

1 PLANNING BOARD COUNTY OF ALBANY  
2 TOWN OF COLONIE  
3 \*\*\*\*\*  
4 NORTHRIDGE HOLLOW CLUSTER SUBDIVISION  
5 MILLER & HASWELL ROADS  
6 ELIMINATE SIDEWALK CONNECTION  
7 AND MODIFY RESIDENTIAL CARRIAGE HOME ELEVATION  
8 \*\*\*\*\*  
9 THE STENOGRAPHIC MINUTES of the above entitled  
10 matter by NANCY STRANG-VANDEBOGART, a Shorthand  
11 Reporter, commencing on August 13, 2013 at 7:40 p.m. at  
12 The Public Operations Center, 347 Old Niskayuna Road,  
13 Latham, New York  
14  
15 BOARD MEMBERS:  
16 PETER STUTO, CHAIRMAN  
17 TIMOTHY LANE  
18 SUSAN MILSTEIN  
19 KATHY DALTON  
20 KAREN GOMEZ  
21 LOU MION  
22  
23 ALSO PRESENT:  
24 Elena Vaida, Esq., Counsel to the Planning Board  
25 Joe LaCivita, Director, Planning & Economic  
Development  
Nick Costa, PE, Advanced Engineering and Surveying  
Nia Cholokis, Esq.

1           CHAIRMAN STUTO: The next item on the agenda is  
2 Northridge Hollow Cluster subdivision. This is at  
3 Miller and Haswell Roads and this is to eliminate  
4 sidewalk connection.

5           Joe LaCivita, do you have an introduction on this?

6           MR. LACIVITA: Sure. This is a two-parter tonight.  
7 We have both Nia Cholakis and Nick Costa here tonight.  
8 We're going to talk about the project currently under  
9 construction and some of the restraints that are  
10 currently on-site. One being the sidewalk and the  
11 elimination of the sidewalk based on grading that is  
12 currently there.

13           The other one is to modify the residential  
14 carriage home as to add for availability to the  
15 residents that are currently looking at that area, and  
16 to give them options as far as selecting the model.

17           I'll turn that over to Nick and Nia.

18           MR. COSTA: Thank you, Joe.

19           Good evening. My name is Nick Costa and I'm with  
20 Advanced Engineering and Surveying. We were asked by  
21 Rosewood to do the construction stake out of this  
22 project. During that time, the contractor asked us to  
23 stake the sidewalk and during that time we discovered  
24 that the proposed sidewalk as shown on the approved  
25 drawing does not meet ADA requirements.

1           ADA requirements are that the maximum slope on a  
2 sidewalk that is for public access has to be a maximum  
3 of a five percent slope. The way that the sidewalk is  
4 currently designed, it varies.

5           There are several different slopes along it.  
6 There are some slopes that are 10 and some slopes that  
7 are eight or 11 percent. It probably averages about 10  
8 percent. The length of that sidewalk from Miller Road  
9 to Waverly Circle is about 180 feet. The elevation  
10 difference at that location is such that if we wanted  
11 to construct that sidewalk at five percent, it would  
12 have to be 360 feet. That would be double the distance  
13 that we have available to construct that sidewalk.  
14 That was the reason that we made that request on behalf  
15 of Rosewood to eliminate the sidewalk because it can't  
16 be constructed the way that it's presented on the  
17 current drawings.

18           MR. LANE: What about steps?

19           MR. COSTA: It has to be ADA accessible.

20           MR. LANE: You can't have a ramp?

21           MR. COSTA: The maximum that the ramp can be is  
22 five percent.

23           MS. DALTON: Right, and we've all seen sidewalks  
24 that kind of loop, so that it reduces the slope.

25           MR. COSTA: We did consider that, but we're talking

1 about having 180 feet and trying to make that 360 feet  
2 long - doubling the distance that we have available.

3 MS. DALTON: Again, you can only go straight from  
4 the top to the bottom, but if you wound it down and then  
5 it went diagonal, you'd have more than 180 feet.

