

1 PLANNING BOARD COUNTY OF ALBANY  
2 TOWN OF COLONIE

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3 VILLAGE OF NEW LOUDON  
4 622 - 624 LOUDON ROAD  
5 SITE PLAN UPDATE

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6 THE STENOGRAPHIC MINUTES of the above entitled  
7 proceeding BY NANCY STRANG-VANDEBOGART,  
8 a Shorthand Reporter, commencing on  
9 May 8, 2012 at 7:35 p.m. at the Public Operations  
Center 347 Old Niskayuna Road,  
Latham, New York 12110

10 BOARD MEMBERS:

- 11 PETER STUTO, CHAIRMAN
- 12 MICHAEL SULLIVAN
- 13 LOUIS MION
- 14 KATHY DALTON
- 15 BRIAN AUSTIN
- 16 BRIAN HAAK
- 17 ELENA VAIDA, Esq., Counsel to the Planning Board

18 Also present:

- 19 Joseph LaCivita, Director, Planning and Economic  
20 Development
- 21 Brad Grant, PE, Barton and Loguidice
- 22 Dan Clarey, Clarey Development Services
- 23 Anthony Fazzone, Loudon Road Associates
- 24 Paula A. Mahan, Supervisor

25

1                   CHAIRMAN STUTO: Okay next on the agenda  
2 is the Village of New Loudon, site plan  
3 update, 622 - 624 New Loudon Road. This is a  
4 sketch plan, so there is no action needed by  
5 the Board.

6                   I know that we have seen this in  
7 different contexts. The first was the  
8 Berkshire Bank and the Rumors salon.

9                   Do you want to give it an introduction  
10 Joe?

11                  MR. LACIVITA: No, that's fine.

12                  CHAIRMAN STUTO: Okay, we'll hear from  
13 the applicant, then.

14                  MR. CLAREY: Good evening, Mr. Chairman.  
15 My name is Dan Clarey with Clarey Development  
16 Services. With me here tonight is Anthony  
17 Fazzone of Loudon Road Associates, the  
18 property owner, as well as Mike Tucker from  
19 Creighton Manning.

20                  I know a lot of you have seen this  
21 project over the last couple of years, but I  
22 know that there are some new members. Chairman  
23 Stuto asked that we come in and kind of bring  
24 everyone up to speed and tell you where we've  
25 been and where we're going.

1           Recently, about a month ago we submitted  
2           our concept package and we're hopeful that we  
3           will be in front of you very soon with our  
4           formal presentation. Tonight I just want to  
5           give you a basic overview and answer any  
6           questions you might have.

7           Mike is going to pass out some samples of  
8           typical architecture that we're looking at for  
9           this site. I know that you're always  
10          interested in that.

11          I wanted to just introduce you to the  
12          site and if you're Colonie residents, as all  
13          of you are, you can relate with the miniature  
14          golf course and the driving range next to the  
15          playland. It's a 36-acre site that New Loudon  
16          Road Associates owns, which was formerly owned  
17          by the Hoffmans. Over the last four years  
18          we've been in the process of permitting the  
19          site and we've built a Berkshire Bank which  
20          opened in the beginning of 2011.

21          Last summer we permitted the Rumors  
22          salon, which is currently under construction  
23          and will be hopefully opened within a month or  
24          so. Those are the first two pieces of the  
25          overall plan which I'm going to represent to

1           you tonight.

2           The site is located on Route 9, next to  
3           the playland. It encompasses several parcels;  
4           628, 626, 624 and 622 Loudon Road. It  
5           basically abuts the neighbors on Glennon Road  
6           on this side (Indicating). The neighbors to  
7           the back here which are buffered by - there is  
8           a tributary to Shaker Creek that runs through  
9           this area and a large wetland area. The  
10          developable portion of the site is up here  
11          near Route 9 (Indicating) between Hoffman's  
12          and Route 9 in this area (Indicating).  
13          Basically, the driving range site is at the  
14          top of the hill over in this area.

15          As I said, this plan shows the Berkshire  
16          Bank that was completed and this is the site  
17          where Rumors is currently under construction.

