

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 CANTERBURY CROSSINGS

5 AMENDMENT TO CONDOMINIUM

6 LAYOUT DETAIL ON SITE PLAN

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8 THE STENOGRAPHIC MINUTES of the above

9 entitled matter by NANCY STRANG-VANDEBOGART, a

10 Shorthand Reporter, commencing on May 21, 2013 at

11 7:05 p.m. at The Public Operations Center, 347 Old

12 Niskayuna Road, Latham, New York

13 BOARD MEMBERS:

14 PETER STUTO, CHAIRMAN

15 LOU MION

16 KAREN GOMEZ

17 TIMOTHY LANE

18 SUSAN MILSTEIN

19 KATHY DALTON

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21 ALSO PRESENT:

22 Joe LaCivita, Director, Planning and Economic Development

23 Lynn Sipperly, PE, Sipperly and Associates

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1                   CHAIRMAN STUTO: We'll call up the first project  
2                   on the agenda. Canterbury Crossings, Loudon Road.  
3                   This is an amendment to condominium layout detail on  
4                   site plan. I think that this could be characterized on  
5                   a technicality.

6                   Joe, do you want to give an introduction?

7                   MR. LACIVITA: I think that we can hand it right  
8                   over to Lynn, but this is probably one of the same  
9                   things that we saw at the Planning Board where Marini  
10                  came in.

11                  This project was historically a long project  
12                  that had taken several years to get through the  
13                  planning process. This has gone through and  
14                  worked though where it has become, but the details  
15                  kind of got lost over time.

16                  One of the things that specifically Lynn will  
17                  speak about is the details as to talking about the  
18                  condominium layouts. Again, you have homeowners  
19                  condominium, homeowners association and you also  
20                  have the condominium maintenance issues and I  
21                  think that's what we need to identify on our lot  
22                  layout. So, the Building Department can actually  
23                  permit these structures.

24                  Lynn, I'll turn it over to you to finalize  
25                  that summary.

1 MR. SIPPERLY: Thank you, Joe.

2 Amedore Homes has applied for a building

3 permit for the Phase I condos. In doing so, we

4 find a contradiction that is shown on the map and

5 interpretation from the Building Department. It

6 really deals with the typical lot layout for the

7 condos which are three diagrams. The layout

8 approved by the Planning Board -- that's why it

9 was called a parcel boundary line. That was

10 really a misnomer. It's really a condominium

11 development limit line. The actual condominium

12 boundary line is the red line shown on the

13 drawing. It's the outbounds of the condominium.

14 This is more than just Phase I here. This is all

15 the condos that are proposed in Canterbury

16 Crossings (Indicating). What the map shows, which

17 also mimic what is shown here in green -- we

18 showed on the original maps an envelope where a

19 condominium building could be built. On the

20 typical lot layout, we call that line condominium

21 parcel boundary line, which the Building

22 Department interprets as being a property line,

23 which is not a property line. The property line

24 for the condo is this red line -- this exterior

25 line. The condominium ownership -- the unit is

1 the only real property conveyed to the person is  
2 the interior walls of the condo unit. All the  
3 lands outside of the condominium are shared and in  
4 common with all the owners of the condominium  
5 development. So, this basically has 210 condo  
6 units and 210 owners will share in all this land  
7 that's shown here in red. The only ownership that  
8 they have is the interior walls. That's part of  
9 what the purpose of condominium development is.  
10 The outside of the building, the outsides and the  
11 grounds are maintained by a community associations  
12 and not responsible by the individual owners. The  
13 owners pay a fee to the association to maintain  
14 the properties but the actual ownership is only  
15 the interior walls of each unit.

16 CHAIRMAN STUTO: So, what language on this drawing  
17 - are we approving this drawing?

18 MR. SIPPERLY: Yes, this is the drawing that we  
19 are proposing to be approved which changes to say  
20 condominium limit line. That's really it.

21 CHAIRMAN STUTO: I'm okay with it. Does anyone  
22 have any questions or comments on this?

23 (There was no response.)

24 CHAIRMAN STUTO: Do we have a motion to accept the  
25 amendment of condominium layout detail on the site plan

1 as proposed?

2 MR. AUSTIN: I'll make a motion.

3 MR. LANE: Second.

4 CHAIRMAN STUTO: Any questions or comments?

5 (There was no response.)

6 CHAIRMAN STUTO: All those in favor say aye.

7 (Ayes were recited.)

8 CHAIRMAN STUTO: All those opposed say nay.

9 (There were none opposed.)

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

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12 (Whereas the above proceeding was concluded

13 at 7:11 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 May 22, 2013