6 MR. COSTA: That's correct, but we can't make 360  
7 feet. We can't double that distance. We may be able to  
8 get to 200 to 250 -- I'm not sure if 250 is doable, but  
9 it won't be 360. It's double that distance.

10 CHAIRMAN STUTO: Kathy, if you don't mind, I just  
11 want to ask one thing that I'm unclear of. I don't mean  
12 to interrupt your argument.

13 Where is the sidewalk now on the layout? Where is  
14 is eliminated? I don't think that I'm getting that  
15 from the drawings.

16 MR. LANE: We can't see that at all.

17 MR. COSTA: This is Miller Road, right here  
18 (Indicating). This is Waverly Circle (Indicating).

19 CHAIRMAN STUTO: Can you show me on this  
20 (Indicating)?

21 MR. COSTA: Sure, it's right here (Indicating).

22 CHAIRMAN STUTO: So, it's along the lot line. Is  
23 there a sidewalk there from that connection, or no?

24 MR. COSTA: No.

25 CHAIRMAN STUTO: Are there internal sidewalks?

1 MR. COSTA: No, because you also have to grade.

2 MR. LANE: Is that a house that's there right now  
3 (Indicating)?

4 MR. COSTA: Yes.

5 CHAIRMAN STUTO: Is there a sidewalk that's on the  
6 main road?

7 MR. COSTA: No.

8 MS. CHOLAKIS: Can I say something?

9 CHAIRMAN STUTO: Sure.

10 MS. CHOLAKIS: The sidewalk that is currently on  
11 the plan, there is only one section of sidewalk on the  
12 entire plan and it goes from nowhere to nowhere.

13 There is a mailbox kiosk in that general vicinity  
14 and there was a sidewalk that was going to connect  
15 Miller to Waverly. I don't know why because it makes  
16 no sense whatsoever. It's the only sidewalk that's  
17 proposed for the entire subdivision and it doesn't  
18 connect anything. There is a pull-off to pull off and  
19 get your mail at the kiosk. There is really no need  
20 for a sidewalk. That sidewalk would not connect to  
21 anything. It's a mailbox kiosk. So, that sidewalk is  
22 not proposed to connect the occupants of the  
23 subdivision to the kiosk. It wasn't intended for that  
24 and frankly, I don't know why it was even placed on the  
25 plans.

1           MR. LANE: It's a matter of connectivity from one  
2 neighborhood to another. We're trying to connect and  
3 not isolate.

4           MS. CHOLAKIS: But we have two other entrances  
5 coming into the neighborhood.

6           MR. LANE: But that's driving. That's not what  
7 we're talking about. We're looking for connectivity and  
8 not to isolate neighborhoods.

9           MR. LACIVITA: Tim, I think that one of the things  
10 that you'll find in that area is the close proximity of  
11 the road alignments that are in that neighborhood. I  
12 live right across the street from it. You can go from  
13 neighborhood to neighborhood via the roadway.

14           As Nia was just talking about, this is a sidewalk  
15 that was contingent to be constructed, but it goes  
16 nowhere. Once you get into the internal blueprint of  
17 this development that they're doing, there are also  
18 nature trails with it. But again, there is no  
19 connectivity to the sidewalk to the nature trails.  
20 It's all through the internal walking of the road.

21           CHAIRMAN STUTO: Is that a common area? Is it  
22 going to be a grassy area?

23           MR. COSTA: It would be a lawn.

24           CHAIRMAN STUTO: Owned by whom?

25           MS. CHOLAKIS: Owned by the homeowner's

1 association.

2 CHAIRMAN STUTO: Will pedestrians be able to walk  
3 on the grass?

4 MR. COSTA: Sure.

5 MS. MILSTEIN: Can you do an alternative to a  
6 sidewalk that will go half-way, but you'd still be able  
7 to avoid the ADA?

8 MR. COSTA: Not if it's accessible to the public.  
9 Once it becomes accessible to the public, it's very  
10 restricted as to how you have to construct that path.

