

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 HOME 2 SUITES BY HILTON

5 10 METRO PARK ROAD

6 APPLICATION FOR CONCEPT ACCEPTANCE

7 *****

8 THE STENOGRAPHIC MINUTES of the above entitled

9 matter by NANCY STRANG-VANDEBOGART, a Shorthand

10 Reporter, commencing on July 16, 2013 at 7:50 p.m. at

11 The Public Operations Center, 347 Old Niskayuna Road,

12 Latham, New York

13

14 BOARD MEMBERS:

15 TIMOTHY LANE, ACTING CHAIRMAN

16 SUSAN MILSTEIN

17 KATHY DALTON

18 KAREN GOMEZ

19 LOU MION

20 BRIAN AUSTIN

21

22 ALSO PRESENT:

23 Michael Tengeler, Planning and Economic Development

24 Elena Vaida, Esq., Counsel to the Planning Board

25 Joe Grasso, PE, CHA

Todd Mitchell, PE, Creighton Manning Engineering

Kevin O'Hearn, Sr., Home 2 Home Suites

Kevin O'Hearn, Jr., Home 2 Home Suites

Chuck Poe, B.A. Construction

David Fonseca

Laura Reed, Town Conservation Advisory Council

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1 ACTING CHAIRMAN LANE: Next item on the agenda is
2 Home 2 Home Suites by Hilton, 10 Metro Park Road. This
3 is for concept acceptance. This is a 91-room, four
4 story hotel.

5 MR. MITCHELL: I have samples. One of the
6 comments at the sketch plan was a request for samples.
7 I only have one of these, but they're actual samples.

8 Good evening. I'm Todd Mitchell from Creighton
9 Manning Engineering. I'm here with a representative
10 from Cross Winds Development, Kevin O'Hearn, Jr. and
11 Sr. and Amanda Dolan, as well as a couple members of BA
12 Construction.

13 We were in front of the Board for sketch plan
14 about six weeks or so ago, at which time we received
15 comments from the Board. The bulk of the comments were
16 with regard to some of the waivers that we were
17 requesting; some of the materials and the look on the
18 building. So, I hope what we're going to show you
19 tonight alleviates your concerns there.

20 I will start by going through the comments that we
21 got from Clough.

22 First of all we'll start with regards to the
23 building elevations, the materials and the attempt to
24 make the building more interesting from what you had
25 previously seen. I do have here building elevations.

1 These things have been provided in the packet that I
2 passed out. In the back of the packet there are
3 photographs of one of these Home 2 Home buildings that
4 has been built down in Baltimore. I just want to give
5 you a reference for the rendering versus photographs of
6 one.

7 First of all, as you see now with the samples that
8 you have in front of you, we did reduce the amount of
9 efus and added some brickwork to the building to get it
10 to look - especially the entrance - a little more
11 prominent as the Planning Board had requested at the
12 previous meeting. Specifically, at the previous
13 meeting, we were asked to revise the entrance that
14 faced Aviation Road.

15 To elaborate a little bit on that, there are two
16 waivers being requested for the project. Actually, in
17 the packet that has been passed out, towards the back
18 there is a couple of plans in there that show our
19 attempt to try to make the project meet the Zoning
20 Code. In order to meet the code here, we would
21 essentially be forced to put the hotel in this corner
22 such that the building faces 20 feet off this property
23 line and this property line (Indicating). In order to
24 meet code, that's the one and only location on the site
25 that the building could be located. I hope that you

1 can see that creates issues for this type of
2 development.

3 We have doors here and here (Indicating). We have
4 no way to fight a fire on these two sides because there
5 is no drive lane. You've got to fight a fire from the
6 road and then you have some significant 30-foot tall -
7 30-foot diameter trees here as well. That's one of the
8 reasons that we are requesting the waivers. The
9 waivers that we are requesting are for having exceeded
10 the maximum setback and also for having parking in the
11 front yard. If you look at this building comparative
12 to the rest of Metro Park corridor, this is very much
13 what we see through the rest of that corridor.

14 One of the other items that came up is we were
15 requested to make a connection on Aviation Road by the
16 Fire Department. So, when we came to DCC, we made the
17 connection at that point, some of this other work that
18 is going on - the future work that's going to occur on
19 Aviation Road came a little more to light and it was
20 determined that it was inappropriate to make a
21 connection here. So, we still want to provide a
22 secondary fire access.

23 What we are proposing to do is to put a fire
24 access in here that would be gated. This access would
25 only be used if the building was on fire and there was

1 an accident here. Again, the attempt here is to
2 satisfy the Fire Department as well as the addressed
3 comments that we received from Clough Harbour.

4 One of the comments from Clough Harbour was
5 regarding a code requirement for landscaping where the
6 requirement is to have accommodation of fence and
7 landscape along the frontages here (Indicating). The
8 comment from Clough felt like although it was a
9 requirement, it may not really fit for this project.
10 Consideration would be requested from the Board to
11 maybe have less fence. We certainly don't mind adding
12 landscaping in here, but we would be looking for less
13 fence.

14 Another comment from Clough was regarding on-site
15 food preparation. Just a kind of heads up here from
16 Clough that in the future we did want to do food
17 preparation on the site. It would be difficult given
18 the construction that's going on out there now.
19 Honestly, there is no intent to make food on the site.
20 They will serve continental breakfast, which is
21 catered. There is no food preparation.

22 MR. O'HEARN JR.: No, it's a continental breakfast;
23 cereal and fresh fruit.

24 MR. MITCHELL: Proposed water main alignment
25 creates a high lead length, so with regard to more

1 detail type work regarding utilities, we have satisfied
2 that requirement. By code, we do need to put a hydrant
3 on the site. What we have done is we're contemplating
4 connecting 10 feet away from the hydrant and looping the
5 waterline back around to the mechanical room. We will,
6 as we move forward, follow up in an effort to
7 potentially save this big loop and go with the waterline
8 underneath.

9 Another comment was regarding handicapped spaces.
10 I believe at the last meeting those were the request.
11 We had sufficient number of handicapped spaces located
12 here (Indicating). There was a request to move them so
13 that they weren't located in one place. There is a
14 porte cochere here, handicap spaces here and now we
15 have handicap spaces here, as well (Indicating). In
16 response to Clough's comment, we had a five foot wide
17 strip here and that's now been widened.

18 We did add, at Clough's request, some off-site
19 trees over here (Indicating). Those are now shown on
20 the plan. The remaining comments were with regard to
21 something that was brought up during the last
22 presentation. That's the need for a study to be done
23 on the Wolf Road pump station. We have solicited some
24 bids to get that done and we're waiting on one last bid
25 before we move that forward. The final comment is just

1 the statement that this is an unlisted action.

