

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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STERLING DEVELOPMENT

144 WOLF ROAD

APPLICATION FOR CONCEPT ACCEPTANCE

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6 THE STENOGRAPHIC MINUTES of the above  
7 entitled matter by NANCY STRANG-VANDEBOGART, a  
8 Shorthand Reporter, commencing on November 19,  
2013 at 8:40 p.m. at The Public Operations Center,  
347 Old Niskayuna Road, Latham, New York

9

10 BOARD MEMBERS:  
11 PETER STUTO, CHAIRMAN  
12 BRIAN AUSTIN  
13 TIMOTHY LANE  
14 LOU MION  
15 KAREN GOMEZ  
16 SUSAN MILSTEIN

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17 ALSO PRESENT:

18 Joe LaCivita, Director, Planning and Economic Development

19 Elena Vaida, Esq., Special Counsel to the Planning Board

20 Chris Boyea, Bohler Engineering

21 Howard Carr, Esq.

22 Neil Terwilliger, Longhorn Steakhouse

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1           CHAIRMAN STUTO: This is Sterling Development, 144  
2           Wolf Road. This is an application for concept  
3           acceptance, raze existing auto dealership and  
4           constructing a five-story 110 room hotel, 8,500 square  
5           foot retail two story restaurants totaling 12,420  
6           square feet.

7           Joe LaCivita, any introductory words on this?

8           MR. LACIVITA: The applicant has been here before  
9           for sketch plan. He has taken note of some of the  
10          suggestions and requests of the project. He has been  
11          working with our Town departments and our Town  
12          Designated Engineer on many aspects of the project and  
13          hopefully tonight they'll be able to obtain concept  
14          approval as well.

15          I'll turn it over to Chris Boyea.

16          MR. BOYEA: Again for the record, my name is Chris  
17          Boyea. I'm from Bohler Engineering. Here with me  
18          tonight is the owner of the proposed project, Howard  
19          Carr, as well as a special guest here. He came in from  
20          Orlando Florida, Neil Terwilliger. He is with Longhorn  
21          Steakhouses. That is one of our tenants that we are  
22          looking at putting here. As you can see from the  
23          architecture that has been provided, this is the  
24          Longhorn Steakhouse.

25          CHAIRMAN STUTO: Those gentlemen are welcome to

1 join you if they want to.

2 MR. BOYEA: This is a redevelopment project. It's  
3 a fully developed Lazare Lincoln project here today  
4 that we're going to scrape and redevelop. It's 6.4  
5 plus or minus acres. The project consists of  
6 five-story 110 room hotel that sits back here  
7 (Indicating). It's a 6,220 square foot Longhorn  
8 Steakhouse here. We had an 8,500 square foot retail  
9 mixed-use building here and then we have 6,200 square  
10 foot brick house/tavern/restaurant that sits out here  
11 (Indicating). We're very excited to be able to tell  
12 you the names of these entities now that we weren't  
13 able to at the last meeting. In general, we're at 398  
14 parking spaces in this overall development. It's less  
15 than what we had originally composed. We're going from  
16 23 percent greenspace up to 28 percent greenspace and  
17 we are increasing it here in the Wolf Road corridor.

18 CHAIRMAN STUTO: You're going from 23 to 28 for  
19 greenspace?

20 MR. BOYEA: That's correct.

21 We attended the June 26th DCC meeting and  
22 received comments there. We had this meeting on  
23 July 16th for the Planning Board and then we went  
24 and attended a workshop meeting on July 31st with  
25 New York State DOT. We've attended other meetings

1           since our last meeting with the Town staff. We've  
2           conducted a traffic review for this project  
3           through correspondence with DOT back and forth.  
4           The plans that you see here have been submitted as  
5           a revised entrance location. One of the questions  
6           that we had talked about last was getting DOT's  
7           buy-in on the location of that. After we did our  
8           traffic review with our traffic engineers, it was  
9           determined - and DOT agrees - that we should line  
10          up our entrance with Shopper's Park across the  
11          street. That curb cut is shown on the plans. We  
12          widened up that entrance right there (Indicating).