11 MR. MION: Just by the fact that it's going to be  
12 open grass land it's accessible and open.

13 MR. COSTA: But it's privately owned, though.

14 MS. DALTON: I was just going to say that when you  
15 go out there what you see is that right now that house  
16 that is on Miller Road, it sits back quite a way and it  
17 has a very nice barn back there. As soon as a house  
18 goes in on that other side, it's clearly going to look  
19 like that's not some place where you should be walking  
20 through someone's property, unless there was a physical  
21 sidewalk there - that would say you could come through  
22 this way, you would never identify some place that is  
23 not private property.

24 MR. COSTA: It would invite somebody to come  
25 through.

1 MR. LACIVITA: What's the grade on the road system  
2 in there coming off of that now? It seems like that's  
3 changed in the course of the construction. It's  
4 probably pitched a little bit easier now.

5 MR. COSTA: Here (Indicating)?

6 MR. LACIVITA: Coming off of Miller as you're going  
7 down Miller into Waverly Place. That's where they would  
8 be walking anyway, right?

9 MR. COSTA: This is 10 percent (Indicating).

10 MR. LACIVITA: Even the road system is that much of  
11 a grade?

12 MS. CHOLAKIS: He's talking about Wellington.

13 MR. COSTA: Oh, Wellington is four percent and it  
14 increases to six percent.

15 MS. MILSTEIN: Where are the trails and who are  
16 they intended for? It is intended for the public?

17 MR. COSTA: They're intended for the residents.  
18 They're internal trails. The project was done as a PDD  
19 with open space to be available to use by the residents.

20 MR. LANE: But that means that it has to be  
21 available to use for the general public.

22 MR. COSTA: Not the nature trails. We're not  
23 defining the trails as ADA accessible.

24 MR. LANE: No, I'm talking about the fact that it's  
25 a PDD.



1 MR. COSTA: The neighbors can go into those trails,  
2 yes, that's correct.

3 CHAIRMAN STUTO: I don't think that any of us saw  
4 this. This is before our time.

5 MR. LACIVITA: I think that we made one adjustment  
6 and I think that Nia was here before.

7 CHAIRMAN STUTO: The elevations?

8 MR. LACIVITA: Yes, the elevations.

9 CHAIRMAN STUTO: We haven't really looked at the  
10 layout as a Board.

11 MR. LACIVITA: No, and this was pre-TDE as well.

12 CHAIRMAN STUTO: Anybody from the public want to be  
13 heard on this?

14 (There was no response.)

15 CHAIRMAN STUTO: Okay, we'll keep it open for the  
16 Board for questions and comments.

17 MR. LANE: Is the real issue here the fact that  
18 you're concerned that if the sidewalk goes past one of  
19 the homes that it might effect the potential homeowner's  
20 thought that the sidewalk might decrease the value of it  
21 being close to the house?

22 MR. COSTA: No, as I explained in the beginning,  
23 the way that we were hired by Rosewood was to do the  
24 construction stake out for the contractors, so that they  
25 could build it according to the drawings. When he

1 called us and asked us to stake it out, that's when we  
2 discovered that the slopes on that sidewalk exceeded the  
3 ADA requirements. It was in the process of being built.  
4 It wasn't something that Rosewood thought that it was  
5 detracting from the new homes that were going to be  
6 built there.

7 MS. VAIDA: Isn't there supposed to be a public  
8 benefit though for you to have gotten a PDD approval?

9 MS. CHOLAKIS: Yes, the public benefit is that we  
10 have nature trails and we have a pocket park. The  
11 pocket park is also accessible by the nature trails.  
12 All of that is open to the public and owned by the  
13 homeowners' association.

14 MS. VAIDA: So, it is open to the public.

15 MS. CHOLAKIS: Yes, the sidewalk was never really  
16 discussed, frankly. This was approved in February of  
17 2011 and I came to that meeting as well as a couple of  
18 other meetings prior to that. This is a project that  
19 was originally pursued by Mr. Rosetti's father. I think  
20 that sidewalk was a carryover. I don't have any  
21 recollection of any discussion about that sidewalk at  
22 all. It was noticed on the plan by a site contractor  
23 and that's when we asked Nick and his group to get  
24 involved to stake it out.

