 515 LOUDON ROAD
7 APPLICATION FOR CONCEPT ACCEPTANCE
8 *****

9 THE STENOGRAPHIC MINUTES of the above entitled
10 proceeding BY NANCY STRANG-VANDEBOGART,
11 a Shorthand Reporter, commencing on
12 March 13, 2012 at 8:26 p.m. at the Public
13 Operations Center 347 Old Niskayuna Road,
14 Latham, New York 12110

15 BOARD MEMBERS:

- 16 PETER STUTO, CHAIRMAN
- 17 TIM LANE
- 18 MICHAEL SULLIVAN
- 19 KATHY DALTON
- 20 LOUIS MION
- 21 BRIAN AUSTIN
- 22 BRIAN HAAK
- 23 ELENA VAIDA, Esq., Counsel to the Planning Board

24 Also present:

- 25 Joseph LaCivita, Director, Planning and Economic
Development
- Bob Kernan, LA Group
- Jeff McDonald
- Mark Frost, Director, Facilities Management, Siena
College
- Brad Grant, PE, Barton and Loguidice
- William Jones

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1 CHAIRMAN STUTO: Okay next we have Siena
2 College Center for Education and Social
3 Sciences, 515 Loudon Road, application for
4 concept acceptance. This is a three-story
5 23,225 square foot office and classroom
6 presented by the LA Group with Barton and
7 Loguidice, TDE.

8 Joe Lacivita, do you want to give an
9 introduction?

10 MR. LACIVITA: Sure, Peter. They are here
11 tonight for concept acceptance. The project
12 was before the DCC on October 12, 2011 and
13 shortly thereafter was up here for sketch plan
14 review. The applicant has made a number of
15 adjustments to the plans and we're here again
16 for concept this evening.

17 MR. MCDONALD: Hi, I'm Jeff McDonald and
18 Bob Kernan is here from the LA group.

19 I don't know if you want us to go through
20 the whole project. It should all be familiar
21 to you. The proposed building would be located
22 on the northwest corner of the campus. Siena
23 Hall is located here (Indicating).

24 I'll defer to Bob for the specific site
25 requirements; stormwater and things of that

1 nature.

2 To speak a little bit about the building,
3 there is a 3-D rendering which should look
4 familiar. It's a three-story building with a
5 brick exterior and metal siding. We're
6 planning on having the building be LEED
7 certified with geothermal wells. It's
8 primarily made up of offices and there are a
9 few classroom spaces. That's pretty much it.
10 Again, it should be familiar to you because it
11 hasn't changed much.

12 The whole construction site will be
13 fenced and we'll show that on Bob's site plan.
14 In contrast, you'll be required to park on
15 campus on existing paved lots.

16 I'll turn it over to Bob for specific
17 site details.

18 MR. KERNAN: I'm Bob Kernan from the LA
19 Group and we're here for the site specifics on
20 this project.

21 You have similar drawings in front of you
22 that have been updated since we submitted the
23 plans. Specifically, it's the stormwater, but
24 I'll give you a brief run through first of the
25 existing site.

1 The existing parking lot at the bottom of
2 the hill is right here (Indicating). The
3 existing building up here that the college
4 owns - they have classes there now. So,
5 basically the new buildings are on the top of
6 the existing parking lot and are to be built
7 right into the hill. You walk in on one floor
8 of the upper level and you can walk out on
9 different floors.

10 There is an existing sanitary line that
11 runs through the site. We're going to relocate
12 it around the building. We'll have an easement
13 that's 30 feet wide.

14 The hill itself has some vegetation on
15 it. There are a lot of undergrowth plantings
16 that would have to be moved to accommodate the
17 building.

18 This is the concept plan that's in front
19 of you. The changes, as I said, would be
20 stormwater and this is going to some swale
21 stuff. There is an existing part here
22 (Indicating) just south of the building on
23 Friar's Drive and this is where they're
24 interested in putting parking so that they can
25 cross through the drive with a crosswalk. This

1 flat and there isn't a lot of elevation here.

2 We expect that there will be a crosswalk
3 here and there will be an entrance.

4 On the back entry, there will also be one
5 in the right hand corner and there will be
6 access to a small parking lot at the top of
7 the hill.

8 We're providing standard benches and
9 we'll be providing bike racks for LEAD
10 credits.

11 I mentioned a sanitary line right near
12 Friar's Drive with a 20-foot easement.

13 The water is internal to the campus. With
14 having a main line by the dormitories coming
15 down and then forward and into the building,
16 we have adequate flows.