18          Back in 2008, this project originally  
19          went to the DCC and this was the site plan  
20          that was presented at that time. As you'll see  
21          in a minute, it was originally encompassed  
22          also with the playland site. So, this section  
23          over here (Indicating) was put on the playland  
24          site. Subsequently as the project moved  
25          forward, this part fell away and we're only

1 focused on east of Glennon Road. Essentially,  
2 it's this piece right here (Indicating).  
3 You'll see on the new plan that essentially  
4 what was proposed in 2008 - what we're  
5 proposing now is very very very similar. This  
6 is the current proposal. It's a mixed-use  
7 development.

8 We have the Berkshire Bank here, which is  
9 open and operating. Rumors is in this location  
10 (Indicating). It's all connected with access  
11 onto Glennon Road.

12 This portion of the site is the final  
13 portion of the project and is the remainder of  
14 the site. It is a mixed-use development that  
15 includes 71 condominium units in the rear.  
16 There is a mixed-use of 24 apartments above  
17 some commercial retail space in this building.  
18 This is a 15,000 square foot footprint and a  
19 three-story building here (Indicating). There  
20 is additional retail space along Route 9 which  
21 continues the string of retail from the bank,  
22 to Rumors, to a proposed retail building there  
23 (Indicating), a proposed retail building here  
24 and a main entrance which comes in here. It  
25 has a boulevard type design with a rotary

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1 designed internally to distribute traffic.  
2 There are parking areas here (Indicating).  
3 Then, there is a gated access to the  
4 residential units in the rear, as well as the  
5 residential units here in this building.

6 CHAIRMAN STUTO: What's the zoning?

7 MR. CLAREY: The zoning in this district  
8 is NCOR; neighborhood commercial office  
9 residential.

10 CHAIRMAN STUTO: It's business type.

11 MR. CLAREY: It's a business type of use  
12 and we have designed this to the point where  
13 we only need two waivers from the Planning  
14 Board. One is for setbacks because we  
15 integrated parking to go to the property  
16 lines. You have waived those in the past for  
17 the other two buildings.

18 Also, parking. We're asking you for a  
19 waiver of 40 parking spaces. With a mixed-use  
20 nature and the synergy that you have in the  
21 development, that's going to be more than  
22 enough for this type of use.

23 MR. LACIVITA: With regard to the  
24 question that you just asked about the zoning,  
25 that's a key component to this entire layout.

1                   When this came to DCC back in 2008, per  
2                   the DCC review both from the Building  
3                   Department and from Planning's  
4                   perspective - as we were just first coming  
5                   in - they were highly encouraged to rezone  
6                   this and the applicant stood firm saying that  
7                   we really want to develop this with the  
8                   current zoning. They were not asking for any  
9                   relief or asking for any more density. So,  
10                  they really worked within the zoning based on  
11                  the NCOR.

12                  MR. CLAREY: NCOR requires you to have an  
13                  80/20 max residential to retail. We've met  
14                  that. We've got a little buffer in there, but  
15                  we're pretty close to an 80/20 split. I  
16                  believe that we're 20.7. That does include the  
17                  first two buildings that were included as part  
18                  of the overall project.

19                  CHAIRMAN STUTO: Most of the greenspace  
20                  is in the back.

21                  MR. CLAREY: Yes. The greenspace numbers  
22                  on this - the overall area is we have 36.63  
23                  acres of land and we're only covering 12.9  
24                  percent of them with the buildings and the  
25                  other 19 with parking lot. So, about 68

1 percent of the site is either going to be new  
2 greenspace in the back, or the buffer  
3 area -- that will remain exactly as it is  
4 today.

5 CHAIRMAN STUTO: Can you walk through  
6 again what is going to be where?

7 MR. CLAREY: This is the retail building  
8 here (Indicating). That building is about just  
9 under 13,000 square feet. There is another  
10 smaller retail building over here that's about  
11 9,000 square feet in the center with the  
12 common green for public use. In the middle of  
13 the development - that's a two-story building.  
14 It's 9,000 square feet with 4,500 on each  
15 level. Then, we have a mixed-use building here  
16 (Indicating) which is a retail commercial  
17 space on the first floor with two stories of  
18 apartments above it. There are 24 units all  
19 together.

20 Then in the back, there are condominiums  
21 which are individually owned units. There will  
22 be a controlled access here for that. All the  
23 residential will be accessed through that  
24 controlled access and separated from the  
25 commercial uses. Of course, we're sharing the



1 parking with the other existing uses, as well.