2 At this point I would entertain comments from the
3 Board.

4 MR. MION: I was out there this past weekend and
5 usually our water catch basins are supposed to take care
6 of 100 year floods. For the last three years, we've had
7 300 year water, and there is a lot of it out there.

8 MR. MITCHELL: And it's still there today.

9 MR. MION: I noticed that. It looks like you have
10 a moat on the backside of it.

11 MR. MITCHELL: It is. Although it looks large,
12 it's only 18-inches deep. It would be mowed just like
13 the lawn. We would envision that when the project is
14 done that it will look like a lawn. You will probably
15 have a hard time telling that it's a stormwater
16 management area. The reason for that is that we need to
17 keep it as high as possible to keep separation from
18 groundwater.

19 MR. MION: Is it going to tie into the one on the
20 backside?

21 MR. MITCHELL: The existing one that's full of
22 water?

23 MR. MION: Right.

24 MR. MITCHELL: It is not. We are not allowed to do
25 that. We received some direction in kind of agreed to

1 not - we have overflows. There is a stormwater
2 management area here and here (Indicating). We overflow
3 toward Metro Park so as not to make the condition that's
4 going on over here right now worse. There are some
5 historical issues with what's going on in this ditch
6 over here (Indicating). This appears to be meant to be
7 an infiltration basin and it's not infiltrating in the
8 amount of time that it should. We're not sure really
9 what's going on there. Our office is 100 yards away from
10 here so I see it every day. We see water passing
11 through here two or three days after a storm event comes
12 through, and it almost looks like water may be pumped
13 somewhere up stream. Without investigating that, we
14 really don't know what the issue is there.

15 I actually made a call up to Beltrone after the
16 meeting that I had with Clough last week. We're going
17 to attempt to have a discussion with Beltrone. My
18 opinion is that this area needs some maintenance. I
19 think that this has been in place for more than 20
20 years. I'm not sure what type of maintenance is going
21 on here, but I believe that we're seeing a lot of oils
22 and vines that have come off of this very large parking
23 lot and maybe are restricting the top of the soil from
24 letting that water penetrate. We did infiltration
25 tests in these places and the lowest infiltration rate

1 that we got was 45 inches and out. The soil is very
2 willing to accept stormwater, which baffles me as to
3 why its not accepting it over here. Today at work,
4 this thing is still full of water. We've been three
5 whole days without rain.

6 MS. GOMEZ: This is a transient hotel; I'm
7 assuming. People are coming and going and not staying?

8 MR. MITCHELL: Yes.

9 MS. GOMEZ: I wanted to say that I worked for
10 Marriott for 22 years. I'm not totally a Marriott fan,
11 but I've looked at a lot of hotels and I just find it to
12 be very corporate looking. I don't feel that it's
13 inviting at all. I don't know if this is the Hyatt
14 prototype in other areas, but it almost looks
15 institutional to me. I apologize. I wasn't at the last
16 meeting. I assume that this is a Hilton concept, but if
17 I were driving down the street and I had a choice
18 between this and another site, this would be where I
19 would go. Again, I apologize, I wasn't at the last
20 meeting, but I find it very institutionalized looking.

21 ACTING CHAIRMAN LANE: This is a photograph of the
22 one that's-

23 MR. MITCHELL: That one is a rendering. The
24 photographs are in the back of the packet.

25 MS. GOMEZ: I'm assuming that this is the Hilton

1 concept. This is the new prototype for this type of
2 building - for the Home 2?

3 MR. MITCHELL: It is.

4 MS. GOMEZ: I guess that it wouldn't be my
5 preference. Different people stay at different places.
6 I just find it very institutional looking. Again, I
7 wasn't at the last meeting, so I don't know.

8 MS. DOLAN: This is an extended stay.

9 MS. GOMEZ: Oh, this is an extended stay?

10 MS. DOLAN: Yes.

11 MS. DALTON: I just want to be clear, when you say
12 there is no food preparation, there will be
13 kitchenettes; right?

14 MR. MITCHELL: Yes, there will be kitchenettes and
15 microwave ovens in the room; yes.

16 MS. GOMEZ: What I'm talking about it - it's not a
17 transient hotel where they come and they don't go out.
18 It's an extended stay, which is different. It looks
19 like an apartment complex. I suppose that if it's an
20 extended stay -- I assume it's for people that are
21 relocating for whatever the reason.

22 MS. DOLAN: Typically, it would be for a five day
23 or more stay.

24 MS. GOMEZ: Again, I know that this is another
25 hotel, but it looks very uninviting to me. Again, it's

1 Hilton and that's their concept. It looks very stark.

2 MS. DALTON: What I see in the pictures is not a
3 really well defined and attractive entrance. Because
4 you have three sides that you're having people look at,
5 I'm really looking for an attractive entrance. So far,
6 I haven't seen it. We spoke about that at the last
7 meeting. I'm sure that even if you didn't use those
8 ends as your primary entrance, they still needed to look
9 attractive. I think that it still needs work.

10 MR. AUSTIN: How many of these Home 2 Home Suites
11 are presently opened?

12 MS. DOLAN: There are 20 opened right now. They've
13 been very well received. There are 74 right now that
14 are in the development stages.

15 MR. AUSTIN: I would tend to agree with Karen and
16 Kathy, but I see the concept as being more contemporary.
17 The design is not necessarily very straight lines. Some
18 of the outdoor seating shows the fire pit area. It's
19 definitely a different style than we have right now. It
20 does look very commercial and contemporary. When I
21 first looked at it, I liked it. Then when Karen said it
22 looked stark, I thought that maybe it did. I understand
23 the concept; I do.

24 MS. DOLAN: We actually felt similar to that when
25 we first looked at it. We went down to White Marsh to

1 see how it looked in person, and it is much better to
2 see when you see it in person. It has an extended stay
3 feel to it. There is no grand entrance. It's not the
4 type of building that it's meant to be. It has those
5 outdoor areas and they really are seating areas. So,
6 you have more of the firepits with people sitting around
7 in a community atmosphere. They have the outdoor light
8 strings. I even asked the owner in White Marsh if they
9 got used often and he said that every single night there
10 are people out there.

