

1 PLANNING BOARD COUNTY OF ALBANY
2 TOWN OF COLONIE

3 *****
4 LOUDONVILLE ADULT HOME
5 298 ALBANY-SHAKER ROAD
6 APPLICATION FOR CONCEPT ACCEPTANCE
7 *****

8 THE STENOGRAPHIC MINUTES of the above entitled
9 public hearing BY NANCY STRANG-VANDEBOGART, a
10 Shorthand Reporter, commencing on
11 May 22, 2012 at 7:04 p.m. at the Public Operations
12 Center 347 Old Niskayuna Road,
13 Latham, New York 12110

14 BOARD MEMBERS:

- 15 PETER STUTO, CHAIRMAN
- 16 LOUIS MION
- 17 KATHLEEN DALTON
- 18 BRIAN AUSTIN
- 19 BRIAN HAAK
- 20 MICHAEL SULLIVAN
- 21 PAUL ROSANO
- 22 ELENA VAIDA, Esq., Attorney for the Planning Board

23 Also present:

- 24 Joseph LaCivita, Director, Planning and Economic
25 Development
- 26 Joe Grasso, PE, Clough Harbour and Associates
- 27 Daniel Hershberg, PE, Hershberg and Hershberg
- 28 Bret Balzer, Balzer and Tuck Architecture

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1 CHAIRMAN STUTO: We have four projects on
2 and the last two are Siena College. The second
3 one is Northern Pass PDD.

4 The first one is Loudonville Adult Home,
5 298 Albany-Shaker Road; an application for
6 concept acceptance.

7 Joe, do you have an introduction on that?

8 MR. LACIVITA: Sure. This is Loudonville
9 Home for Adults located at 298 Albany-Shaker
10 Road. It's a furtherance of the current
11 condition. They're looking to raise the
12 existing single family residence next door,
13 which they took ownership of, to construct a
14 13,000 square foot addition to provide a
15 greater level of care for the current
16 residents.

17 The project was before DCC in June of
18 2011 and they worked with the TDE and the Town
19 departments. They're here tonight for
20 application for concept acceptance.

21 CHAIRMAN STUTO: Mr. Hershberg, are you
22 here with the applicant?

23 MR. HERSHBERG: I am, Mr. Chairman.

24 My name is Daniel Hershberg with the firm
25 of Hershberg and Hershberg. We're here tonight

1 representing the Loudonville Adult Home.

2 With me tonight is Abraham Sofer, a
3 partner in my office, Bret Balzer who is a
4 registered architect on this project. We're
5 here to answer any questions that you may have
6 about the project.

7 We did receive the packet of comments
8 with Joe's letter and a letter from Mike
9 Lyons, and a number of other comments from
10 departments.

11 Most of those were the typical type of
12 comments that we normally receive regarding
13 detail. There were a couple of comments that I
14 think that I would like to address in
15 presenting the project.

16 This is the existing building
17 (Indicating). The existing people here are
18 people that are either in the memory care unit
19 or in what is really a nursing home unit; the
20 Loudonville Home for Adults. These are
21 additional beds or the same level of care that
22 is in the Loudonville Home for Adults. The
23 single family residence is, at this point,
24 here and will be demolished. That area was
25 subject to a use variance because it's in the

1 residential zone and a use variance was
2 granted earlier this year.

3 We do not need any area variances. We
4 meet all the sideline requirements regarding
5 this site.

6 With regard to the sight distance of the
7 driveway, we did a sight distance analysis and
8 the sight distance is 1,260 feet to the north
9 and 2,170 to the south. We assume that the 95
10 percentile speed on this road is 45 miles an
11 hour. Based upon our observations, the 85
12 percentile speed is probably closer to 45
13 miles per hour. We won't exceed the required
14 sight distance for New York State DOT
15 standards.

16 Another issue had to do with the
17 proximity of this dumpster location and the
18 proximity to the dwelling. We have the ability
19 to move it further away so that it will be 65
20 feet away from that property line. We can
21 certainly screen that.