2 We'll maintain the access through in this  
3 direction (Indicating) all the way through the  
4 park. We've left the ability to connect into  
5 the parcel. At such time they wish to develop  
6 that parcel there, there will be access  
7 through here, as well. We anticipate that  
8 there will be more in the long-term. We've  
9 done a full traffic study on this and  
10 submitted it as part of our proposal. We  
11 believe that ultimately a traffic signal will  
12 be warranted at this particular location and  
13 there will need to be some coordination with  
14 driveways on the other side, and some  
15 consolidations to make this particular  
16 intersection work.

17 For utilities, water is out here to  
18 Loudon Road. These buildings already connected  
19 to the water out here (Indicating). There will  
20 be a loop system that will bring it into the  
21 site. The service will come in here and  
22 follows the road.

23 We'll connect into the sewer line which  
24 is the sewer easement out here (Indicating).  
25 There is also a sewer easement along the back

1 of the property which will also connect  
2 through there as well. All the other utilities  
3 are provided along Loudon Road and we'll bring  
4 them into the site.

5 The stormwater - we have prepared, as  
6 part of our concept submittal which will  
7 undergo formal review, there will be a full  
8 analysis of various types of methods that we  
9 are going to use. We're going to use  
10 comprehensive stormwater management practices  
11 on this site. The main stormwater area will be  
12 back here in this basin (Indicating).

13 The process that we're going through  
14 right now -- we've submitted our concept plan.  
15 We would be looking to sit down with the Town  
16 departments and the TDE to review that and get  
17 our ducks in order hopefully before we come to  
18 see you the next time to make sure that  
19 everybody is together on that. We are working  
20 right now to try to get a meeting with the  
21 Town, ourselves, to get on board with a quick  
22 review of this. We want to be able to meet  
23 with them early and often, and with Joe's  
24 assistance and support, we think that we can  
25 work with them and keep this moving.

1           That being said, ideally, we'd like to be  
2 under construction sometime later this year or  
3 in the spring of next year and see what comes  
4 through as far as comments. Access will be one  
5 thing that we'll be working diligently as we  
6 go through this.

7           There was an archeological component to  
8 this when it went to DCC back in 2008. There  
9 will be a full archeological study that will  
10 be submitted as part of the concept review. I  
11 talked to them today and that will be ready  
12 next week. We've addressed all the DCC  
13 comments. We're anxious to begin the formal  
14 process.

15           Mark did pass out the architectural book  
16 with just typical types of elevations and kind  
17 of the design intent of what we're doing  
18 there. We will follow the guidelines of the  
19 NCOR, which are outlined in the zoning. We try  
20 to do that with our landscaping and the layout  
21 of the site by providing off street parking in  
22 the residential areas. We provided landscape  
23 strips between the sidewalks and the roadways.  
24 We have provided a large park area here  
25 (Indicating) as a centerpiece of the

1 residential. The houses will staggered to meet  
2 the intent of the NCOR design standards as it  
3 reflects to both the buildings and the  
4 landscape architecture.

5 CHAIRMAN STUTO: I think that it's very  
6 interesting and it looks very nice,  
7 architecturally. I'm sure that it's going to  
8 raise a lot of questions.

9 CHAIRMAN STUTO: Kathy?

10 MS. DALTON: No, I don't have any  
11 questions right now.

12 MS. MION: How fast do you plan to get  
13 these up and done?

14 MR. CLAREY: Because of the way that the  
15 zoning is written, the retail and the housing  
16 are tied together. You can have X number of  
17 units with X number of retail. So, the retail  
18 somewhat drives how fast we can go with this.  
19 Our intent is to build this building right  
20 away here (Indicating) and the first phase of  
21 this housing back here at the same time. If  
22 this were to lease right away, we would build  
23 both of these at the same time.