11 MS. GOMEZ: I'm sure that I know what the inside
12 looks like and I know that they have the barbeque pits
13 and whatever. I'm familiar with the extended stay.
14 When I look from the outside, I would say that the
15 building looks - you say contemporary. I think that it
16 looks almost institutional. Some addition of either
17 greenery - even if the porte cochere is plain, I'm good.
18 Less is more. To make it look less -- if I looked at
19 this, I would think that I was walking into some type of
20 office building. That's what I see. I understand that
21 it's probably the concept. They have people who do the
22 concepts and they move them and they market them. I now
23 that you did the market survey. You know what your draw
24 is going to be. I just think that if this is what it's
25 going to look like on the outside, I think that it looks

1 very plain and very sterile.

2 MR. O'HEARN, SR.: We understood from the comments
3 that the Board gave us last time and we were concerned.
4 We made the trip down to White Marsh and Chuck Poe is
5 here. He is from BA Construction Management. He also
6 made the visit with us. I think that the building when
7 you see it, is surprisingly different. It's how it
8 comes across on paper. It is Hilton's signature for
9 this product. They're not going to allow us to start
10 redesigning the exterior.

11 MS. GOMEZ: I'm not talking about the building.
12 I'm talking about the surrounding area or maybe even
13 around the porte cochere. I know the concept for the
14 building. What I'm saying is - I don't like the
15 building, but I'm not Hilton.

16 MR. O'HEARN, SR.: That is really just for a
17 concept. The landscaping is going to be designed by
18 Jack Faddegon who has already started that process.
19 What you're seeing there now is primarily the existing
20 trees with the addition of a few shrubs around the
21 perimeter of the building. Fire Safety insisted that we
22 use low shrubbery around the building.

23 MS. GOMEZ: I understand that's the concept and
24 they're building them all over the United States. I
25 understand that. I don't have to like it. I'm a Board

1 Member and I don't have to like it.

2 MR. O'HEARN, SR.: We would prefer that you do.

3 MS. GOMEZ: It is neat, and it concise and I guess
4 it's contemporary.

5 MR. O'HEARN, SR.: It's aimed at a specific
6 demographic.

7 MS. GOMEZ: What is that demographic?

8 MS. DOLAN: It's a young traveling technologically
9 savvy professional. I think that it's that quick-in and
10 we're going to go right to our room, and then we're
11 going to do business all day and not spending a ton of
12 time except for the outdoor areas. Everything is a
13 simpler amenity at that point. They have ports in every
14 room and it's very green inside. I think for what
15 you're saying, in that picture from a female perspective
16 what it lacks is color. I think that's what we're
17 working on with Faddegon's is to try to get more of that
18 in the entryway with flowers.

19 MS. GOMEZ: So, this is extended stay. So, you're
20 going to be looking at like Global Foundries or GE - the
21 younger people that are going to come in, do their time
22 at Global Foundries and GE, check-in and check-out and
23 get on their laptops, barbeque and get out.

24 MS. DOLAN: Yes, and we did see some families down
25 in White Marsh. We added some of the similar amenities

1 that they've added. So, we will see some of that.
2 Typically, that would be the audience that we are
3 targeting.

4 MR. POE: It's hard to see in the rendering, but
5 the dark brown on the bottom, it's about 36 by 48. We
6 added that since last time. We also incorporated some
7 of the elements at the request with regard to adding
8 more brick. I agree with you. It does present itself
9 very, very nicely. The pictures do not do it justice.

10 MS. GOMEZ: I don't love it, but it is what it is.

11 MR. O'HEARN, SR.: It sounds like your warming up
12 to it.

13 MS. GOMEZ: I was with the Marriott for 22 years.
14 My husband works for Hyatt. I know that you have to go
15 by corporate standards.

16 I'm done. That's probably the most that I've
17 spoken since I have been on the Board.

18 ACTING CHAIRMAN LANE: Susan?

19 MS. MILSTEIN: Nothing.

20 MR. AUSTIN: I understand the concept. I don't
21 know if we have anything in Colonie like that right now
22 for the extended stay with the marketing to the tech
23 savvy young professional, as you're saying. As those
24 young professionals are coming in and staying for a
25 month or however long, they're not looking for something

1 like a swimming pool. I pulled up on my phone and
2 looked at it. I would stay there. I think that it's a
3 very nice hotel.

4 ACTING CHAIRMAN LANE: Joe, do we have any comments
5 from the Fire Department about the secondary access?

6 MR. LACIVITA: They had the meeting and Joe met
7 with the developer and Mr. Poe, as well.

8 ACTING CHAIRMAN LANE: I think that we skipped Joe.

9 MR. LACIVITA: We'll get to Joe and then we'll talk
10 to the residents, as well.

11 We did speak to Fire Safety regarding that and
12 they did want a full access, but I think that there
13 were some issues as we started to develop Aviation
14 Road.

15 ACTING CHAIRMAN LANE: What about an additional
16 access on that side as well? You want an entrance and
17 an egress.

18 MR. LACIVITA: I don't think that we're looking for
19 a full egress. I'll let Joe speak to that as well.
20 When we talked to Fire Safety prior to meeting with the
21 developers, Mr. Poe and Mr. Connors, we talked about
22 access that was just specifically for Fire Safety. I
23 think that as the hotels are coming before us, they're
24 looking for that main entry into their main access point
25 and their main entry point. That's what they're looking

1 for. When you have that double entry, hotels don't want
2 it. I'll turn that over to Joe and let him speak to
3 that. As we talked about that access point, things were
4 designed to meet by Fire Safety they said that they
5 would accept one on Metro.

6 MR. GRASSO: In your packet there is a comment
7 letter that we did on the concept plan. Unfortunately,
8 we don't have comments on the new information that Pat
9 shared with us tonight. So, a lot of our comments are
10 obviously related to the original package that we
11 reviewed. We haven't had a chance to review our
12 comments against what he recently submitted, but I'll
13 try to speak to those things as much as the Planning
14 Board has not already commented on things.

15 The first comment our letter is regarding the
16 architecture for the building. There were comments
17 that we brought up during sketch plan review. There
18 were extensive comments brought up by the Planning
19 Board during sketch plan review regarding the
20 architecture of the building. Some of the things that
21 have been recommended to the applicant, we think have
22 been addressed by submittal. If you look at the four
23 bulleted items in our first comment letter, they have
24 limited the use of efus, and they've introduced some
25 more durable materials such as synthetic stone. Chuck

1 Poe was describing that. Those are good things. They
2 have all the bands that extended on all of the
3 elevations, which we think is a good element.