13                 MR. LANE: Can you show that on the lower picture?

14                 MR. BOYEA: Sure. What you have is Shopper's Park  
15                 here and that's where that entrance was determined to  
16                 be best suited. If you see the old plan, which is down  
17                 here, I brought the same one that was presented to you  
18                 back in July. It didn't line up with those.

19                 MR. LANE: Will that require another light?

20                 MR. BOYEA: No. The idea is getting people to the  
21                 lights to the exits that are out there today. So,  
22                 there is a light down by Denny's and so our project has  
23                 access out on Automation Drive. They can get to that  
24                 light down by Denny's. The idea of putting the  
25                 entrance here (Indicating) - it was thought that in the

1 long-term future planning that another light was  
2 required, it could potentially go here because it's  
3 almost directly between the light at Hess and the light  
4 at Denny's.

5 MR. LANE: But it doesn't require it because  
6 they're just access points.

7 MR. BOYEA: That's correct. At this point it's  
8 not anticipated to put another light on the road.

9 DOT agreed on that driveway location and  
10 helped us reconfigure this as well as the comments  
11 that have been provided by this Board. The last  
12 part of this presentation is just to go through  
13 and show you how many great things we have done  
14 that this Board has asked us to do. This Board  
15 asked for sidewalk connection and Wolf Road street  
16 trees. As you can see now, we had no sidewalks on  
17 the other one. It was just a sketch. You can now  
18 see that we are providing a straight line  
19 connection back here, also to the buildings and  
20 the storefront here, to the steakhouse and over  
21 here to the other restaurant (Indicating). So, we  
22 have provided that pedestrian activity. We've  
23 provided the street trees and shown the street  
24 trees that are out there as well as the additional  
25 trees that we are proposing. You can see how that

1 kind of frames in the site with the greenspace  
2 that has been provided.

3 The comment that I wrote down from you guys  
4 at the last one was thanks for the greenspace in  
5 front of the Wolf Road parking spaces because  
6 right now Lazare parks right to the property line,  
7 but you respectfully wanted more. As you can see,  
8 we have provided a substantial amount of  
9 greenspace there. We actually lost a row of  
10 parking that was up front here (Indicating) and  
11 pushed everything back another nine to ten feet  
12 back into the property.

13 One of the reasons why Neil Terwilliger from  
14 Darden made the trip up from Orlando Florida is  
15 that he's very concerned about parking. It's  
16 really the only reason that he's here. We are at  
17 the parking threshold limit for him to be  
18 comfortable to come to this site. He is okay with  
19 the greenspace that was out there and the loss of  
20 a few spaces.

21 You wanted us to review the drive location.  
22 We did that with DOT, so that's confirmed and we  
23 have two exit lanes and one entrance lane coming  
24 in. You asked us to reduce parking count to a  
25 bare minimum that we need. We are approximately

1           20 spaces over-parked per Town Code. From a  
2           tenant perspective and lease obligations and those  
3           types of things, we've gone down to 398 and that's  
4           about as low as we can possibly go. As you can  
5           see it provides that green around there. I know  
6           that there has been some discussion about shared  
7           parking and going back and forth, but now that  
8           we've been able to tell you who are our tenants  
9           are, you'll see that we have two peak dinner hours  
10          plus a hotel so it's going to fill up at dinner.  
11          Now knowing those end user tenants, it does make  
12          it for a very busy night time peak hour.

13                 You asked us to consider closing Automation  
14          Lane access. As you can see we have an access  
15          that comes out to Automation Lane and that's now  
16          been closed.

17                 You asked us to go forward and get FAA  
18          clearance because we are within the airport flight  
19          path. As you know, they fly right over our heads.  
20          We do have FAA clearance for the five-story hotel  
21          as part of the package.

22                 You asked us to dress up the back of the Wolf  
23          Road buildings which we did. We submitted those  
24          elevations now so that you can see. I'm seeing  
25          everybody flip through them now. The buildings

1 are definitely neat and attractive. The only  
2 thing that I'll note is that they are sample  
3 elevations right now. For instance, the Holiday  
4 Inn Express that's the same architecture and shows  
5 three stories and we're going to be five. All  
6 those are accurate in terms of the look. The site  
7 specific ones will have to be provided for final.