24 MS. DALTON: Is there really going to be  
25 a Five Guys there?

1 MR. CLAREY: There's going to be a Five  
2 Guys in Latham. They've been looking at the  
3 former Stewarts building.

4 There's a spot here on the corner  
5 reserved for somebody very similar to that.

6 MR. AUSTIN: The elevation and the  
7 architecture look great. I don't have any  
8 questions.

9 Will the development be going into  
10 Hoffman's Playland site at some point?

11 MR. CLAREY: That was originally part of  
12 the plan, but that fell off as part of the  
13 project back in 2009.

14 MR. AUSTIN: You'll be using some of  
15 their parking area?

16 MR. CLAREY: Actually, some of their  
17 rides and some of their things are actually on  
18 our property. Mr. Fazzone is working with them  
19 to swap and do some things so that we don't  
20 disrupt them, if at all possible.

21 MR. AUSTIN: I think that it's a great  
22 use of the property. It's kind of quiet back  
23 there. I like the architectural pictures.

24 MR. FAZZONE: On the residential side of  
25 over 71 units, there are already over 40

1 people that have contacted us about those  
2 units. The problem is the interplay with the  
3 commercial versus the residential. We want to  
4 make sure that we keep that percentage in  
5 tact, so we're moving very slowly.

6 CHAIRMAN STUTO: How many square feet  
7 would there be - just an estimate?

8 MR. FAZZONE: About 2,200 square feet  
9 would be the average.

10 The people that are surveying are more  
11 like the single professionals. They don't want  
12 to deal with the snow blower and they just  
13 want to enjoy living. Half of those people  
14 probably have a house that is 4,000 or 5,000  
15 square feet, and they're looking to downsize.

16 CHAIRMAN STUTO: Is there anything  
17 comparable in the Town? There was a condo  
18 thing on Route 7 going towards Schenectady on  
19 the left. That's the only thing that I can  
20 think of.

21 MR. FAZZONE: They're more like  
22 apartments.

23 I think that overall people that are like  
24 the baby boomers - I hate to say it, but they  
25 don't want to spend the weekend working on the

1 house.

2 CHAIRMAN STUTO: Are there garages in the  
3 residential section?

4 MR. FAZZONE: There are two car garages  
5 for everyone. They're almost a three-car  
6 garage.

7 CHAIRMAN STUTO: Are they multiple units?

8 MR. FAZZONE: No, each one would be up  
9 and down. There is a garage and then a  
10 walkway. There's a small green area there  
11 (Indicating) and people can put a fire pit or  
12 a garden there, or a little hot tub in that  
13 area. It's like a small private yard near the  
14 garage.

15 CHAIRMAN STUTO: So, each garage is  
16 detached?

17 MR. FAZZONE: It looks like it is, but  
18 there is a covered walkway. They all have a  
19 couple of bedrooms or an office and you  
20 actually put like a work area there like a  
21 home office over the garage or a computer  
22 room. They're actually attached. It looks like  
23 a U-shape.

24 CHAIRMAN STUTO: Did you say in-street  
25 parking as well?

1 MR. CLAREY: Yes we have parking along  
2 here and along there (Indicating).

3 CHAIRMAN STUTO: So, are you counting the  
4 garages as part of your parking area?

5 MR. CLAREY: Yes.

6 MR. AUSTIN: I had one more question on  
7 the elevations. Are those the actual ones?

8 MR. CLAREY: These are typical. These are  
9 not the specific elevations. The architects  
10 are still working on that. That will be part  
11 of your package at the next meeting. This is  
12 designed to show you typically what those  
13 buildings would look like.

14 CHAIRMAN STUTO: So, you drive around and  
15 park in the garage in the back and walk in the  
16 front?

17 MR. CLAREY: Yes, these buildings here  
18 actually have the garage in the front  
19 (Indicating). You see the driveways here. Then  
20 these buildings have the garages in the back.  
21 This is why there is this drive aisle here.

22 CHAIRMAN STUTO: Sort of an alleyway type  
23 thing.

24 MR. FAZZONE: The picture of the garages  
25 that are lined up - you would pull in there



1 and then you kind of go into your kitchen.

2 CHAIRMAN STUTO: What amenities are there  
3 for the residents? Is there anything? I see  
4 you have the park in the middle.

5 MR. CLAREY: Yes, there is the large  
6 greenspace here. There is a post office/common  
7 area in this building here (Indicating).