4 The next two things are the things come from the
5 Town's architectural design standards. This definitely
6 doesn't comply with the Town's design standards. If
7 you look in the architectural design standards, it
8 really relates to more transitional style of
9 architecture and does not bode well when you try to
10 marry those designs with a contemporary style building.
11 This is where it really gets difficult. We've had
12 trouble with this on other projects. As we try to say
13 okay, if you're going to propose a contemporary style
14 building, there are certain elements to the design
15 standards that you can pull out like window
16 fenestrations and the architectural detailing that can
17 comply even to a contemporary building. Those are the
18 things that can make the building much more inviting
19 and less stark looking and still have that contemporary
20 flair. There are those types of things that we still
21 don't see in the revised elevations in the renderings
22 brought to us tonight. If you take one certain view,
23 there really isn't much detail on any of the corners;
24 even in the area that's brick. It's a solid brick.
25 there is no vertical relief within that brick wall,

1 whatsoever. There is no trim work around any of the
2 elevations. I'm just trying to explain the deviation
3 from the project as it relates to the design standards.
4 That's what the Planning Board should be reviewing as
5 the basis for projects. They should look at the
6 picture of the design standards that the Town has and
7 then where it deviates and understand why there are
8 things that can be done that can address some of the
9 comments regarding the starkness of the building or
10 making it inviting or appeal more aesthetically
11 appealing. These are some of the things that you have
12 applied to other projects like the Staybridge Suites and
13 the Homewood Suites. They're very attractive looking
14 buildings even though they don't have traditional style
15 architecture.

16 There was the detailing around the windows. The
17 windows go right into the sidewalls, so that there is
18 no trim whatsoever. Even if you use the same siding
19 material to provide some texture along the sides of the
20 buildings and some relief, you can get into that
21 detailing that can make a building look more inviting.
22 I don't know how far you can deviate from the prototype
23 before they're going to raise a concern, but I think
24 that there are things that can be done that can address
25 the Planning Board's concern to the tenant. Those are

1 things that I think that they should continue to work
2 on and come back as the project works through the
3 design process.

4 MS. GOMEZ: So, there are 13 prototypes?

5 MS. DOLAN: There are about 20 built right now.

6 MS. GOMEZ: Are they all built to the same
7 standards - every single one?

8 MS. DOLAN: They were unless they were a rehab of a
9 historical building.

10 MR. MITCHELL: Although this one has things that
11 they don't need. For example, the tile - we added that
12 on. We did that due to a comment and we also added the
13 brick. We did things that to try to satisfy your
14 concerns.

15 MR. O'HEARN, SR.: It is a different look; granted.
16 It's not meant to look like a Residence Inn or even a
17 Homewood, which is the same thing. It is, as I
18 mentioned earlier, tailored to a demographic. It's
19 trying to attract a younger more tech savvy traveler.
20 Those that are involved in technology. It isn't a look
21 for everybody, but we were pleasantly surprised because
22 we were concerned with the comments that the Board had
23 during our sketch review. When we visited White Marsh,
24 which it was very similar in size to what we proposed
25 here, it surprised all of us when we actually saw it.

1 It is a very attractive different building. I think to
2 try to add different architecture to make it look like a
3 more traditional building, it's now going to move this
4 away from what it's trying to achieve.

5 MS. GOMEZ: I understand what you're trying to
6 achieve but you can't put -- I don't now how to say it.
7 You have buildings and you have a neighborhood and there
8 is a flavor of a neighborhood. You can't just put
9 something inside of it that doesn't match. I understand
10 the concept. I don't like it, but I'm just one of the
11 Board Members. I wouldn't say no, don't put it there
12 because it's going to create jobs and it's great for the
13 economy. We've got all the kids coming in from Global
14 Foundries and GE. We need some place to put them and we
15 need some place to attract them. I don't like the way
16 that it looks, but that's going to happen. That's my
17 personal opinion for this Town and what is being built
18 for this Town.

19 MR. AUSTIN: This is a commercial area. It's a
20 business in a business zone.

21 MR. GRASSO: I think that it's really important.
22 It's been a great dialogue with the Planning Board. As
23 the project moves forward, we need to decide: Is it
24 something that you want them to continue to try to make
25 refinements and us work with them on and bring things

1 out in the design standards? Or do you feel comfortable
2 in the architecture the way that it is and allow the
3 building to proceed?

4 ACTING CHAIRMAN LANE: I hear what they are saying,
5 but I don't think that any of us here are the intended
6 target audience of this place. I don't feel comfortable
7 placing a judgment on the style. If the rest of the
8 Board is more favoring giving more of an opportunity to
9 see what else could be done, that's fine.

10 MR. AUSTIN: What color match are you talking about
11 with the grills? Is that underneath the windows?

12 MR. GRASSO: Right now it's hard to tell exactly
13 what the grills - if it's just trying to introduce
14 another color or tie in with the frame to the windows.
15 It was just hard to tell. You have to understand that
16 we made these comments based on the original
17 application. So, there is new information that we can
18 see if the color of the window grills is trying to tie
19 into other architectural elements. What we saw
20 originally, was it just looked like it was just steel
21 grills on the air conditioning units that didn't really
22 tie into the building in any other way. If that was the
23 case, we thought that the building would look better if
24 they either tie it in with the adjacent siding material
25 right to the side - the brick color here and the cocoa

1 color here -- if not, maybe it's something that's tied
2 in - this is the first time we're seeing this view and
3 he's tying it to a steel frame color down below.

4 MR. O'HEARN, SR.: If you see the bands that
5 surround what you call the cocoa color - they're
6 actually a silvery beige that tie into the window.

7 MR. GRASSO: So, that would be a grill color and a
8 store front color.

9 MR. O'HEARN, SR.: Single unit; yes.

10 MR. GRASSO: And that would be a storefront color
11 as well?

12 MR. O'HEARN, SR.: Yes.

13 MR. GRASSO: That addresses our comment.

14 MS. VAIDA: Tim, I just wanted to point out about
15 your comment that you just made about this not being a
16 place that maybe any of the Board Members would go to.
17 First of all, I take exception to that.

18 Secondly, if you look at the Land Use Law, it's
19 really a matter of the regulations that would require a
20 certain design standard. We're in districts and that's
21 why they exist. It's more of a question of looking at
22 what they're not complying with and deciding some of
23 them may require a waiver, for instance, and it would
24 have to be a particular showing.

25 ACTING CHAIRMAN LANE: I said that if the Board is

1 more in favor of pushing the Board to have this portion
2 of -

3 MR. LACIVITA: I think that we have to drill down
4 into what the standards say. We're trying to meet the
5 intent and we have to work with the standards as well.
6 I think that they're trying to meet those standards.

7 MS. GOMEZ: If it's the standard, then it's the
8 standard. Personal preference will vary from everybody
9 in this room. Just because it's not my preference
10 doesn't mean that I would stay there.