8 With that, I'll turn it over to the Board.  
9 Any questions, comments or concerns and as Joe had  
10 mentioned, we really are hoping that we can  
11 proceed with concept so that we can then move  
12 forward with full detailed rest of the plans and  
13 move forward.

14 CHAIRMAN STUTO: Thank you for your presentation.  
15 We'll hear from our Town Designated Engineer, CHA, Joe  
16 Grasso.

17 MR. GRASSO: Because this is up for formal concept  
18 acceptance, there is a comment letter that we prepared.  
19 It's included in your packet about half-way through.  
20 Like Chris had mentioned during his presentation, the  
21 plans are what we consider substantially modified to  
22 address many of the concerns that were raised both by  
23 our office during our initial review of the project,  
24 those brought up during the DCC meeting, as well as  
25 some of the concerns expressed by the Planning Board

1 when it was here for sketch review. That's articulated  
2 in our comment letter.

3 There are a couple of comments that remain  
4 that I'd like to bring up for Planning Board  
5 consideration as well as some of the comments  
6 raised by the Planning staff. One of those was  
7 outdoor dining and patio areas are encouraged for  
8 restaurant uses.

9 Chris, could you just elaborate if there are  
10 going to be any -

11 CHAIRMAN STUTO: What number paragraph is that?

12 MR. GRASSO: It's under comment 1.

13 MR. BOYEA: So, currently right now we do have a  
14 great example of outdoor dining.

15 If everybody would look at the Brick House  
16 Tavern restaurant elevations that we have  
17 provided. They are black and white. If you look  
18 at the front elevation, this whole front of the  
19 restaurant, as you will see, is a patio and you'll  
20 see what looks like a triangle hanging from the  
21 ceiling with a smoke stack that goes up through  
22 the roof. That's an outdoor fire pit that is  
23 actually out there that has a hood over it for  
24 dining outside. So, it's one example of what  
25 we're looking at doing for including those -

1           CHAIRMAN STUTO: Everything to the left of that  
2 front door is an outdoor patio?

3           MR. BOYEA: Yes, and then there is a fire pit,  
4 which is quite unique. As the tenant presents itself,  
5 yes, we're looking at trying to encourage outdoor  
6 dining.

7           MR. GRASSO: We support that. It looks to be a  
8 good addition to the project. We had suggested green  
9 infrastructure practices such as porous pavement where  
10 possible. Is that being considered?

11          MR. BOYEA: Not for this project; no. We did talk  
12 to the DPW about that and we did do our testing out  
13 there - the soil testing. The increase of greenspace  
14 for this redevelopment project, we feel, is going to be  
15 adequate to help address that stormwater.

16          MR. GRASSO: Is there a reason why porous pavement  
17 would not be appropriate?

18          MR. BOYEA: We have a couple of things going on  
19 here. We do have a higher water table and the owner  
20 has had some past history with an underground tank that  
21 was back here that they are cleaning up. So, we just  
22 want to try to treat that stormwater and catch it off  
23 the pavement. It will still have infiltration, it just  
24 won't be porous pavement.

25          MR. GRASSO: Can you just go through where the

1 stormwater management concept - where it would be  
2 addressed?

3 MR. BOYEA: We have basins that are located in the  
4 rear of the site so that they wouldn't be out into this  
5 greenspace. We couldn't do the stormwater greenspace  
6 because we have a lot of utilities that are out front  
7 here (Indicating). We are catching the stormwater and  
8 treating it with some basins and ultimately there is a  
9 basin down here. This is our lowest spot of the site  
10 where the water goes toward Sherwin Williams and then  
11 it would tie into the system itself on Automation.  
12 Most of it is going to be caught in those basins.

13 MR. GRASSO: We had a couple of comments regarding  
14 the architecture of the buildings and they have done a  
15 good job providing representative elevations either of  
16 known tenants or perspective tenants, and we think that  
17 the elevations are nice. We like the architectural  
18 themes. We like the different siding treatment.

19 One of the comments that we had just to  
20 clarify is the screening of mechanical units on  
21 all of those buildings from all elevations. I  
22 know that they don't show up on the elevations,  
23 but is that something that you're able to commit  
24 to?