17 With construction staging and access,
18 there is a layout plan of pavement and
19 materials. The bold color there (Indicating)
20 is the new pavement. There is potential to run
21 a construction fence - a chain link fence
22 around to the project and into the staging
23 area here for the contractors to use and then
24 tie back in at the trees up here at the left
25 of the site (Indicating). It runs right up to

1 the back of the site where the tree line is so
2 that the entire site is contained. We'll put a
3 few construction gates at either end, as well,
4 so that will allow the equipment vehicles into
5 the site. It's pretty tight space so there
6 will be some challenges and this will be our
7 first at it, but we are pretty confident that
8 this will work.

9 There are two different issues here with
10 stormwater. A couple of weeks ago we sat down
11 with John Dzialo to come up with some ideas of
12 how we would deal with stormwater quality at
13 our site and to the brainstorm. All the roof
14 runoff from our building through this planter
15 will be green infrastructure per DEC
16 regulations. It's fairly large and has a
17 section of stone at the top, a big section of
18 sand, and another layer of additional stone
19 that will enter the drainpipe there. It's a
20 filtration practice so that the water will
21 come down. Then, we'll have a concrete weir
22 here so that if the rain events get larger,
23 the water will spill out over this weir into
24 this little depression here which will be
25 designed to be a dry swale again for

1 infiltration purposes. There will be another
2 drain. We're confident that we will catch 100
3 percent of the water quality for all the
4 impervious area that we have. We think that
5 this is a successful approach here and our
6 stormwater management report is almost done
7 and we're very confident that we can get it to
8 work. That's a big relief, at least on my
9 behalf, after working this out.

10 The one thing that we're waiting on which
11 we already performed earlier this week was the
12 test pits in this area. We believe that there
13 are eight soils that need to infiltrate really
14 good and that's what we're looking for here.
15 If the results are different than what we
16 think, we'll just excavate out more material
17 and import some sand in that area. We're
18 fairly certain that those test pits were
19 conducive for this practice.

20 Basically, the planters spill over into
21 this dry swale and it will create a nice
22 little river/stone swale that comes down the
23 hill here (Indicating). We want to have this
24 one continuous slope down here (Indicating)
25 It's stepped down for aesthetics, also, to

1 kind of keep maintaining the stone so that the
2 stone won't slip away. It's going to drop two
3 to one and it will drop again. It will be a
4 nice feature to the campus and a learning
5 tool, as well. From there, the water will come
6 down into this impression in front of the
7 building into an area drain and then
8 eventually into the existing system of the
9 campus.

10 I'm really pleased the way that the
11 design has turned out. I think that we were a
12 little worried at first, but I think this is
13 what everyone is looking for here.

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

16 MR. GRANT: Yes, I do have a comment
17 letter dated March 2nd. I just wanted to hit a
18 couple of general points. First, on the
19 architecture, as I recall from the meeting
20 minutes, it wasn't intended to be a statement.
21 It's kind of a blended architecture to fit
22 what's there now.

23 The rendering of the elevation of the
24 building - it's not on the design, but there
25 was an old tree next to the building and there

1 was some fire protection comments from Town
2 Staff about keeping the landscaping fairly
3 short for emergency access for fire protection
4 reasons.

5 MR. CRANDALL: That tree won't be there.

6 MR. GRANT: On the site plan, Bob, you
7 mentioned test pits. Town staff witnessed
8 them?

9 MR. KERNAN: Yes, sir. According to John,
10 yesterday, he said that he sent a guy out
11 there. They did the percolating test
12 yesterday. The Town has been there at least
13 once.

14 MR. GRANT: I'm encouraged by that. There
15 are lots of ways for stormwater treatment and
16 proprietary units that require more
17 maintenance and cost more than what you're
18 looking at. The stormwater planner - I just
19 encourage generous sizing of that. We are in
20 the northeast and we actually get winters
21 sometimes.

22 I do have some comments to go through but
23 in general, most of the comments from DCC were
24 addressed appropriately and you're well on
25 your way.

1 There was an address thing on some of the
2 documents whether it's 505 or 515; 515 seems
3 to be the number for emergency response.

4 There were a couple of small items in the
5 long form EAF. One was the depth of bedrock. I
6 think that there was an elevation stated.

7 There was something else regarding area
8 vegetation removed. There are two areas of the
9 EAF that didn't agree with each other, but
10 it's a modest amount of vegetation.

11 The project will generate some level of
12 solid waste. Just provide an estimate in
13 there.

14 On the water system, the response to one
15 of DCC comments from the Latham Water
16 District. The main should be 8 inch, instead
17 of the 6 inch main that's shown. The response
18 letter said that it was an 8 inch, but it's
19 not.