11 MS. VAIDA: I think that Joe asked the question, do
12 you want him to continue to work with the applicant to
13 try to meet the design standards? I think that's
14 something that is important and there needs to be an
15 attempt to comply with the standards.

16 MS. DOLAN: Is there something specific that -

17 MR. AUSTIN: Not on my part, there isn't.

18 MS. DALTON: I don't have the design standards in
19 front of me, but I think that the one standard that it
20 should meet is having appropriate entrances. We do have
21 the requirements with regard to front facing the road,
22 right?

23 MR. GRASSO: The front area - the front entrance
24 and facade is suppose to face the public street - which
25 this was discussed at sketch plan. If you're

1 considering the porte cochere as their front door, this
2 program is set up as it's on the side of the building.
3 That's something that because it's on a side, if you
4 want it highlighted a certain way or differently, that's
5 something that you could bring up. The design standards
6 definitely say that the front of the building is
7 supposed to face the front of the street. That was
8 something that was discussed at sketch plan.

9 ACTING CHAIRMAN LANE: Is the address of this going
10 to be 10 Metro Park Road or was it going to be a Wolf
11 Road address?

12 MR. MITCHELL: The address of 10 Metro Park is what
13 Fire Services suggested.

14 ACTING CHAIRMAN LANE: Was that discussed
15 previously? Wasn't there discussion about it being a
16 Wolf Road address?

17 MS. DALTON: No, I think that's where the sign is
18 going to be.

19 MR. O'HEARN, SR.: We have a zoning variance to
20 allow us to put a sign out on Wolf Road.

21 ACTING CHAIRMAN LANE: Okay, so that was only in
22 reference to the sign.

23 MR. GRASSO: I think that they tried to justify the
24 porte cochere to that side because they expect the
25 dominate flow of traffic to be coming down Metro Park

1 from Wolf Road. So, as your approaching the building,
2 that's the narrow side of the building. So, your eye is
3 going to be drawn to the porte cochere area. It will
4 appear that is the front of the building, even though
5 the building faces Metro Park Drive.

6 MR. O'HEARN, SR.: You drive straight into the
7 porte cochere here (Indicating). Then there are
8 secondary entrances on the other three sides of the
9 building.

10 MR. GRASSO: Kathy, any more on that?

11 MS. DALTON: No, thank you.

12 MS. VAIDA: Were there any particular design
13 standards that you were thinking could be - that they're
14 not meeting that could be worked with?

15 MR. GRASSO: No. The things that we picked out
16 were the window fenestration and the architectural
17 detailing. I think that we're going to be comfortable
18 with the colors in the building and the grills.

19 MS. GOMEZ: So, it doesn't meet the design
20 standards.

21 MR. GRASSO: No, it doesn't meet the design
22 standards. Clearly, it does not meet the design
23 standards. The design standards are really geared
24 toward a more traditional architecture and there are lot
25 of things in here that clearly don't meet it. But the

1 design standards allow a lot of discretion. When we're
2 looking at a building that clearly is contemporary and
3 it's not going to meet the design standards, then we
4 need to decide whether there are certain elements in the
5 design standards that we want to pull out and try to
6 apply to the project. If you get into all the stuff
7 like the gables and canopies -- it does not require a
8 waiver. The Planning Board uses those design standards
9 because they try to create a vision for the look of the
10 buildings within the Town. Cap Com was similar. It was
11 much more of a contemporary building. There were
12 certain things that the Planning Board wanted to see
13 regarding the architecture that they felt brought out
14 some of those elements regarding the look of the
15 building and the way that the entrance was designed and
16 the level of finishes and things like that.

17 MS. GOMEZ: So, this is the corporate standard.
18 Unless there is anything specific that anyone has
19 specifically to change, it's the corporate standard.

20 MR. GRASSO: And the Planning Board can go along
21 with that and approve the project.

22 MS. GOMEZ: It's a business - whether I like the
23 building or not doesn't mean that it's not a good piece
24 of business. A corporate standard is a corporate
25 standard. I'm not an engineer and can't think of

1 anything that would bring it more toward -

2 MR. GRASSO: I would need to study the information
3 that was provided.

4 ACTING CHAIRMAN LANE: He still has more comments
5 to go through.

6 MR. GRASSO: We can circle back once we do a wrap
7 up.

8 Regarding the waivers that the Planning Board will
9 have to act on, the one is exceeding the maximum front
10 yard setback of 20 feet from either Metro Park or
11 Aviation Road and then the parking in the front yard
12 setback. The layout that we're looking at is very
13 common for a hotel, where you get that ring of 60 foot
14 wide parking wrapped all the way around the building.
15 To push the building up to the corner would be
16 distinctly different than the suburban office park
17 layout that you see along both Metro Park and along
18 Winners Circle and Aviation Road. We had suggested
19 that in order to justify the deviation from the design
20 standards, we recommended that a sketch be provided.
21 It just shows the building all the way up in the
22 corner. So, the Planning Board can understand just
23 what the design standards are trying to push projects
24 to. Therefore, it would be easy to understand why the
25 building wants to shift back away from the corner.

1 We've previously given some support for the waivers,
2 but it's something that the Planning Board needs to
3 acknowledge in their review of the project and that
4 they feel comfortable. They did provide a sketch and
5 you'd just need to think about what that would look
6 like.

7 MR. MITCHELL: There is a sketch in the back of the
8 packet that I handed out tonight. There is a sketch
9 that shows that the building - the main issue that
10 causes is that you have an entrance and you have no
11 queuing if you push the building up to the property
12 line, you have no ability to queue people in the porte
13 cochere. It also goes against some of the other
14 comments that we've received regarding location and all
15 of the access. Again, pushing the building over here
16 requires the full access to be too close to the existing
17 intersection.

18 MR. GRASSO: I apologize. This is the exhibit that
19 we were looking for, and I think that it does a good job
20 of portraying the difficulties. Pat did a good job
21 touching on the specific things as to why this layout is
22 problematic. But based on this, we can agree as a Board
23 that the proposed layout is a better layout for the
24 project.

25 MR. MITCHELL: There are actually two layouts.

1 There is another one where not only do we try to meet
2 the code, we also try to show how we could lessen the
3 waiver. So, we took away this front row of parking,
4 pushed this all up to the front. It pushes parking this
5 way and this way, but it still doesn't get us away from
6 the waiver. It makes the waiver less. The issue that
7 it causes was that because of the parking layout, it
8 pushed the back a little bit further. We do have an
9 existing county easement and a New York Tel easement
10 back there. There is a force main and a telephone line
11 that goes through there. Not that we can't build over
12 that, but that requires a hold harmless agreement with
13 the Town. So, again, it requires something another
14 document to be provided with the Town.