25 MS. VAIDA: So, it's not a pathway to the nature

1 trails.

2 MS. CHOLAKIS: No. The nature trails are  
3 physically located in the middle of the subdivision.  
4 There is a ring road that separates Haswell and Miller  
5 from the nature trails. From Haswell and Miller there  
6 is a ring road which is known as Waverly Circle and then  
7 the nature trails are smack dab in the middle.

8 MR. LANE: Where the sidewalk was planned, is there  
9 way that we can still identify it as a homeowners'  
10 association right of way or property so that it doesn't  
11 look like it becomes the neighbor's property? Can we  
12 have this marked and designated?

13 MR. COSTA: This parcel is owned by the homeowners'  
14 association.

15 MS. VAIDA: The boundary lines will show where the  
16 property is.

17 MR. LANE: If you were a person that was a passing  
18 through there, how would you know that doesn't just  
19 belong to the house that is along side of it?

20 MS. CHOLAKIS: I don't think that you do know. The  
21 Spring Meadows Homeowners' Association is to the  
22 immediate east of this and people walk in between  
23 Northridge Hollow and Spring Meadows every day and  
24 that's a homeowners' association property.

25 MR. LANE: But how do they know that this is

1 homeowners' association property and that it's okay to  
2 pass through it if there is nothing there to identify it  
3 as anything else other than being a parcel?

4 MS. CHOLAKIS: Other than custom and practice, once  
5 the houses are up and going and they can see what's  
6 going on. It's my understanding that having spoken with  
7 the Spring Meadows Homeowners' Association President  
8 recently that people are starting to walk through those  
9 nature trails and go onto to their property, as well.  
10 They're either just kind of interested or curious and  
11 they're just doing it.

12 MR. LACIVITA: But your nature trails are marked.  
13 I've seen signage there.

14 MS. CHOLAKIS: I'm not sure if the signage has gone  
15 up for the nature trails yet, but that's not even  
16 required. We decided that was a good idea to do that.

17 MR. LACIVITA: So, then you're talking about a  
18 trail marker or something like that?

19 MR. LANE: Not a trail marker. I'm just saying  
20 just to identify that this portion because it's not part  
21 of the nature trails but it's still --

22 CHAIRMAN STUTO: I don't know if that's subjective,  
23 but if it were maybe a decorative fence or something  
24 would do it to delineate it. I don't know if that's a  
25 good idea or not.

1 MS. CHOLAKIS: Are you trying to let people in or  
2 keep people out?

3 MR. LANE: Let them in.

4 MS. CHOLAKIS: I think that people are just going  
5 to wander through just by the nature of their curiosity.

6 MR. LANE: I don't think that's going to cut it.  
7 If it's not marked and there is no sidewalk, it just  
8 becomes basically part of the neighbor's property and  
9 the first time that somebody walks through the property,  
10 they're going to say "You're cutting through my  
11 property" and it's not really going to be their  
12 property.

13 MR. LACIVITA: Actually, you have landscaping on  
14 the south side of what was going to be the sidewalk and  
15 you also have a proposed fence. Is the fence going to  
16 be removed, or is it going to stay? What I think Tim is  
17 talking about is going to -- you're going to be able to  
18 delineate the difference because you're going to see  
19 shrubbery and you're going to see a fence, so you're not  
20 going to think that's somebody's property on the other  
21 side of the fence. That's what I think Tim is getting  
22 at.

23 MR. LANE: Exactly.

24 MR. LACIVITA: I think that you already did it  
25 right here, so I don't think that you're going to have

1 an issue. You've got landscaping and you've got some  
2 shrubbery identified and then you've got the fence. I  
3 think that you're going to be fine. That's in my mind,  
4 Tim. I think that you're going to see a difference  
5 there. You're going to know that's somebody else's  
6 property and it's not part of someone's land. You can  
7 see the way that it's carved out.