25 MR. BOYEA: Yes, I think that we can.

1 MR. GRASSO: I think that's important. This is  
2 really a visible site. We've got public roads on three  
3 sides of the property. They're high profile commercial  
4 buildings. There's a lot of traffic, so I think that  
5 it's important that we look at how the site is going to  
6 be viewed from all of the public right of ways around  
7 it. I think that's a really good feature of the site.  
8 I really like the way that the buildings look from all  
9 elevations. I think that you've taken the comments to  
10 heart.

11 We did share a comment with the Planning  
12 staff that brought up the issue of the parking.  
13 Chris did a good job presenting it. They have  
14 reduced the number of proposed parking down to 398  
15 spaces. When you add up the minimum required  
16 parking for each of the separate uses, we're  
17 coming up with 373 spaces. So, they are proposing  
18 25 spaces more than what is required by Code.

19 CHAIRMAN STUTO: Do you agree with that number?

20 MR. BOYEA: I'm going to agree with Joe's number.

21 MR. GRASSO: He said approximately 25. They're  
22 proposing 398, assuming that I'm counting it right.  
23 The Code requires 373. We do think that there is going  
24 to be some shared parking taking place between the four  
25 uses understanding that there is restaurants and

1 hotels. We do think that there is going to be sharing.  
2 That sharing is not taken into consideration when we  
3 look at what the minimum Code requirement is for  
4 establishments, we look at just that establishment.  
5 That's what we establish as the minimum. We very often  
6 have applicants that are willing to work with the Board  
7 and do less than what is required by the Town. So, we  
8 think that 398 continues to be too many parking spaces.  
9 We like the fact that they are increasing the amount of  
10 greenspace on the site than what is out there now. We  
11 think that they should consider landbanking at least  
12 those additional 25 parking spaces in the areas that  
13 they think they would most likely not utilize and land  
14 bank those in the future, and only build them if  
15 they're forced to based on demonstrated need. That's  
16 something that we can take a look at more closely, but  
17 I think that it's something that would make the project  
18 more aesthetically appealing and that was something  
19 that was also supported by the Planning Department  
20 comments.

21 Lastly, what I think is important for the  
22 Planning Board to note is that there are a number  
23 of waivers that the Planning Board is going to  
24 need to support. In looking at the plan, it  
25 appears that these are rather typical waivers that

1 the Planning Board considers on sites like this.  
2 Those are parking in the front yard setback of  
3 Wolf Road. We like the fact that they have pushed  
4 the parking further away from Wolf Road, but I  
5 still think that there would be parking in front  
6 yard setback required along the Cerone Commercial  
7 Drive because that is still considered a front  
8 yard. The maximum front yard building setback of  
9 20 feet on Wolf Road is not met. The buildings  
10 are set back further. That's primarily related to  
11 a sewer line that goes across the frontage and an  
12 easement forces the buildings back past that. So,  
13 that is going to be required. The third being the  
14 parking lot pavement within 15 feet to the front  
15 yard property line of Cerrone Commercial Drive is  
16 another one. I think that you're five or ten feet  
17 from Cerrone Drive and the Code would typically  
18 require 15 feet. So, that's a waiver that has to  
19 be supported by the Planning Board. We can drill  
20 into the justification for those when we advance  
21 the plans in the preliminary, and obviously it  
22 would be something that would be a Resolution that  
23 the Planning Board would need to approve prior to  
24 site plan approval. That's basically where we are  
25 at.

1 CHAIRMAN STUTO: Okay, thank you.

2 I'll open it up to the Board.

3 MS. DALTON: I had a question with the dumpster  
4 area facing Wolf Road. There was a comment on that.  
5 Is your position that it's so far back from Wolf Road  
6 that it won't matter that it's facing Wolf Road?

7 MR. BOYEA: We don't think that it's going to be  
8 too visible back there. It does sit behind this  
9 building as you're heading north on Wolf Road. As  
10 you're heading south, I think that this building has  
11 such a presence and the street trees that are planted  
12 around here, it is a full enclosed dumpster enclosure.  
13 It's not going to necessarily be chain link.