15 MR. GRASSO: The third comment is regarding access.
16 This is something that we discussed at sketch plan and
17 we recommend for these types of uses that they be
18 provided two means of access. Our preference is that
19 all accesses be full paved accesses. But we are also
20 supportive of having one primary paved access and one
21 just be an emergency access that can be even the use of
22 a grass blacks paver or paved and gated or whatever so
23 that could be used in an emergency. CHA is supportive
24 of using -- we'll call it t a grass block paver
25 entrance.

1 One of the things about this site, though, is the
2 need for appropriate access management and the citing
3 of these access points becomes extremely important
4 regarding how these roads are used and make sure that
5 there isn't conflicting turning movements being
6 created. We recommended that the main access for the
7 project be off of Metro Park Drive and we recommended
8 that it be a certain distance from Aviation Road, as
9 well as a certain distance from this cross connection
10 that goes over to Shoppers World. The original sketch
11 plan had this intersection shift a little bit, closer
12 to Shoppers World. In response to our comment, they
13 shifted this curb cut further enough away where we feel
14 comfortable with this main access location. The
15 original sketch plan had a secondary full access
16 connection for emergency, but a paved connection to
17 Aviation Road. We expressed concerns with that access
18 location because the projected volume on Aviation Road
19 is going to be so significant in the future that we
20 need to minimize our curb cuts and there is already an
21 offset intersection that serves 3 Winners Circle and
22 the senior center, as well as 2 Winners Circle.

23 Our recommendation is that the access connection
24 should come off the back which would be on private
25 property. That's 3 Winners Circle, or the west side,

1 which is also private property. This applicant does
2 not have access rights to those properties, which are
3 owned by Beltrone. Even though they have an interest
4 in this project site, this current applicant does not
5 have any interest or easements that would grant them
6 access there. That's something that if they saw an
7 access road connection there to those parking lots,
8 they would need to go get it.

9 MR. AUSTIN: So, Joe, you don't like the access
10 point?

11 MR. GRASSO: They're currently proposing one here,
12 which if that was the full access, we would have
13 significant concerns based on its proximity to the
14 Aviation Road intersection. If it's going to be a grass
15 block paver entrance, as long as it didn't look like a
16 curb cut and people never pulled into it by accident or
17 it didn't impede traffic at the intersection, we would
18 be okay with that. We have a concern whether or not
19 Fire Services will be supportive of a grass block paver
20 entrance.

21 MR. AUSTIN: Didn't we get that approved with
22 Staybridge?

23 MR. LACIVITA: That's what we asked Fire Services
24 to do. It can be designed as Joe mentioned. Both TDEs
25 support that, but Fire Services has concerns of the

1 practicality for that and how it's maintained.

2 MR. MITCHELL: Some of the issues are the winter
3 months. I understand where that comment comes from.
4 Some we've seen before. The issue is that you put grass
5 pavers in here. You still have to plow the thing during
6 the winter or it's a useless entrance.

7 MR. LACIVITA: In both applications you're looking
8 at what's being used. If you look at what's currently
9 be maintained by the developers - it's like the Hoffman
10 property. It's extremely meticulous. I don't see it
11 being a problem. Fire Safety has issues that it can't
12 support the weight of the Fire Services' apparatus.

13 MR. MITCHELL: The applicant currently operates
14 another motel in the Town that is - this is 91 and the
15 other one is 85 unit hotel that has single access.

16 MR. AUSTIN: Which hotel is that?

17 MR. O'HEARN, SR.: It's Hampton Hill Suites on
18 British American Boulevard, up Route 7.

19 MR. GRASSO: We would be more supportive of no
20 access there, than doing a full access; even if it's
21 gated emergency access. If it's a paved curbed access,
22 we'd recommend that the project only be provided one
23 means of access to the site. If the grass block
24 entrance is not going to be approved by Fire Services
25 and if we have exhausted all other up in these four

1 cross connections -- you have to understand that this
2 whole Metro Park area/Winners Circle. All of these
3 properties have cross access between all six; whether or
4 not it lies with an agreement or right of way or not;
5 they're all interconnected. We think that's something
6 that should be continued on as the projects develop in
7 this corridor. We want to make sure that those avenues
8 are exhausted as well. I don't know if we need to make
9 a decision tonight or need direction from the Planning
10 Board. I think that it's something that we can work
11 with the applicant on and we can fold Fire Services into
12 this discussion and try to reach agreement on it. If
13 it's something that we feel that we've got a show
14 stopper, then I think that it's something that we bring
15 back for Planning Board review immediately and get some
16 clarification. Ultimately, it's going to come down to
17 the Planning Board's decision on whether the site plan
18 gets approved. That's similar to the issue when it came
19 up on the Staybridge Suites. Ultimately, it comes down
20 to what you guys want to see on the site.

21 MR. AUSTIN: I am leaning toward your
22 recommendation as to whatever Fire Services comes up
23 with and go with your recommendation of not having or
24 going with the grass block paver if we can.

25 MR. GRASSO: The comments get more minor. Next was

1 the use of decorative fencing. If you remember with the
2 Cap Com project, there was a lot of review regarding
3 whether or not it was warranted. Even though it's
4 something that's spoken of in the design standards - it
5 was just a recommendation. They don't need a waiver.
6 Based on our review, we don't feel that it was
7 appropriate and doesn't add anything to the site. It's
8 something that we just wanted to raise to the Planning
9 Board in case there is any kind of landscaping concerns
10 that they thought that fencing or other things should be
11 provided along the front. Nobody has brought it up so
12 far tonight.

13 The other comments regarding the grease traps and
14 the water main location and sewer are all relatively
15 minor. Regarding the sewer service, this site is also
16 within the Wolf Road pump station service area. So,
17 just like the last project, it's going to have to look
18 at the impacts of their project on that pump station.
19 It's something that needs to be looked at as the
20 project is worked through. We don't know if there is
21 critical infrastructure that currently needs to be
22 made, but we have to make sure that there is adequate
23 capacity in the station to serve these projects and
24 we'll report back to the Planning Board and see if
25 there is something incumbent on the project that they

1 have to do in order to create that capacity.