8 MR. COSTA: There is a fence that's parallel to the  
9 neighbor's property.

10 MR. MION: You're not talking a very big strip  
11 anyways. What is it? It's 20 foot wide, maybe?

12 MR. COSTA: Yes, about 20 or 30 feet.

13 CHAIRMAN STUTO: Further discussion?

14 (There was no response.)

15 CHAIRMAN STUTO: What are we doing procedurally?  
16 We're just making a recommendation, Joe?

17 MR. LACIVITA: No, this would actually be just a  
18 small amendment to the plan, and that they take it off  
19 the originally planned one.

20 CHAIRMAN STUTO: Okay, anybody want to make that  
21 motion?

22 MS. DALTON: I'll make that motion that we take  
23 that sidewalk off of the plans.

24 MR. MION: Second.

25 CHAIRMAN STUTO: Discussion, comments or questions?

1 (There was no response.)

2 CHAIRMAN STUTO: All those in favor say aye.

3 (Ayes were recited.)

4 CHAIRMAN STUTO: All those opposed, say nay.

5 (There were none opposed.)

6 CHAIRMAN STUTO: They ayes have it.

7 Now on the elevations?

8 MS. CHOLAKIS: Hi, I'm Nia Cholakis from Rosewood  
9 Builders. I was here a couple of months back with  
10 regard to Phase I.

11 If you recall, as I mentioned a little bit earlier  
12 in November of 2011 this project was approved for final  
13 approval. At the time we obtained final approval, we  
14 submitted to the Planning Board, because it's a PDD -  
15 we submitted the elevations for both the single family  
16 homes and the carriage homes. As we progressed through  
17 the development of this project and got geared up for  
18 it, we identified that the carriage homes and the  
19 single family homes were really not types of homes that  
20 we wanted to be associated with Rosewood and that they  
21 weren't really to our liking, aesthetically. So, I  
22 came in several months ago with Phase I which was 40  
23 single family homes and I proposed the new elevations.

24 We are now proceeding with construction in that  
25 phase and we are also trying to get Phase II up and

1 running which is the carriage style homes which is  
2 known as the empty nesters.

3 I'm going to pass around, just in case you don't  
4 have it from the old one -- these are the carriage  
5 style homes that we proposed and got approved back in  
6 February of 2011. As we got our architects involved,  
7 again, they were defined enough for us and we didn't  
8 like aesthetically the way that they looked. So, we  
9 went forward recently with the architect to have them  
10 redesigned and what we're going to show you now is the  
11 different elevation - the fourth different model homes  
12 with additional elevations both front and rear. We  
13 originally have four that were approved and these are  
14 the four to supersede those.

15 CHAIRMAN STUTO: So, you're replacing them.

16 MS. CHOLAKIS: We are replacing them and  
17 essentially the materials are the same. The first floor  
18 are masters because these are empty nesters and the  
19 bedrooms are upstairs. Essentially, they are the same  
20 except with the exception of how they look from the  
21 outside. We obviously think that these are much nicer  
22 looking than what was originally approved. As with the  
23 single family homes we have several different variations  
24 of each.

25 This is what is known as the Hampshire, which



1           should be in your packet. We have three different  
2           types of elevations - three different elevation styles;  
3           A, B and C and there is also an elevation here of the  
4           rear.

5           Just in case some of you were not on the Board at  
6           the time that this was originally approved, these homes  
7           back up against Haswell and Miller. So, part and  
8           parcel of the approval was that the rear of the home  
9           look like the front of the house and didn't just look  
10          like the rear of the house, because it faces Haswell  
11          and Miller. They face more Haswell than Miller. In  
12          any event, we wanted the rear elevation to also look  
13          inviting so that it didn't look like the back of a  
14          house. That's why they specifically had those  
15          redesigned as well.