22 One comment had to do with the hours of
23 operations which we're certainly amendable to.

24 CHAIRMAN STUTO: Is there anybody here
25 from the neighborhood?

1 ***(Various audience members raised their hands.)***

2 CHAIRMAN STUTO: Do you want to look at
3 my site plan while he's going over this?

4 MR. HERSHBERG: We also proposed a row of
5 white fir along here (Indicating). We added
6 that based upon comments received that they
7 wanted additional vegetation there. We added a
8 second staggered row of spruces in that
9 location. There was a request to make certain
10 that they were 10 feet on center, and we had
11 no problem with that. This will be a very
12 intense screening.

13 The circulation patterns were on the
14 building. It's now a one way circulation
15 pattern. This driveway is set up for a left or
16 right hand turn. There were comments about the
17 signs and we can certainly address those. We
18 don't have a problem with those requests about
19 the signage.

20 The situation here that required a lot of
21 work here was the stormwater management
22 system. We did work extensively with Fred
23 Dente. He's a technical engineer. This is
24 actually a vegetative swale type design which
25 will accept all the drainage. I think that's

1 an ideal use for the site.

2 I would like to ask Bret Balzer to show
3 you the elevations.

4 MR. BALZER: This is just a brief
5 overview of the architectural style. I'm sure
6 that you're familiar with the building now,
7 which was essentially an old farm house that
8 was added onto the back. At some point in
9 time, it took on a Tudor style, as did the
10 revisions to the back of the property. This is
11 the road elevation that you would see
12 (Indicating).

13 The materials are brick, stone, fiber
14 cement and asphalt shingles. The goal is
15 always to keep it with a residential feel of
16 the neighborhood. It's a one story structure.
17 As a right, we could certainly go higher. That
18 wasn't ever the intension. It's an 18-bed
19 facility that's all serviced on one floor. To
20 pick up where Dan left off, it's really to
21 provide a continuum of care of what the
22 Loudonville Home -- it's the next step in
23 living, which is known as an enhanced assisted
24 living. So, the folks that reside in this new
25 addition will be the acute care ward. They

1 would spend the majority of their day in their
2 beds. Obviously, it's to their benefit to get
3 out and recreate with their fellow residents.
4 That's the goal here. It's more acute and more
5 sophisticated care that Mike is providing and
6 it's that level of continuum that he's looking
7 to establish here on the property.

8 I have the other three elevations, if you
9 will. I can walk you through any part of that.
10 For the most part, this is what the public
11 will see as they drive along Albany-Shaker and
12 look down the hill (Indicating). What's
13 missing here is landscaping. There is quite a
14 bit going on that was left off of this
15 perspective. It's just so that you can
16 understand the architecture. It is Mike's
17 intent to sort of bring the landscaping up to
18 the level that it is currently at.

19 I'll be happy to answer any additional
20 questions.

21 CHAIRMAN STUTO: Can you bring up the
22 other elevations?

23 MR. BALZER: Sure. This is the
24 Albany-Shaker Road elevation that you just saw
25 in the perspective (Indicating). As you come

1 down what is the entry drive on the south side
2 of the building, this is the elevation that
3 we're connecting to the existing building
4 with. It's one story - what we call a
5 conservatory. It has a glass atrium and a
6 copper roof on that.

7 This is coming around to what is really
8 the front or the main entry for the building
9 (Indicating). As you come around this one way
10 drive, the main entrance to this enhanced
11 assisted living facility is here (Indicating).
12 So, essentially that is the front of the
13 building. That's where all the vehicles would
14 go. There is parking in this area. Again, that
15 is the main entry and what you're not seeing
16 is the existing building. It sort of masks a
17 part of this elevation.

18 As you drive out along the north entry
19 drive, this is the north elevation
20 (Indicating).

21 MR. HERSHBERG: We're prepared to answer
22 any questions that the Board may have.

23 CHAIRMAN STUTO: Okay, we'll hear from
24 the Town Designated Engineer, CHA.

25 MR. GRASSO: We have a letter in your

1 packet dated May 30, 2012, based on the
2 concept submission. Dan has done a good job
3 touching on many of the comments in our
4 letter. It was a good submission that included
5 a lot of information. Like Dan had mentioned,
6 some of our comments were able to be included
7 now even though they are more relevant as the
8 project progresses to the final design.