2 The last comment is regarding SEQRA. It's an
3 unlisted action. Normally we only require a short EAF.
4 The Town Attorney's office requested a full EAF, which
5 they have provided. The project site is also in the
6 airport area GIS, so the project is going to be
7 reviewed to be in conformance with the statement of
8 findings and mitigation fees. There is nothing there
9 within the findings that we don't think that the
10 project will comply with. So, we don't think that
11 there is going to be any significant effects associated
12 with the project. We haven't heard any concerns by the
13 neighborhood yet that are going to require any special
14 studies, and there isn't anything that's been brought
15 up by the Planning Board so far. As of now, the full
16 EAF adequately describes the environmental setting and
17 the anticipated environmental effects of the project.

18 So, that's where we're at in the concept review.

19 ACTING CHAIRMAN LANE: Any comments from the
20 public? I have one name on the sheet.

21 David Fonseca.

22 MR. FONSECA: Thank you. I'm David Fonseca and I'm
23 a resident of 6 Winner's Circle, the Beltrone Living
24 Center, and I'm speaking for myself tonight. What I
25 have to convey to you is that I live 400 feet from where

1 this project is going in. That is my domicile and that
2 is my residence. My request is that we get walking
3 access to Wolf Road that is safe. That building has
4 been there for 13 years and we have not had a sidewalk
5 to walk on to Wolf Road. I believe that it's time for
6 the Planning Board to consider it necessary to propose
7 to the Town Board that they provide with this type of an
8 access.

9 On the south side of this project and on the east
10 side there is a sidewalk. There is a five-foot
11 sidewalk. There is no five-foot sidewalk from that
12 time onto Wolf Road, and that's another 200 feet. Now
13 there are sidewalks adjacent to the buildings there,
14 but they are not five-foot sidewalks. You can go by
15 and look at them and look for yourself. We need
16 another sidewalk that's probably 250 feet down from
17 Aviation Road down to meet our sidewalk down to the
18 Beltrone Living Center. We're really talking about 300
19 feet of sidewalk to Wolf Road and maybe 250 to 300 feet
20 of sidewalk down to the Beltrone Living Center. Why
21 do we need this sidewalk? We need that side.

22 There are other residents living at the Beltrone
23 Living Center permanently. They're not just there
24 temporarily. They're not like this hotel. They're
25 living there spring, summer, fall and winter. Many of

1 them, in order to get to Wolf Road, where they don't
2 have transportation - my wife included - walks across
3 the field that you're going to build on, or walks
4 around on the road. We have had a number of people
5 that use their electric motor cars to scoot along the
6 road and go out to Wolf Road. One fellow was even
7 brave enough to take his scooter all the way to Colonie
8 Center. Maybe there are others that have done that.
9 I'm talking about dozens and dozens of people who have
10 done this in the last four years that I've been there.
11 So, consequently, what I'm asking is: Has the Town
12 considered if before you approve this project to work
13 out something with the Town Board so that we get a full
14 sidewalk all the way from the Belltrone Center down to
15 Wolf Road? I think that we're entitled to that. This
16 is a Town of 82,000 people. You're going to put three
17 more motels in. The woman who is head of the Albany
18 County tourists says that once these hotels go in -
19 and that includes the one down by the Macy's - the Town
20 of Colonie is going to have more hotel rooms than any
21 other place in all of Albany County. Consequently, we
22 are an urban city. What I'm asking is: Let's get the
23 infrastructure so that we look urban. We're not
24 someplace half out in the country still. That's what
25 I'm asking the Planning Board to consider.

1 Work with the Town Board so that we get whatever
2 it takes in terms of financing to get us a sidewalk -
3 and I mean a five-foot sidewalk.

4 Just to follow up on Joe LaCivita's question to
5 the Director of our Senior Resource Department two
6 weeks ago, you said that we have that place out in
7 front where the shopping things are and you can't
8 disturb that. Okay, so the sidewalk is back in next to
9 the stores. The sidewalk next to the stores would be
10 all right if you made it five feet, but you don't have
11 it five feet. You need to make the crosswalks there
12 and make the connections so that the sidewalk on the
13 south side here and on the east side of this property
14 connects with the sidewalk to go out onto Wolf Road.

15 I want to thank you very much for listening to me
16 and I hope that you'll be able to take some action.
17 What I'm really saying to you is that the seniors need
18 a sidewalk.

19 MS. REED: I'm Laura Reed from the Town
20 Conservation Advisory Council. I just didn't hear of
21 any mention of how much greenspace was going to be on
22 this project.

23 MR. MITCHELL: We do need to require greenspace.
24 The requirement for greenspace is 35 percent and we have
25 38.7.

1 MR. AUSTIN: Does the applicant want to address the
2 gentleman's concerns on sidewalks? I saw that there was
3 a white line around that.

4 MR. MITCHELL: We are proposing as part of our
5 project to run sidewalk along Aviation Road, along Metro
6 Park Road all along our frontage. As we work with
7 Clough Harbour regarding some future improvements on
8 Aviation Road, we're kind of directed to end our
9 sidewalk at this point. Eventually, I guess the thought
10 is that this road may bend a little bit and some rework
11 to the road will happen through a master plan to connect
12 further on. We were opposed to extending this, but
13 again the issue is that it would be temporary in nature
14 up until those future improvements were made.

15 MR. GRASSO: I can speak to that a little bit.
16 Like we talked about, the project is in the airport area
17 GIS and the mitigation is being collected for
18 transportation improvements in accordance with the
19 Capital Improvement Plan. The Capital Improvement Plan
20 has traffic invested improvements include a roadway
21 connection that is going to start at Sand Creek Road,
22 come up Aviation Road, go down past the project site on
23 the right hand side up that road, continue down Winner's
24 Circle, convert into a Town Road, come past Cap Com and
25 then extend all the way to Albany Shaker Road. We have

1 roadway improvements planned. We also have sidewalks
2 planned on both sides of that whole road corridor.
3 There is going to be sidewalks on both sides of Aviation
4 Road. All the projects in this area are contributing
5 mitigation fees to fund those sidewalks on both sides.
6 So, this project is proposing to build a segment of the
7 sidewalks on that plan so they will be entitled to a
8 credit for the cost of the sidewalk that they build on
9 Aviation Rod.

10 There is a longer range plan that will fund the
11 rest of those improvements. There is nothing in the
12 Capital Improvement Plan that has identified projects
13 contributing to sidewalks along Metro Park Road. But
14 the project was requested to provide a sidewalk along
15 its frontage because of the commercial nature of the
16 site and the need for sidewalks to someday go along the
17 Metro Road corridor. We've got to make sure that when
18 projects build sidewalks that there is an access
19 between a specific project and the sidewalk that the
20 Planning Board asks them to build. I think that here,
21 they clearly are providing pedestrian accommodations
22 that relate to their project.