16          CHAIRMAN STUTO: So, the rear stays the same but  
17          there are three variations on the front.

18          MS. CHOLAKIS: Correct. So, the Hampshire is one  
19          of the models that we're now proposing.

20          CHAIRMAN STUTO: How many square feet is that?

21          MS. CHOLAKIS: I don't know specifically, but  
22          they're about, I would say, between 1,800 and 2,100  
23          square feet.

24          This is the Cambridge. Again, this has three  
25          different front elevations and then this is the rear

1 elevation.

2 This is the Warwick and this one only has two  
3 front elevation differences, and this is the rear  
4 elevation.

5 The last proposed model for the carriage style h  
6 homes is the Bristol and that has three front  
7 elevations and one rear elevation.

8 CHAIRMAN STUTO: Can you describe the siding  
9 materials?

10 MS. CHOLAKIS: The materials are not any different  
11 than what was approved back in 2011.

12 CHAIRMAN STUTO: Is it fair to say that they're  
13 architectural shingles but non-vinyl? It is non-vinyl  
14 siding?

15 MS. CHOLAKIS: There is vinyl siding, but there is  
16 also that decorative siding as well. The siding that I  
17 have is Mastic Vinyl siding, double four-inch rustic  
18 clapboard finish in various colors, earthy tones; white  
19 silver gray, sage, desert sand, cameo, Victorian gray,  
20 almond, Scottish thistle, wicker and pebble stone clay.  
21 The roofing is GAF Tiberline, high definition 30-year  
22 architectural shingles in charcoal gray. The windows  
23 are Anderson, 200 series, tilt wash and double hung with  
24 screens on all windows and the color is white vinyl  
25 exterior with factory applied white finish on the

1 interior. They also have the option of different types  
2 of stone veneer and also brick veneer.

3 MS. GOMEZ: So, the materials haven't changed since  
4 2011.

5 MS. CHOLAKIS: Correct. The only thing that we're  
6 changing is just the exterior elevations.

7 CHAIRMAN STUTO: Any members of the public like to  
8 be heard on this?

9 (There was no response.)

10 CHAIRMAN STUTO: Members of the Board?

11 MS. DALTON: Do you know yet what the price ranges  
12 will be?

13 MS. CHOLAKIS: I don't want to say because frankly,  
14 I don't know. I know that they know at the office, but  
15 they didn't give me that information. I can let the  
16 Board know tomorrow, or I can let Joe know and he can  
17 pass it along.

18 MS. DALTON: That would be good because people know  
19 that I'm on the Planning Board, they frequently ask me  
20 about the houses that are being built to downsize.

21 MS. CHOLAKIS: I will tell you that we've had a lot  
22 of interest in the carriage homes and that's why we  
23 accelerated the phasing. The Phase I infrastructure is  
24 in and Phase II infrastructure is 99 percent in at this  
25 point. We did do that because we did end up having a

1 lot of interest in the carriage homes. People are  
2 downsizing.

3 MS. DALTON: If you get a chance, send an e-mail.

4 MR. COSTA: I think that if you go to their  
5 website, you can see that there.

6 MS. CHOLAKIS: It may be up there, but I can let  
7 Joe know.

8 MR. LACIVITA: The roadways are up for dedication  
9 too, right?

10 MS. CHOLAKIS: Phase I roadways have been dedicated  
11 and accepted. Phase II is just about ready.

12 CHAIRMAN STUTO: Anymore comments or questions?

13 (There was no response.)

14 CHAIRMAN STUTO: Do we have a motion to substitute  
15 these four elevations for the previous ones?

16 MR. MION: I'll make the motion.

17 MS. GOMEZ: Second.

18 CHAIRMAN STUTO: Discussion, comments or questions?

19 (There was no response.)

20 CHAIRMAN STUTO: All those in favor say aye.

21 (Ayes were recited.)

22 CHAIRMAN STUTO: All those opposed say nay.

23 (There were none opposed.)

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

25

1                   (Whereas the above entitled proceeding was  
2                   concluded at 7:48 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 August 19, 2013