14 MS. DALTON: Has there been a recommendation to  
15 you as to where you would put it other than there?

16 MR. BOYEA: We looked pretty hard at this because  
17 it's pretty open and you've got three streets on all  
18 sides of it. We think that we've done a good job at it  
19 by trying to screen it. This is a fully enclosed  
20 screen behind it. I don't think that this one is much  
21 of an issue. The Holiday Inn is back here (Indicating)  
22 and this is fairly screened especially now that we  
23 don't have that entrance back there. We have closed  
24 that per this Board's request. Again, there is  
25 landscaping and an enclosure around it. It doesn't

1 stick out to anybody that's coming in. This was the  
2 hardest building to do because you've got a drive here,  
3 here and here and Wolf Road here (Indicating). We  
4 couldn't get that service yard close to the building  
5 and have it look good. So, what we're doing is we're  
6 going to put it back here in an enclosure so that  
7 people driving in never have to drive by the service  
8 enclosure as they enter into the plaza.

9 MS. DALTON: So, am I understanding this comment  
10 correctly was that the suggestion to you was to share  
11 that enclosed spot and not create another dumpster  
12 area?

13 MR. BOYEA: I'm not really familiar with the  
14 comment that you're referring to. However, as we run  
15 through this right here and right now, everybody has  
16 their own separate enclosure because they have to take  
17 care of their own trash.

18 This person is going to need both cardboard  
19 recycling and a trash refuse (Indicating).  
20 They're going to use this one and operate it.  
21 These are going to share these three enclosures  
22 here and then these guys will each have their own.

23 MR. GRASSO: Kathy I spoke with Mike Lyons about  
24 the comment just to clarify exactly. It's comment 11  
25 in the memo. It says "The dumpsters facing Wolf Road

1 for the restaurant building closest to the corners for  
2 Cerone Commercial Drive and Wolf Road should be  
3 relocated or consolidated with a proposed retail  
4 building dumpsters." So, one there and then possibly  
5 combining it with that one (Indicating). The biggest  
6 concern is the visibility of the dumpster for the  
7 restaurant.

8 A suggestion that you could consider if it  
9 was supported by the Planning Board was you have  
10 the one for the retail bank. If you did a piggy  
11 back where they backed up to each other on  
12 opposite sides, the side facing Wolf Road could  
13 serve the retail plaza and that bank of dumpsters  
14 could actually serve the restaurant. They're  
15 consolidated in one location.

16 MR. BOYEA: We can take a look at this. I have a  
17 couple of ideas for that, too.

18 MS. DALTON: That's a restaurant building that  
19 you're talking about, right?

20 MR. BOYEA: Yes. Like I said, this is a very  
21 small item. We can definitely look at it and massage  
22 it and come in with some options. Maybe we can look at  
23 rotating this so that the gates don't face it. The  
24 gates would face in this direction (Indicating). We  
25 can adjust some parking in this area to wash it out.

1 That way, when you drive in, you never see a dumpster.  
2 We want the entrance to be pretty. There are probably  
3 three solutions that can be done, but that's something  
4 that we can look at.

5 MS. DALTON: Great. Thank you.

6 CHAIRMAN STUTO: Are they masonry dumpsters?

7 MR. BOYEA: Do you want them to be?

8 CHAIRMAN STUTO: I think that's in our Land Use  
9 Law.

10 MR. GRASSO: It's a design standard. They should  
11 be masonry.

12 MR. BOYEA: We're going to have them match the  
13 building as close as possible.

14 MR. MION: In this cross-section, are you planting  
15 plants or just trees?

16 MR. BOYEA: Full landscaping. There will be some  
17 trees and then there is landscaping and in fact there  
18 is some fencing and things of that nature.

19 MR. GRASSO: That was a comment by Planning.

20 MR. MION: The thing that I'm finding on Wolf Road  
21 and in days gone by is we've been asked to have trees  
22 put in there. Now those trees are maturing. You can't  
23 see what's behind them many times. I guess what I'm  
24 asking you is not to go too high with the trees.