23 MR. AUSTIN: What is the standard width of the
24 sidewalk?

25 MR. GRASSO: The standard width is five feet. Mr.

1 Fonseca did a great job describing the extent of
2 sidewalks up on Metro Park Drive. There are sidewalks
3 along the facade of the building, but they're just that.
4 They're just along the facade of the building. I think
5 that they are approximately five feet wide. They do
6 have some projections where you've got some columns that
7 come out from the building that may encroach on the
8 space, but there is a relatively continuous sidewalk
9 connection all the way across the businesses, all the
10 way up the Metro Park Road.

11 MR. FONSECA: Not completely, though.

12 MR. GRASSO: There are some gaps and Belltrone has
13 made certain improvements. They're actually making
14 additional improvements along Metro Park Road this year
15 and I think that they are working on a plan to try to
16 make improved pedestrian connectivity between their
17 properties that does extend to Wolf Road. I just want
18 to make it clear that there isn't anything in the
19 airport area GIS that is funding improvements along
20 Metro Park Rod. That would need to be something that is
21 done by either Belltrone by being the property owner or
22 the town take it on themselves.

23 MR. FONSECA: I'd like to address a comment. This
24 is a commercial development. They're not asking for
25 sidewalks on all four sides of the building. They're

1 only asking for sidewalks on two sides of the building.
2 I think that the project itself should be able to afford
3 a full sidewalk along Aviation Road side as paid for as
4 part of this project, or maybe be given a credit for it.
5 This is going to be a project that is going to increase
6 traffic a great deal along Aviation Road and Metro Park
7 Drive and we're not going to be out in the woods or out
8 in the country like we were before when people could
9 walk across the field. So, that's where I'm coming
10 from.

11 MR. GRASSO: Understood.

12 MR. MITCHELL: Just so that the Board understands a
13 little bit further: Currently Aviation Road - the right
14 of way for Aviation Road ends here (Indicating). So,
15 beyond here is Belltrone's property. These roads are
16 all Belltrone or were Belltrone at one time.

17 MR. GRASSO: And the project will contribute
18 mitigation fees for the areas that it is not
19 constructing sidewalks. I think that's important to
20 recognize. They will get credit for the portion that
21 they are building only along Aviation Road. They don't
22 get any kind of credit for that 600 feet that they build
23 along Metro Park Road. They also don't get a credit for
24 the sidewalk that they build along the front of the
25 building or along the side of the building, too. There

1 is almost two sets of sidewalks.

2 MR. AUSTIN: It seems like there is a sidewalk that
3 goes to nowhere. The greenspace where you have it
4 delineated on the diagram, there is a bit of a gap
5 there. It doesn't look like a sidewalk. It looks like
6 a concrete pad.

7 MR. MITCHELL: It's a little park-like atmosphere.
8 It's not very big.

9 MR. AUSTIN: Then there is no sidewalk after that.

10 I think that to address the gentleman's concern
11 maybe on Aviation Road, maybe we can give them a
12 projected time line of when there might be a sidewalk
13 going in there? Is there a projected time line there
14 when there will be a full sidewalk?

15 MR. GRASSO: Five to ten years.

16 MR. LACIVITA: I think that on the same
17 understanding of what Mr Fonseca is saying, we've been
18 asked for how many years now about sidewalks? We've
19 been successful in getting them now to be designed by
20 DOT. We're going to start to see installation coming
21 from Siena College all the way down to Newton Plaza. It
22 takes time and continued efforts. I think that we have
23 a point now where we have businesses coming in this
24 corridor that are going to start to pay toward the road
25 improvements and those types of things. That was

1 something that we thought would never happen. All the
2 sudden with Cap Com coming in, we now have the road
3 extension. We have the roundabout. We have that small
4 gap happening. I think that once you start to see
5 Aviation Road get completed, these other sites will
6 develop and all will pay contributing shares to certain
7 things that will start to see other improvements in the
8 area. It does take time and it takes persistence and
9 that's what we're going to do.

10 MR. AUSTIN: If it's going to be that kind of a
11 timeline to put them in, is that going to be an expense
12 to the applicant to satisfy the means of -

13 MR. GRASSO: Brian, you're talking about further up
14 Aviation? The problem that we have is that we're
15 looking at a realignment of Aviation Road and we
16 wouldn't want the applicant to construct something and
17 then for us to come in and rip it out three, four, or
18 five years later. We'll look at the logical termination
19 of the sidewalks and make some decisions as they advance
20 through the design process.

21 ACTING CHAIRMAN LANE: Other comments from the
22 public?

23 (There was no response.)

24 ACTING CHAIRMAN LANE: My sense is that the Board
25 does want to continue to have the architectural review

1 and the design of the building. I don't know if anybody
2 is ready to vote on concept this evening. Additionally,
3 Fire Services needs to get a handle on this.

4 MR. GRASSO: We feel comfortable. In terms of
5 where we were with Staybridge Suites, we were dealing
6 with that issue even at final review. From a concept
7 point, they still have a lot of work in terms of
8 investigating options or presenting, but I think that we
9 have a good dialogue going on.

10 MS. DALTON: I think that we're okay to vote.

11 ACTING CHAIRMAN LANE: So, we can have concept and
12 then address some of those other architectural issues.

13 MR. GRASSO: And even in the architecture, they've
14 made some improvements and I don't think that we're too
15 far off there.

16 ACTING CHAIRMAN LANE: You're comfortable to
17 continue that discussion?

18 MR. MITCHELL: We are and we'll continue
19 discussions with Joe on the more technical side of
20 meeting those guidelines in relationship to some of the
21 color matching issues and some of the other issues you
22 mentioned.

23 ACTING CHAIRMAN LANE: So, your feeling is that we
24 move forward with concept until final and we can
25 continue that dialogue.

1 MR. MITCHELL: And we can get some happy medium
2 that both satisfies both Hilton and satisfies the Town.

3 MR. LACIVITA: Maybe during the course as the
4 review comes closer to final, we can bring the applicant
5 back another time just to review where we are.

6 ACTING CHAIRMAN LANE: Were there any other items?
7 I think that was pretty much it. We don't have to vote
8 on the waivers tonight.

9 MR. AUSTIN: I'll make a motion on concept
10 acceptance.

11 MS. DALTON: Seconded.

12 ACTING CHAIRMAN LANE: All those in favor?

13 (Ayes were recited.)

14 MR. MITCHELL: Thank you very much for your time.

15

16 (Whereas the above proceeding was concluded at

17 9:07 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.

NANCY STRANG-VANDEBOGART

Dated July 18, 2013