9 There were a couple of things that were
10 not discussed and mentioned in our letter.

11 "Consideration should be given to adding
12 sidewalks or pedestrian accommodations around
13 the building. Currently there is no way for
14 residents to circulate around the building."

15 Can you speak to that?

16 MR. BALZER: Yes, the absence of the
17 sidewalk around what is the front of the
18 building is intentional. I think that the
19 letter actually references why there is not a
20 sidewalk that brings you around that allows
21 residents to walk. First of all, it's enhanced
22 assisted living. Many of the residents are in
23 wheelchairs. Second, there is currently a
24 sidewalk that exists along the south side of
25 the building. If somebody is going out for a

1 walk, they are from point A to B. The owner
2 doesn't want someone walking around the entire
3 building because there is a visual connection
4 to the residence. Staff offices and
5 administration are all along the south side of
6 the building. It's more of a safety issue.
7 There are no sidewalks along the north part of
8 the building. It's a one way street, if you
9 will - a one way access road. There are no
10 sidewalks there. So, it's really meant to
11 discourage people from doing a 360 loop around
12 the building, and to allow them to essentially
13 walk along the south side that is currently a
14 sidewalk.

15 MR. GRASSO: The proposed dumpster
16 location is close proximity to the adjacent
17 residences to the north. Consideration should
18 be made in consolidating the dumpsters into a
19 single location further from the adjacent
20 residence.

21 I think that I heard Dan mention that you
22 would be willing to slightly shift that, but
23 it wouldn't shift that substantially away from
24 the residential area. Can you just describe
25 where the existing refuse containers are on

1 the site?

2 MR. HERSHBERG: There is an existing
3 dumpster back here, but because there is a
4 separate kitchen associated here, we don't
5 think that it would be appropriate to
6 transport all trash down to this location
7 (Indicating). We still think that there is one
8 necessary for here. The owner would like that.
9 Before we had a dumpster that was from 47 or
10 48 feet from the property line and we're able
11 to move it, so it's like 65 feet from the
12 nearest property line. We're willing to talk
13 about hours of service for that.

14 MR. GRASSO: And this is in terms of the
15 refuse container. This is going to be a
16 commercial type one?

17 MR. HERSHBERG: There isn't enough
18 quantity to require a compactor at all and
19 also Mike's comment - we have to allow for
20 recycling.

21 MR. GRASSO: Their approximate size? The
22 size of the enclosure?

23 MR. HERSHBERG: About 15 feet wide by 10
24 feet deep. You have two six foot wide
25 dumpsters and you'll have a gap in between so

1 that you can have the gates.

2 MR. GRASSO: And the type of
3 enclosure - would it be masonry?

4 MR. HERSHBERG: We can certainly talk
5 about that.

6 MR. GRASSO: Our concern would be proper
7 containment, the noise impacts of slamming a
8 dumpster, and the visual effects from Buchman
9 Street.

10 MR. HERSHBERG: From Buchman Drive, this
11 site here is virtually invisible when you
12 drive. It's very dense.

13 My moving it here, we may move it further
14 away and it will screen this area here. We can
15 certainly talk about making it entirely a
16 masonry enclosure to keep down any noise.

17 MR. GRASSO: "Consideration should be
18 given to adding another fire hydrant within
19 the site towards the west end of the building.
20 Fire hydrants are generally required every 500
21 feet and the length of the building exceeds
22 this."

23 Is that something that you think you'll
24 able to accommodate?

25 MR. HERSHBERG: When this went through

1 the DCC review, I don't think that the Fire
2 Department had a problem with it. There is a
3 hydrant right here; one here and one here
4 (Indicating). There is one directly in front
5 of the building. There is a Siamese connection
6 and it will certainly be within 200 feet of
7 the hydrant.

8 MR. GRASSO: You're proposing a Siamese
9 connection?

10 MR. HERSHBERG: Yes. There will be a
11 sprinkler system, so that it will be fully
12 sprinklered. The Water District would have a
13 hot box which would be off from there.