8 CHAIRMAN STUTO: No pools or tennis  
9 courts?

10 MR. CLAREY: No; no pools or tennis  
11 courts. There is some open space in this area  
12 here (Indicating).

13 CHAIRMAN STUTO: Is it wet in the back?  
14 Do you have trails or any type of -- do you  
15 think that the park in the middle is adequate?

16 MR. CLAREY: Yes, it's kind of the  
17 centerpiece.

18 CHAIRMAN STUTO: What's going to be in  
19 the park?

20 MR. CLAREY: We're just showing it now as  
21 grass and trees and landscaped on the  
22 perimeter. We haven't gone into a full  
23 landscape design of it. Once the landscape  
24 architects on it, it will likely change a  
25 little bit.

1           MR. FAZZONE: The interesting thing is  
2           that when we initially divided it - the  
3           building in the back had a pool and fitness  
4           area. One thing that we found in traveling and  
5           talking to people is that most of the fitness  
6           places that they work out, there are pools at  
7           most of the private clubs in the area. So, the  
8           average person that buys one doesn't want to  
9           pay the monthly maintenance and then not to  
10          use them. The insurance cost and the  
11          maintenance drives up the cost of living. So,  
12          strangely enough we thought that, too. A lot  
13          of the things that we learned in the area is  
14          that if they want to use that, they'd rather  
15          pay extra rather than be forced to pay for it  
16          and not use it. This way, they have a choice  
17          and it's more private. If they want to go to a  
18          gym, they can. From this location, you could  
19          walk to three gyms. Really, it didn't make  
20          sense to make everybody pay for it and that's  
21          the reason.

22          MR. CLAREY: The greenspace is about half  
23          an acre. It's about 120 on this end and 80 on  
24          this end and about 214. It's a sizable chunk  
25          of the development.

1           MR. SULLIVAN: My question deals with the  
2 traffic study. Have you met with DOT about  
3 what would be required for DOT to put a signal  
4 there?

5           MR. CLAREY: The original review that  
6 they did asked us to look at two things; one  
7 was to put in a rotary out here and the other  
8 was that we thought at that time that a  
9 traffic signal would likely be recommended.  
10 Creighton Manning has done a full traffic  
11 study. They've looked at both of those issues  
12 and the traffic signal would likely to be  
13 towards the end of this development. We are in  
14 the process of trying to set up a meeting with  
15 them right now to present the study to them  
16 and go over it with them. The Town will be  
17 part of that as well.

18           MR. FAZZONE: They did meet with them  
19 initially and that's when the idea of what the  
20 access shape and form of the access road would  
21 look like. That was discussed, and at that  
22 point there were no numbers on the table or  
23 anything. It was just like - if this ever  
24 happened, this is what we want you to look at.  
25 Now, we're at the point where it's happening.

1                   MR. SULLIVAN: I don't need an exact  
2                   number, but do you know what the drop in the  
3                   level of service is? It was mentioned in the  
4                   packet that there will be increases in vehicle  
5                   delays resulting in a drop in the number of  
6                   service.

7                   MR. CLAREY: We started all the way from  
8                   155 down to Newton Plaza. At 155 there were  
9                   one or two lanes that went from E to F. The  
10                  rest of them didn't have changes that changed  
11                  the level of service. So, there were no  
12                  significant changes and I think that the way  
13                  that Creighton Manning addressed them in the  
14                  traffic study is by signal timing changes and  
15                  things like that. So, there is nothing that  
16                  we're looking that's going to need any  
17                  significant mitigation. We don't generate that  
18                  much traffic. I want to say that during the  
19                  peak hour it was like 500 trips.

20                  MR. SULLIVAN: I just want to be sure  
21                  that DOT is aware and would be agreeable to  
22                  having it in such close proximity to Newton  
23                  Plaza and also it did require you to have A  
24                  Frame -- with regard to their access -

25                  MR. CLAREY: One of the things that's

1           acknowledged in the traffic study is that we  
2           will have to work with our neighbors across  
3           the street to consolidate their access. Signal  
4           or no signal, it makes sense at this point.

5           As far as the location of the signal, we  
6           fully anticipate that there will be a lot of  
7           discussions as far as A, will the signal ever  
8           be warranted and if it is, will it be  
9           connected? We're anticipating getting into  
10          those kinds of discussions with DOT.