20 MR. KERNAN: Okay.

21 MR. GRANT: Sewer - you have that covered
22 in the 30 foot easement and the relocation of
23 that.

24 Stormwater management system - my comment
25 is a little stale now that you've met with

1 them. I think that you're looking at green
2 infrastructure. Basically all I can say is be
3 sensitive to ground water up on the upper
4 plateau. I'd be curious if they encountered it
5 at all. It must be a great relief that it is
6 sandy soil. It should have good perk and if it
7 has good separation, hallelujah.

8 Further soil test pits and stormwater
9 personnel - that's in the works.

10 As previously discussed, this was a small
11 site and was considered part of a larger
12 campus expansion. It sounds as though the
13 Comprehensive Plan is coming along soon and it
14 sounds as though you're going to be able to do
15 a lot of what you need to do as far as water
16 quality.

17 MR. KERNAN: you're 100 percent correct.

18 MR. GRANT: Volumewise, this is a small
19 piece of the larger puzzle. There will be
20 overflows and times where it comes down,
21 cascading.

22 MR. KERNAN: We ran some numbers in the
23 preliminary, but it's less.

24 MR. GRANT: Just be sensitive to the
25 grade of infiltration. Assume that it's not

1 going to be as good as it is the day that you
2 take your test. I usually reduce it by half in
3 inches per hour and then it reflects the
4 long-term.

5 MR. KERNAN: I don't have a problem with
6 any of that.

7 MR. GRANT: Those are my comments.

8 CHAIRMAN STUTO: Okay, would the Board
9 like to hear from the public?

10 William Jonas of Eberle Road?

11 MR. JONES: I think I'm probably the one
12 who is most directly affected by this. I live
13 right next door to Siena College. There are
14 other lands of the college on the other side
15 of my property, so I'm really directly on the
16 campus. I'm obviously concerned about some
17 things. One question that I heard was
18 geothermal - that term popped up. Are there
19 geothermal strings in the area?

20 MR. KERNAN: No, these are wells that
21 have been drilled and they have been run into
22 the ground.

23 MR. JONES: Then, they're not really
24 geothermal.

25 MR. KERNAN: It is called geothermal.

1 MR. JONES: But not in the geological
2 sense.

3 MR. KERNAN: Right.

4 MR. JONES: I was very happy to hear that
5 you were fencing in the area around it on the
6 work site.

7 There is a waterline that I found out was
8 there. I don't think that you'd be tapping
9 into it, but I have a concern that you're
10 going to put in a water line for this
11 particular property down this drive here
12 (Indicating).

13 MR. KERNAN: Actually it's going to come
14 from the dormitories and go across that way.
15 It won't run parallel with it.

16 MR. JONES: So, it will be on the other
17 side of the street, where I am.

18 MR. KERNAN: Yes.

19 MR. JONES: So any concern that I have -

20 MR. KERNAN: It will not be near there.

21 MR. JONES: Because if somehow my
22 waterline is broken, I understand that I will
23 have to pay for it. So, I naturally have a
24 concern.

25 There were a couple of other points that

1 brought me out tonight. I want to make sure
2 that I don't have to worry about parking on
3 the other side of my house because if that
4 were to happen, I would have a drainage
5 problem because that slopes down to my
6 property. As it is, a lot of the vegetation
7 has been removed and that does result in an
8 increase of water on the property - on my side
9 of the property. I just want to make that
10 clear.

11 I am oriented toward education. My whole
12 career was in education. I don't have anything
13 against the college or the students. In
14 general, I'm inclined to be supportive of this
15 project, as long as my property isn't
16 adversely effected.

17 I received an invitation the other night.
18 Two of them I found addressed to me up at the
19 corner. When I got the third invitation, I
20 thought you guys really want me here. I
21 decided to come out. Beyond that, I don't have
22 any thing else. I'm surprised that my
23 neighbors didn't show up tonight.

24 CHAIRMAN STUTO: Were your questions,
25 answered sir?

1 MR. JONES: Yes, and they did provide
2 some reassurance. It's not easy when you have
3 a very large neighbor. It does have its
4 advantages, but it has a lot of worries that
5 come with it.

6 CHAIRMAN STUTO: Thank you.

7 Gary Johnson, 22 Eberle.

8 MR. JOHNSON: I drove down Middlefield
9 today and the utilities were marked out on the
10 first house. Is that for a test pit?

11 MR. KERNAN: Yes, sir.

12 MR. JOHNSON: And my favorite topic and
13 maybe it's early in the game - is this
14 building going to have a dedicated dumpster?