25 MR. BOYEA: We're very fortunate here. As you can

1 see, this was taken in wintertime and we have quite a  
2 few trees along the frontage here (Indicating). We  
3 don't necessarily need to plant as many on Wolf Road.  
4 We've got a lot of good mature trees there that we're  
5 keeping, but we are supplementing.

6 MR. AUSTIN: Surprisingly enough, I don't think  
7 that I have anything, but there is a Holiday Inn  
8 Express in Latham, correct?

9 MR. BOYEA: I believe so.

10 MR. AUSTIN: So, is there a demand for another  
11 Holiday Inn Express in the proximity?

12 MR. BOYEA: That, I don't know. I would have to  
13 imagine that Holiday Inn is looking at that and the  
14 franchisees and things of that nature.

15 MR. AUSTIN: And thank you for coming from  
16 Orlando. Sorry about the weather.

17 MS. DALTON: Chris mentioned that you traveled all  
18 this way because you had a concern about the parking,  
19 and clearly we feel that you may have been overparked.  
20 Could you explain what your concern is?

21 MR. TERWILLIGER: My name is Neil Terwilliger and  
22 I'm with Darden Restaurants in Orlando and we own and  
23 operate Longhorn Steakhouse, as well as Olive Garden  
24 and Red Lobster and several other chains.

25 The intent of the site plan that was

1 submitted to our executive board for approval  
2 recently showed the 398 parking spaces. The  
3 thought behind that is that certainly during the  
4 lunchtime hours and even into the early evening  
5 hours we pretty much have the use of most of this  
6 depending on the location of the doors for the  
7 retail uses. Retail typically doesn't occur from  
8 5:00 to 7:00 at night because people are either  
9 dining at home or dining out. So, the thought was  
10 that we would have some 130 spaces here. That's  
11 what we presented and that's what was approved. I  
12 will tell you that 130 number is consistent with  
13 all the restaurants that we've built in upstate  
14 New York recently. I'll give you a few examples  
15 of it.

16 We just recently opened up an Olive Garden in  
17 New Hartford and it had 232 parking spaces. We  
18 opened an Olive Garden in Clifton Park a year or  
19 so ago that had roughly 148 parking spaces. The  
20 Olive Garden on Wolf Road has 131 and the  
21 Longhorns which - unfortunately there aren't any  
22 here to compare - we do have three of them in  
23 Rochester and we had Greece which is on Ridge Road  
24 and that has 125 spaces. We're also on Jefferson  
25 Road in the Town of Henrietta with 141. So, it's

1 consistent with what we feel we need to make this  
2 a successful business. We own and operate over  
3 2,000 restaurants. We have a long history of what  
4 we need. We certainly respect the Board's Code,  
5 but my experience in the business tells me that  
6 usually the Codes are woefully short of what is  
7 needed to run a successful business.

8 MS. DALTON: If I'm understanding you correctly,  
9 you're looking at your needs immediately around the  
10 parking lot that you intend to use -- and not the  
11 entire parking area, which is why you're disagreeing  
12 with the overall number; is that correct?

13 MR. TERWILLIGER: That's correct. What we look at  
14 when we sort of analyze a plan is that we want to  
15 provide the closest parking and the easiest  
16 accessibility for our patrons to our restaurants. So,  
17 we look at that from a realistic standpoint and say  
18 yes, they can walk over from here, but probably won't.  
19 Chances are if your car was here and you were here  
20 (Indicating), most people would probably try to move it  
21 because you have a long walk over and you have a long  
22 walk back. The thought was that this area here - does  
23 that say that somebody wouldn't park somewhere else?  
24 That's possible, but we need to know that there is  
25 enough there in conjunction with all the other uses

1 that make us feel comfortable with the investment that  
2 we're going to be putting into the Town of Colonie.

3 MR. LACIVITA: Thank you for your continued  
4 interest in the Town. I know that this is your third  
5 site that you were looking at in the Town.

6 Actually, one was the former Burger King on  
7 Wolf Road. The other was the Red Roof Inn. Each  
8 one of them had increasing parking along the way.  
9 I think that this one here is meeting your demand  
10 with all your sites.