11          MR. FAZZONE: They looked at it pretty  
12          hard on the brochure of Rumors and the joint  
13          access to it. They also reserve the right to  
14          review that. In their approval - they want to  
15          review that full access.

16          MR. CLAREY: This might get restricted to  
17          right-in and right-out and might get  
18          eliminated all together. Right now it's  
19          working actually pretty good.

20          In the original plan, there was another  
21          access down here (Indicating) which was taken  
22          off the plan. We also provided for future  
23          access. There are a number of curb cuts  
24          through this area and we've cleaned up quite a  
25          few. If this ever develops, these two are

1 interconnected and it will make a big  
2 difference on this side.

3 CHAIRMAN STUTO: While you're on traffic  
4 can you talk a little bit about what analysis  
5 tips it from a roundabout into a signal? A  
6 signal seems to tend to slow things down a  
7 little bit.

8 MR. CLAREY: Two things: One in this  
9 particular corridor, it's signalized. Most of  
10 the major intersections do have traffic  
11 signals. What really tips this, Mr. Chairman,  
12 is real estate. You need a lot of land to put  
13 in a rotary. We control this side of it, but  
14 we don't control the other side.

15 MR. FAZZONE: We would have to change our  
16 retail space up here and it chops it off a  
17 little bit, so that it starts to make it  
18 economically infeasible for us. It's not out  
19 of character with the corridor. Putting in a  
20 traffic signal that's linked to the other two  
21 signals -- and the spacing on this -- I think  
22 that we were about 700 or 800 feet away. We're  
23 not that close where it would be an issue with  
24 coordination.

25 MR. HAAK: One of my questions was about

1 the trip that you answered because traveling  
2 through there sometimes at peak hours; I know  
3 that things can get backed up. So, that was  
4 one of my concerns.

5 For my own information, what is the  
6 buffer between your development and the  
7 playland going to be? It seems like the  
8 playland is more toward the commercial as  
9 opposed to the residential.

10 MR. CLAREY: Yes, it's right in here  
11 (Indicating).

12 MR. HAAK: I was just thinking would I  
13 want to buy a condo if I had something so  
14 close -

15 MR. CLAREY: You can see from the aerial  
16 that essentially the condos are back in here  
17 and the playland is up in here (Indicating).  
18 Our commercial portion of our development  
19 abuts the playland right here. This is the  
20 wetland buffer right here. They're up in this  
21 area. At the closest, we are about 15 feet,  
22 which is for zoning.

23 MR. FAZZONE: That was the other aspect  
24 to the 80/20. Probably this is the only site  
25 that will have dedicated residential because

1 the depth of the road. So, if you go all the  
2 way to the church past Newton, there isn't any  
3 other residential that share that frontage.  
4 The wetland comes up and impacts the depth  
5 significantly.

6 MR. HAAK: My only other universal  
7 comment is about we talked at the last meeting  
8 about the development of the property there at  
9 the corner of Homestead. We talked about  
10 traffic flow through there. Has there been any  
11 discussion of doing a more universal traffic  
12 study like we're doing now up in the Boght  
13 area?

14 MR. LACIVITA: We should be engaging DOT  
15 on that. I'm sure that there are conversations  
16 happening now with this project. I know that  
17 DOT has an access plan and this addresses some  
18 of that.

19 CHAIRMAN STUTO: Can you keep an eye on  
20 that Joe?

21 MR. CLAREY: You mentioned the trips. I  
22 stated before that I gave you the wrong  
23 numbers of trips. Our actual impact on our  
24 maximum traffic impact on the road is 254 in  
25 the peak hour in the evening. So, it's half of



1 what I said earlier.

2 The other thing is that being a mixed-use  
3 development, there is a lot of interactivity  
4 here. In providing this connection here and  
5 hopefully this connection down here  
6 (Indicating), you'll get a lot of benefit and  
7 a lot of traffic that won't go out onto the  
8 road. Overall, cleaning up the  
9 interconnectivity and cleaning up the  
10 driveways, the mixed-use and shared use of  
11 that -- some businesses are active during the  
12 day, restaurants are active at night. People  
13 are home at night. There is pedestrian  
14 connectivity. So, there are a lot of things  
15 here that are done that really help keep the  
16 traffic generation down to a minimum.