15 MR. KERNAN: No, there will be small
16 plastic containers.

17 CHAIRMAN STUTO: Is there anyone else?

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

19 CHAIRMAN STUTO: Okay, we'll hear from
20 the Board, now.

21 MS. DALTON: I have no questions.

22 MR. MION: In relation to the previous
23 project, how far is this dorm going to be from
24 where it ties in near Friar's Lane?

25 MR. KERNAN: The other side of the

1 campus.

2 MR. MION: How much traffic is it going
3 to generate in that area? The reason why I
4 asked the question is because your handicapped
5 parking is across the road. You're going to
6 have a crosswalk and if there is significant
7 traffic going through a through road, maybe
8 you want to consider a traffic device there
9 for crossing.

10 MR. KERNAN: Ironically, there is this
11 intersection here (Indicating), there is a
12 four-way stop sign and there is a lot of
13 pedestrian traffic through here. In theory you
14 could park and come around, but we could put
15 stop signs, there, I suppose. In all of our
16 pedestrian crossings, we have crossing signs
17 there. It gets people to see it and slow down.
18 The loop road, as it's presented, will
19 actually decrease the volume of traffic that
20 will be running in this direction. The service
21 building sets right here so all the facilities
22 people are all coming out of there
23 (Indicating). Right now they all have to come
24 this way. The loop road - much of that traffic
25 is going to be diverted, going in the other

1 direction.

2 MR. MION: My concern is the handicapped,
3 and you have a cross walk going to the front
4 door. It doesn't have to be, in my opinion, a
5 stop sign. Maybe just a crossing light and
6 when the light goes on, they can go.

7 CHAIRMAN STUTO: Brad, can you make a
8 note of that?

9 MR. GRANT: Sure.

10 MR. AUSTIN: I really have nothing. I
11 think that it's a good project. I have no
12 comments.

13 CHAIRMAN STUTO: Can you talk about the
14 external materials of the building?

15 MR. MCDONALD: Yes, basically we're
16 looking at metal panels. They have a couple of
17 buildings on campus already - it's like a flat
18 metal panel. Aluminum windows in the
19 storefront, so that it has a metal panel
20 finish on the canopy.

21 MS. DALTON: What is the value of putting
22 that on top instead of just making it all
23 brick?

24 MR. MCDONALD: It was an aesthetic
25 approach and honestly it saves a little money.

1 Brick is expensive. We are concerned about
2 budget and we have some alternate things
3 worked in. You can see that this actually
4 shows other important things. There are solar
5 shades on these aluminum windows. It gives it
6 a little aesthetic and works functionally.
7 Again, that may or may not be on the building.

8 MR. LACIVITA: Even going through the
9 LEED process, your construction practices
10 allow for a more extensive building, correct?
11 When you go through all that - that metal is
12 part of a LEED component - the exterior; Like
13 we did with Anjio Dynamics. The metal that was
14 selected n that building was actually where
15 you got points. Is that the same thing that
16 you have here?

17 MR. MCDONALD: Sure, it could be
18 Recyclable material and things of that nature.
19 That would go to our LEED credits; absolutely.

20 One thing that I didn't mention is that
21 we got a grant from NYSERDA. All the light
22 fixtures in the building will be LED. That's
23 more controllable and that helps a lot with
24 energy consumption. This is a 50-year building
25 for the college and to keep the energy cost

1 and usage down is a plus.

2 MR. LANE: I have nothing.

3 MR. SULLIVAN: My only comment is that I
4 share the same concern that Lou had with the
5 crossing of the street. I was wondering if the
6 spots in the small parking lot in the
7 back - can they all be made into handicapped
8 spots?

9 MR. KERNAN: My concern is the longevity.
10 If you bring people into the back door, that
11 might be something frowned upon. If someone
12 had a wheelchair and a disability, they might
13 feel like they're going into the back door of
14 the building. There are also some
15 accessibility issues to even get somebody in
16 the issues at that door.

17 MR. SULLIVAN: The one spot that is back
18 there - is that meant for another building?

19 MR. MCDONALD: Yes, that's an existing
20 lot for a house.

21 MR. KERNAN: As a driver, to make you
22 more aware that you're coming to a crosswalk,
23 the campus has a standard stamped asphalt
24 colored. As Jeff was saying, you have one here
25 and here (Indicating) and you have to stop and

1 slow vehicles down. You're right that there
2 wouldn't be anything to slow them down except
3 for maybe a stop sign and the visual markings
4 of pavement. From a design standpoint, there
5 is a four way stop right here (Indicating).

6 MR. MCDONALD: The other thing is that
7 there is a curb line and an island here
8 (Indicating). When they come through here,
9 there are no cars parked here so you can see
10 for a distance.