14 MR. GRASSO: "The proposed action is an
15 unlisted action pursuant to SEQRA, and as
16 such, coordinated review is optional. We
17 recommend the Planning Board accept lead
18 agency status and wait until submission of
19 final site plans before rendering a SEQRA
20 decision. The applicant has submitted a full
21 environmental assessment form with Part I
22 completed. The form appears to adequately
23 describe the proposed project and the
24 environmental setting and no revisions are
25 recommended at this time."

1 Regarding the architecture: "We have no
2 objections to the proposed exterior elevations
3 of the proposed addition."

4 In just going through the packet, there
5 were a couple of other comments made by other
6 departments.

7 A comment from Planning and Economic
8 Development - there was a comment that due to
9 abutting residential uses, hours restricting
10 pick up to be between 7:00 a.m. and 7:00 p.m.
11 are suggested. That is regarding waste pick
12 up.

13 A sign stating that such hours should be
14 placed on the refuse area gate.

15 Is that something that you're able to
16 accommodate?

17 MR. HERSHBERG: We can certainly
18 accommodate that.

19 MR. GRASSO: There was a comment about
20 the landscaping, which I think that you've
21 addressed in your comments.

22 Albany County Planning Board's
23 recommendation included just a modifiable
24 approval to include a notice of intent which
25 is regarding the stormwater permitting for the

1 project, as is customary. Secondly, a
2 notification should be given to the adjacent
3 City of Albany.

4 There was a comment letter provided by
5 CDTA regarding impacts on transit and transit
6 opportunities. CDTA indicated in their letter
7 about an existing route on Albany-Shaker Road
8 but they don't extend past the project site.
9 They would be willing to add a stop at the end
10 of Corporate Woods Boulevard as service to the
11 applicant's employees if a pedestrian
12 connection is added between the site and the
13 two stops on Corporate Woods Boulevard and a
14 crosswalk is striped across Corporate Woods
15 Boulevard.

16 "CDTA would not be able to install this
17 infrastructure and it would need to be
18 incorporated into the project to allow transit
19 access."

20 MR. HERSHBERG: Mr. Levine says virtually
21 none of the employees use public
22 transportation on a route that CDTA would
23 serve. Again, the need for public
24 transportation is certainly minimal.

25 MR. GRASSO: I would expect that would be

1 a significant capital expense to build a site
2 of that nature.

3 That's all that we had.

4 CHAIRMAN STUTO: Is there anyone from the
5 public that wants to be heard on this
6 application?

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

8 CHAIRMAN STUTO: Okay, we'll take
9 comments and questions from the Board.

10 MS. DALTON: You're talking about
11 sidewalks around the building, I wasn't sure
12 if maybe there would be a need for sidewalks
13 on Albany-Shaker Road?

14 MR. HERSHBERG: We don't show them now. I
15 don't think that they continue in either
16 direction. We can do the elevations again, if
17 you'd like to see it.

18 MS. DALTON: Yes, I'd like to see a
19 sidewalk there. I'd like to go on record as
20 saying that we should at least have money in
21 escrow for that purpose.

22 MR. GRASSO: I'm not aware of sidewalks
23 out there, but I think that we can touch base
24 with the Town Department of Public Works and
25 find out if there are any plans or needs

1 expressed and revisit it on the final. We can
2 see what's appropriate or put money in escrow.

3 CHAIRMAN STUTO: Is there someone here
4 from the Loudonville Association? Karen
5 Parrotta?

6 MS. PARROTTA: Yes.

7 CHAIRMAN STUTO: Do you have any comment
8 on the sidewalk?

9 MS. PAROTTA: No, not at this time.

10 MR. SULLIVAN: In the packet, DPW
11 recommended utilizing one of the drives as a
12 public access points. Is that prior to having
13 the sight distance calculations as a main
14 concern?

15 MR. HERSHBERG: I think that what came
16 about is that we could have eliminated another
17 curb cut on that. I'll point out that before
18 we made out an application to the Town, we met
19 with the neighbors there and one thing that
20 they said is don't come back up on Buchman
21 Drive. So, I think that essentially this plan
22 reflects the neighborhoods' wish not to have a
23 traffic connection to Buchman Drive.

24 Buchman Drive and this project are pretty
25 low traffic generators. Very little would be

1 accomplished by combining this access.