17 The one thing that I didn't cover that is  
18 the Planning Board's favorite subject on this  
19 project; pedestrian access and sidewalks along  
20 Loudon Road.

21 Just a primer for those that haven't been  
22 through these discussions before: In the past,  
23 we've set aside escrow money for sidewalks  
24 along Berkshire and along Rumors. As was the  
25 case in the past, we're willing to put those

1 sidewalks in as part of our development.  
2 However, it's been the Board's position that  
3 they wanted to get a larger buy in from the  
4 rest of the Town departments and some of the  
5 other stakeholders before we move forward with  
6 sidewalks. That's still our position. We're  
7 anxious to see them. We see a need for them.  
8 We want that to be one of the primary benefits  
9 of this project, hopefully to provide a good  
10 chunk of putting a sidewalk here which  
11 enhances the accessibility of our site and the  
12 safety for all of the pedestrians out there.  
13 So, we'll continue to move in that direction.  
14 I know that it's addressed in the traffic  
15 study, and we'll continue to work with Joe and  
16 the other to advance that issue.

17 MR. AUSTIN: So, why wouldn't you put a  
18 sidewalk in now? Most of the projects that we  
19 have going forward, that's the way that -

20 MR. CLAREY: In this particular case, it  
21 was the decision of the Board to put the money  
22 in escrow for the Town and eventually decide  
23 where those sidewalks need to be and put them  
24 in.

25 CHAIRMAN STUTO: So, there's not a

1 sidewalk segment to nowhere.

2 MR. CLAREY: Right. We're dealing with a  
3 section that goes all the way from Siena  
4 College across the front of Newton Plaza and  
5 down to our site. There are some issues that  
6 need to be looked at in order to really site  
7 the sidewalk and provide all the amenities and  
8 address all the issues that are going to come  
9 up. In our particular case, we've got the room  
10 and we're putting it aside. We know where it's  
11 going to be. It's just a matter of when to  
12 build it.

13 MR. HAAK: I think that certainly as you  
14 develop the residential area, it's going to  
15 become an issue to address.

16 CHAIRMAN STUTO: Joe, on that subject, we  
17 have a couple of sidewalks -- regarding the  
18 comprehensive sidewalk study? Can you pull  
19 that out and have someone do a presentation  
20 for us? In particular, in the Route 9  
21 corridor?

22 MR. LACIVITA: Sure. With this corridor  
23 it would be Planning's recommendation that  
24 they would recommend that the developer  
25 install them. One of the things that I've seen

1 with the projects that are coming in - when  
2 you look at Siena College that has 4,200  
3 students, that's a population that's going to  
4 be patronizing these commercial entities. So,  
5 we want to see them come in. I know that the  
6 supervisor has been in communication with  
7 Siena College as well in developing sidewalks  
8 in that corridor.

9 CHAIRMAN STUTO: Can you get somebody in  
10 to do a presentation?

11 MR. LACIVITA: Sure.

12 CHAIRMAN STUTO: Any questions in the  
13 back of the room?

14 Madam Supervisor, do you have any  
15 comments or questions?

16 SUPERVISOR MAHAN: No, I think that this  
17 looks like a great project. I think that it's  
18 important to cooperate with DOT and the  
19 accesses. It's important for the pedestrians  
20 to get to these business and not only for  
21 Siena students.

22 CHAIRMAN STUTO: What do you think your  
23 timing is on your concept application?

24 MR. CLAREY: I'm hoping that we'll have  
25 it in a month. We already submitted it.

1                   CHAIRMAN STUTO: And I assume that we'll  
2 be hearing from the residents, too. I'm sure  
3 that will elicit more comments and questions.

4                   Anything Else?

5                   MR. GRANT: You know that there is a lot  
6 of structures being proposed there. I don't  
7 know if the soil investigation has been  
8 planned yet. You would want to coordinate  
9 those with the stormwater office.

10                  MR. CLAREY: Sure.

11                  CHAIRMAN STUTO: Any other comments or  
12 questions?

13                                 *(There was no response.)*

14                  CHAIRMAN STUTO: Okay, thank you.

15

16

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

19   *8:22 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.*

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14            -----  
15            **NANCY STRANG-VANDEBOGART**

16  
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18            **Dated June 13, 2012**

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