11 And again, I really thank you for your  
12 continued interest in the Town.

13 MR. AUSTIN: You don't own the Brick House Tavern?

14 MR. TERWILLIGER: No.

15 MR. AUSTIN: Is that a chain restaurant as well?

16 MR. BOYEA: That is correct.

17 MR. LANE: Where are they based out of?

18 MR. BOYEA: Howard, do you know where they are  
19 based out of?

20 MR. CARR: The Brick House is part of the Ignite  
21 chain. They own the Macaroni Grill and Joe's Crab  
22 Shack; same company.

23 CHAIRMAN STUTO: Where is the closest location for  
24 Brick House?

25 MR. BOYEA: New Jersey and there is one in

1 Rochester.

2 CHAIRMAN STUTO: Can you go across the front of  
3 the property and describe the landscaping and/or  
4 fencing that's there? I didn't quite catch it all.

5 MR. BOYEA: Sure, and this will be shown on the  
6 detailed landscaping plan that's part of the final.

7 These are existing straight trees that are  
8 going to remain. We're having landscaping in  
9 front of each building as you can see here. In  
10 between the buildings - again, you have this sewer  
11 easement that occupies this area (Indicating). We  
12 are going to put in decorative landscaped features  
13 such as retaining wall type things that are more  
14 decorative than functional and/or the aluminium or  
15 black fencing that would be like a picket fencing  
16 that you see. It's very similar to Berkshire  
17 Bank, which is over by McDonald's. They did that  
18 recently. We're going to try to keep that same  
19 feel, as it comes down.

20 MR. AUSTIN: Will there be some signage on the  
21 road?

22 MR. BOYEA: There is one sign that is proposed up  
23 here.

24 MR. AUSTIN: For the hotel?

25 MR. BOYEA: Well, it's going to be an overall

1 plaza sign. There might be two since we are on a  
2 corner lot. We're going to max it out.

3 CHAIRMAN STUTO: Tim?

4 MR. LANE: I don't think that I have any  
5 questions. Having gone to a conference today at the  
6 Holiday Inn on Wolf Road, I kind of echo the question  
7 of another Holiday Inn and how that's going to work.

8 MR. BOYEA: This is a Holiday Inn Express.

9 MR. LANE: Oh, okay. I don't have any questions.  
10 I think that it's a great plan and I appreciate that  
11 you took into consideration a lot of things that were  
12 said. I like the elevations.

13 CHAIRMAN STUTO: Karen?

14 MS. GOMEZ: I don't have anything.

15 CHAIRMAN STUTO: Susan?

16 MS. MILSTEIN: Nothing.

17 CHAIRMAN STUTO: I don't have anything further  
18 either.

19 Do we have a motion on concept acceptance?

20 MR. AUSTIN: I'll make the motion.

21 MR. MION: I'll second that.

22 CHAIRMAN STUTO: Any discussion?

23 (There was no response.)

24 CHAIRMAN STUTO: All those in favor say aye.

25 (Ayes were recited.)

1 CHAIRMAN STUTO: All those opposed say nay.

2 (There were none opposed.)

3 CHAIRMAN STUTO: The ayes have it.

4 Thank you.

5 MR. BOYEA: Just a quick clarification for this  
6 gentleman that came all the way from Florida. He did  
7 have some concerns, and I just want to make sure that  
8 he understands that the parking should be okay now as  
9 well as the waivers that we're looking for. We had  
10 gone through and provided that support and discussed it  
11 before.

12 MR. LANE: It looks to me that based on what is  
13 currently there, the greenspace is actually increasing.  
14 That generally is, as far as parking, what we look at.  
15 Are we giving up green space just for parking that may  
16 be unnecessary?

17 MR. BOYEA: He has to go back and make financial  
18 decisions.

19 CHAIRMAN STUTO: I would like you to continue to  
20 discuss that with Joe Grasso, our Town Designated  
21 Engineer. I personally have no problem with the  
22 waivers. Joe is reasonable and he understands your  
23 business. He can continue the parking discussion and  
24 maybe there is something creative that could be done,  
25 in terms of banking or something else.

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(Whereas the above proceeding was concluded  
at 9:05 p.m.)

CERTIFICATION

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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 December 10, 2013