2 MR. HAAK: I just want to echo Kathy's
3 comments about the sidewalks. I would like to
4 definitely escrow some money possibly for
5 sidewalks.

6 MR. HERSHBERG: I'm sure that's not going
7 to be a problem.

8 MR. HAAK: In talking about the sight
9 lines and the traffic volume, there was a
10 comment in Joe's letter about the exit drive
11 and the proximity of Buchman. Was it taken
12 into consideration when we were doing the
13 sight lines? It's my understanding that the
14 exit on Albany-Shaker Road is both a left and
15 right turn. Is there a possibility that there
16 are cars trying to turn both ways? Does that
17 in any way effect the sight line placement of
18 that exit?

19 MR. HERSHBERG: The sight distance
20 computation is very simply done. There is a
21 way to do it in the DOT standards. They set a
22 project at 4.2 foot above the grade of the
23 road and set their transit up at your location
24 at the same height and measure the distance
25 where it goes out of view. Primarily, most of

1 is because you're going around a curve and
2 going over a hill, and you lose your sight
3 distance. In this case, neither one occurs. We
4 really have a very long sight distance.

5 We have a question or not whether this
6 even warrants a left and right hand turn lane.
7 It might be a valid question whether or not we
8 really have to have a two way turn. The
9 potential for a car waiting to turn left and
10 blocking the view for a car turning right
11 would occur. Someone would have to be careful
12 in that situation. We only show that a right
13 and left hand turn would be convenient for us,
14 but it's really not necessary. If you take a
15 look at it, the volumes are so low that
16 somebody has to wait another 10 seconds for a
17 car, so in order to resolve the issue of the
18 proximity to Buchman Drive, take off a portion
19 of the left hand turn lane and narrow this
20 driveway down. This is certainly a doable
21 thing and that resolves the issue and gives a
22 little bit more space for Buchman Drive. It
23 also affects the visibility if there is a car
24 making a left hand turn.

25 MR. HAAK: I think that would be

1 something to look at.

2 CHAIRMAN STUTO: I'll share a couple of
3 brief comments. As I told the applicant's
4 engineer, I've worked washing dishes at the
5 Loudonville Adult Home. Is the original
6 building there still there? You said that
7 there was a farmhouse, but there's nothing
8 there.

9 MR. BALZAR: This was the original farm
10 house.

11 CHAIRMAN STUTO: The façade is different
12 now.

13 MR. BALZAR: Correct. The enhanced memory
14 care was built in the 90's. There was a
15 renovation addition.

16 CHAIRMAN STUTO: What's the distance
17 between the building and -

18 MR. HERSHBERG: Right here?

19 CHAIRMAN STUTO: Yes.

20 MR. HERSHBERG: It's 83 feet to the
21 closest point of the building.

22 CHAIRMAN STUTO: The architecture matches
23 what's there now. Is that what you're saying?

24 MR. BALZER: Yes, and to a certain extent
25 it enhances that a bit more because of the

1 materials.

2 CHAIRMAN STUTO: And we'll be looking for
3 nice landscaping.

4 MR. HERSHBERG: We have shown some and
5 we'll go over more of that.

6 CHAIRMAN STUTO: Okay, you said that it's
7 an unlisted action? Did we take a motion on
8 being the lead agent?

9 MR. GRASSO: You can do it now, or when
10 you make a SEQRA determination.

11 CHAIRMAN STUTO: Okay, we'll hold off.
12 You said that a coordinated review is
13 optional.

14 MR. GRASSO: Yes.

15 CHAIRMAN STUTO: Do we have a motion on
16 the concept acceptance?

17 MR. MION: I'll make a motion.

18 MS. DALTON: I'll second it.

19 CHAIRMAN STUTO: All those in favor?

20 **(Ayes were recited.)**

21 CHAIRMAN STUTO: All those opposed?

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

23 CHAIRMAN STUTO: The ayes have it.

24 MR. HERSHBERG: Thank you.

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*(Whereas the proceeding concerning the above
entitled matter was concluded at
8:15 p.m.)*

CERTIFICATION

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

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

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18 **Dated June 25, 2012**

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Legal Transcription

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