

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 BOGHT ROAD/COLUMBIA STREET AREA  
5 FINAL GEIS  
6 ADOPT FINDINGS STATEMENT

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8 THE STENOGRAPHIC MINUTES of the above  
9 entitled matter by NANCY STRANG-VANDEBOGART, a  
10 Shorthand Reporter, commencing on March 26, 2013  
11 at 7:02 p.m. at The Public Operations Center, 347  
12 Old Niskayuna Road, Latham, New York

13 BOARD MEMBERS:  
14 PETER STUTO, CHAIRMAN  
15 LOU MION  
16 BRIAN AUSTIN  
17 KAREN GOMEZ  
18 SUSAN MILSTEIN  
19 KATHY DALTON  
20 TIMOTHY LANE

21 ALSO PRESENT:  
22 Rebekah Nellis Kennedy, Esq., Counsel to the Planning Board  
23 Joe LaCivita, Director, Planning and Economic Development  
24 Joe Grasso, PE, Clough Harbour and Associates  
25 Michael Tengeler, Planning and Economic Development

1                   CHAIRMAN STUTO: We'll start the Town of Colonie  
2 Planning Board meeting.

3                   Is there any business that we need to take  
4 care of before we start on the agenda, Joe?

5                   MR. LACIVITA: Nothing on my end.

6                   Michael, anything from you?

7                   MR. TENGELER: No.

8                   CHAIRMAN STUTO: Okay, the meeting is called to  
9 order. The first item will be the Boght Road/Columbia  
10 Street area final GEIS; adopting a findings statement.

11                  Joe Grasso from Clough Harbour and Associates  
12 will be making a brief presentation, and we have  
13 Rebekah Kennedy here for any legal questions that  
14 we might have.

15                  MR. GRASSO: Thanks, Pete. For the Planning  
16 Board, it's the final step in the SEQRA process and a  
17 completion of the Boght Area GEIS traffic update that  
18 the Planning Board has been working on for the past few  
19 years. The findings statement is the last piece of the  
20 puzzle for the Planning Board, and tonight it's up for  
21 adoption. There have been some minor revisions made to  
22 the document since the draft that you last saw in  
23 response to some of the comments that we got from the  
24 Town Attorney's office.

25                  What I passed out tonight are the documents

1 that has the Resolution at the top. That is  
2 a marked-up copy. We'll go through that in a  
3 minute and you'll be able to see the edited  
4 revisions made to the document. The second  
5 document is the final clean version where those  
6 revisions are merged into the actual document.  
7 This document entitled "The Findings Statement" is  
8 what the Board will likely accept tonight.

9 If you can just go back to the document  
10 entitled "Resolution", I'm just going to thumb  
11 through those minor revisions that were made. The  
12 first one is on page 3 under 6. We referenced  
13 basically the same document twice. That same  
14 document was later revised. So, we eliminated the  
15 earlier reference to that document.

16 In continuing on through the packet, the next  
17 change is on page 13, under number 13 and you can  
18 just take a minute and read for yourselves the  
19 revised wording of that as it relates to the  
20 granting of tax credits or tax exemptions to cover  
21 the project's public share contribution.

22 Any questions regarding that verbiage?

23 MR. LANE: What was next to that change?

24 MR. GRASSO: When we had drafted the findings we  
25 had made reference to it that it would be the Town

1 Board's action, which is not actually the case.

2 CHAIRMAN STUTO: Tim, in other words, where it  
3 came up project-wise is that cross connector road, near  
4 the old Colosseum or the Starlite Theater. If the  
5 developer put that in - they could put that in and the  
6 Town could apply for tax credits for that development  
7 with an entity like the IDA, in order to reimburse them  
8 for the cash.

9 MR. GRASSO: Covering the reimbursement for the  
10 public share contribution would be required.

11 The next page, 14 of 15 under number 16, it's  
12 additional verbiage to be consistent with what we  
13 discussed under 13. It's about the exemptions  
14 being granted. It's not necessarily always a tax  
15 credit, but it could be a tax exemption as well.

16 Under 17 -- these are really the comments  
17 that we got provided to us by one of the property  
18 owners within the study area. There were some  
19 references to various Planning Board meetings and  
20 one of those dates, the issue was not discussed so  
21 we struck those from the response. We struck the  
22 date of February 3, 2010. We re-worded the  
23 summary statement at the end of 17 where we state  
24 "Approvals granted to First Columbia to date have  
25 not expressly been conditioned upon First Columbia

1 providing public access to Plaza Drive." We think  
2 that accurately reflects what's in the record.

3 So, those were the only changes that we made.

4 MS. DALTON: In the third whereas, the second line  
5 down, the statement that ends in "to accommodate  
6 growth."

7 MR. GRASSO: Ok. The first "should be required to  
8 accommodate growth." That's what we meant to say. I'm  
9 just going to do a redline edit to my copy.

10 CHAIRMAN STUTO: We have been working on this for  
11 several years. Are there any comments or questions?  
12 Do we need more time?

13 (There was no response.)

14 CHAIRMAN STUTO: Is there a motion to adopt the  
15 Resolution?

16 MR. GRASSO: To adopt the findings statement as  
17 drafted.

18 MR. LANE: I'll make a motion to adopt the  
19 findings statements as drafted with the amendments.

20 And you have the finalized copy?

21 MR. GRASSO: We do have the finalized copy, as  
22 drafted.

23 CHAIRMAN STUTO: We'll enter this entire thing  
24 into the record.

25 MR. MION: I'll second that.

1           CHAIRMAN STUTO: Any discussion, or comments, or  
2 questions?

3           (There was no response.)

4           CHAIRMAN STUTO: All those in favor say aye.

5           (Ayes were recited.)

6           CHAIRMAN STUTO: All those opposed say nay.

7           (There were none opposed.)

8           CHAIRMAN STUTO: The ayes have it. Thank you.

9           Thank you, Joe for all that hard work.

10          MR. GRASSO: And just so the Planning Board  
11 understands that findings statement will be sent to all  
12 the other involved agencies which is the Town Board,  
13 CDTC and New York State DOT. Also, the time that they  
14 choose to adopt the findings statements as approved by  
15 the lead agency -- they obviously have the opportunity  
16 and ability to adopt their own findings statement if  
17 they so choose.

18          CHAIRMAN STUTO: I'm pretty sure that the Town  
19 Board will take action. Will the other entities as  
20 well?

21          MR. GRASSO: Sometimes they do and sometimes they  
22 don't. Because this findings statement is approved by  
23 the Planning Board who is the lead agent, the Planning  
24 Board now has the ability to use this findings  
25 statement for the review of all future projects within

1 the Boght Road study area.

2 CHAIRMAN STUTO: Thank you.

3 (Whereas the proceeding was concluded at  
4 7:08 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.

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NANCY STRANG-VANDEBOGART

Dated April 2, 2013