11 MR. SULLIVAN: I would just like to have
12 that looked at if there are any other
13 suggestions or ideas that come up before
14 final - I'd like to see that improved if
15 possible.

16 MR. HAAK: I guess as a new person, this
17 is the first time that I've seen this. Are
18 there any rooftop units that will be on top of
19 this building?

20 MR. KERNAN: No, there will be nothing on
21 that roof. That pitch is all of our mechanical
22 equipment.

23 MR. HAAK: There was some concern raised
24 that might be addressed as we go forward as
25 far as some of the landscaping. There is a

1 possibility that an invasive plant is being
2 used - so if we can just look at that.

3 MR. KERNAN: I don't think that we have a
4 plant selection at this point.

5 MR. HAAK: We just have a memo in our
6 packet.

7 As a lawyer, I didn't understand any of
8 the comments about the stormwater going here
9 or there, but the fact that the engineers were
10 all excited about it, is good.

11 Those are my only comments.

12 CHAIRMAN STUTO: Okay, it looks like we
13 might be in a position to entertain a motion
14 for concept acceptance. I don't know if we
15 want to vote on SEQRA just for a moment even
16 though we're not going to vote on SEQRA - in
17 the file we have a memorandum from the Town
18 Attorney's office. I think that it was stating
19 that it was a Type I Action. We have a full
20 environmental assessment form in front of us.
21 I don't know if either Brad or Elena could
22 talk about that for a moment. I just want to
23 get it on the record, and also make sure that
24 we're fully considering all the factors.

25 MR. GRANT: There is a memo in here from

1 the Town Attorney's office; Type I SEQRA
2 Action. It seems reasonable. I had a few
3 questions on the long form EAF that need to be
4 addressed. That was on Part I.

5 CHAIRMAN STUTO: Was that in your comment
6 letter?

7 MR. GRANT: Yes.

8 CHAIRMAN STUTO: We'll make sure that we
9 do that before we see you next.

10 MR. GRANT: Yes.

11 CHAIRMAN STUTO: We'll make sure that we
12 all go through this as well.

13 We'll entertain a motion and then we'll
14 let Elena speak on the concept acceptance.

15 MR. AUSTIN: I'll make that motion.

16 MS. DALTON: I'll second it.

17 CHAIRMAN STUTO: That's with all the
18 suggestions and the Town Departments and the
19 TDE?

20 MR. AUSTIN: Yes.

21 CHAIRMAN STUTO: Before we vote on that,
22 can we talk about concept acceptance really
23 means?

24 MR. VAIDA: We want to make sure that the
25 applicants understand that when the Board

1 votes to approve a concept, that it's just
2 that. It's an approval of a concept. It's not
3 an approval of the plan. It doesn't entitle
4 the applicant to move forward with the
5 building. Concept is designed to be just that;
6 a concept that could be readily changed. As
7 you saw, there are issues that various Board
8 Members would like addressed. We usually
9 start, which we did, discussing the SEQRA
10 issues, but it gives you an idea of where you
11 might need some tweaking.

12 CHAIRMAN STUTO: So, this isn't a binding
13 action on the authority. What we have before
14 us, as stated, is a motion for concept
15 acceptance.

16 Any comments before we take e a vote?

17 ***(There were no comments.)***

18 CHAIRMAN STUTO: All those in favor?

19 ***(Ayes were recited.)***

20 CHAIRMAN STUTO: All those opposed?

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

22 CHAIRMAN STUTO: The ayes have it.

23 MR. KERNAN: I just have one question.

24 Being this is just a concept approval, we're
25 looking forward to submitting our plans to

1 Pure Waters for their approval. Is this the
2 time frame that I should be doing this, or
3 should I just be held for any reason?

4 MR. LACIVITA: Just make sure that you
5 keep the TDE in the loop so that they know.
6 Everything will be submitted to us, Planning
7 and Economic Development, and then we'll
8 distribute. As long as we keep the TDE in the
9 loop, there shouldn't be any concerns.

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***(Whereas the proceeding concerning the above
entitled matter was concluded at***

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8:57 p.m.)

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CERTIFICATION

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3
4 *I, NANCY STRANG-VANDEBOGART, Shorthand*
5 *Reporter, and Notary Public in and for the*
6 *State of New York, hereby CERTIFY that the*
7 *record taken by me at the time and place*
8 *noted in the heading hereof is a true and*
9 *accurate transcript of same, to the best of*
10 *my ability and belief.*

11
12
13
14 -----
15 **NANCY STRANG-VANDEBOGART**

16
17
18 **Dated April 5, 2012**

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Legal Transcription

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