

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 CILLIS SUBDIVISION
5 301 SAND CREEK ROAD
6 APPLICATION FOR CONCEPT ACCEPTANCE

6 *****

7 THE STENOGRAPHIC MINUTES of the above entitled
8 matter by NANCY STRANG-VANDEBOGART, a Shorthand
9 Reporter, commencing on February 11, 2014 at 7:10
p.m. at The Public Operations Center, 347 Old
Niskayuna Road, Latham, New York.

10

11 BOARD MEMBERS:
12 PETER STUTO, CHAIRMAN
13 TIMOTHY LANE
14 BRIAN AUSTIN
15 LOU MION
16 TINA GOODWIN SEGAL
17 SUSAN MILSTEIN

18 ALSO PRESENT:

19 Kathleen Marinelli, Esq., Counsel to the Planning Board

20 Michael Tengeler, Department of Planning and Economic
21 Development

22 Luigi Palleshi, ABD Engineers and Surveyors

23 Robert Ogren
24 David Yule
25 Marcia Oliveri
Joe Iseraci
Marilyn Huber
Nicole Dewey

1 CHAIRMAN STUTO: Okay, next on the agenda is Cillis
2 Subdivision, 301 Sand Creek Road. This is an
3 application for concept acceptance. This is a 13-lot
4 single family residential subdivision.

5 Mike, do you want to give us an introductory
6 remark?

7 MR. TENGELER: Sure. Just to put some dates on the
8 record, the DCC meeting was conducted on April 24, 2013.
9 Sketch plan was a couple of months later after they
10 digested those comments that occurred before this Board
11 on November 19, 2013.

12 Tonight, Luigi is here from ABD to walk us
13 through their concept presentation.

14 MR. PALLESHI: Good evening. I'm Luigi Palleshi
15 with ABD Engineers and Surveyors. Here tonight we are
16 proposing a 13-lot subdivision right off of Sand Creek
17 Road and Campagna Drive. The property off of Sand Creek
18 Road is the VanGeest property. The front portion of
19 that property will remain the VanGeest's and there is a
20 paper street right across from Winifred off of Campagna
21 Drive. It's simply a cul-de-sac extension and it will
22 accommodate 13 single family residential houses. The
23 roadway will be proposed as -- there is water and sewer
24 at the site. The water will be moved from Sand Creek
25 Road all the way to Campagna Drive. The sewer will

1 connect onto Campagna Drive through an easement between
2 lots 11 and 12.

3 Back to the roadway, it's going to be a porous
4 pavement road. That's what I was trying to say
5 earlier.

6 We had a couple of discussions at the last
7 meeting - this plan is exactly the same as what you
8 saw. One of the comments that the Board was
9 concerned about was the fire access. We've talked
10 with the Fire Department and we've shown them the
11 plan and there is an emergency access route through
12 the cemetery right at the end of the cul-de-sac and
13 there are two ways that the fire trucks could have
14 access to the cul-de-sac area. One route is a
15 little easier but it's a little longer and the other
16 route is closer to the building. They have looked
17 at it and we have gotten approvals from the Fire
18 Department that they feel comfortable with the
19 emergency access drive.

20 There will be a crash gate at the end of the
21 cul-de-sac for the emergency access and a Knox box,
22 which is what they required also.

23 The second item was the 20-foot easement to the
24 Town to allow some sort of pedestrian
25 interconnection. As you know, the Crossings is

1 located in this direction here and I printed this
2 area here (Indicating). You can see the trail that
3 comes off of the Crossings. From our property line
4 it's about 141 feet to the trail. There was
5 discussion as to where do we put that 20-foot
6 easement whether it be on this side or in the
7 middle. We feel that the best spot is on the
8 westerly side here (Indicating), as you can see, to
9 connect to the existing multi-use path.

10 I believe that's it. The stormwater will be
11 handled by the infiltration. We've done soil test
12 pits with the Town. That will be put in the roadway
13 a little bit so that we can meet the ground water
14 separation. Then there is a natural drainage swale
15 right along the property line to the rear. So, the
16 back of the homes will sheet flow into that
17 direction. With the swales there, there is a few
18 catch basins that will then connect into the Town's
19 system. As we move along, we will be providing the
20 SWPPP and the stormwater management that's needed as
21 we move along.

22 I'll turn it back over to the Board for any
23 questions.

24 CHAIRMAN STUTO: We may be hearing from the public.
25 You're entitled to speak on this. If you do want to

1 speak, I ask that you sign in on the sheet on that table
2 (Indicating).

3 We're going to hear now from our Town
4 Designated Engineer, Baron and Loguidice, Chuck
5 Voss. Chuck has reviewed this, so Chuck will make
6 his presentation and then we will hear comments from
7 the members of the public.

8 MR. VOSS: Thank you, Mr. Chairman. Just as a
9 note, the Board should all have copies of our February
10 4, 2014 letter in your packet. What we did was we
11 conducted our typical concept review of the application
12 as proposed so far. Granted, the devil is always in the
13 details. There is not that level of detailed
14 information yet at this stage.

15 We had some cursory comments that we just
16 wanted to make the Board aware of. Probably the
17 first one would be that the applicant will be
18 donating to the cemetery on exchange for the fire
19 access road. I know that in some earlier discussion
20 certainly at the DCC level - I think that Fire
21 Services was happy with the fact that there was a
22 second means of ingress to the site, other than the
23 main road.

24 We did have some concerns with the current
25 condition of the cemetery road as proposed. We've

1 been out there and you can navigate it with a
2 pedestrian vehicle but it might be questionable at
3 this point without improvement to a fire engineer or
4 heavy fire apparatus. So, we would want the
5 applicant to look at that further and have them
6 understand how that might play in. There might be
7 some improvements needed and certainly a formal
8 easement has to be in place and we'd like to see
9 that with the cemetery, as they move forward.

10 There was some discussion of some stormwater
11 concerns. The site is relatively flat. The depth
12 of the ground water is relatively close. There was
13 some discussions of some porous pavement out there
14 in the road -- certainly in the driveways to deal
15 with our stormwater management issues. I think that
16 the applicant is certainly willing to look at those
17 issues as we move forward.

18 CHAIRMAN STUTO: I'd like to ask the applicant--
19 because this may be a concern of the neighbors - which
20 way is the stormwater going to flow on this?

21 MR. PALLESHI: The water does flow -- I don't want
22 to say towards the neighbors. It does flow easterly to
23 the rear property line. As I mentioned earlier there is
24 an existing swale right along the edge of the property
25 line. The backs of the existing houses -- flow to the

1 back property line and ours will do the same. Then, it
2 will work its way through that swale --

3 CHAIRMAN STUTO: In which direction?

4 MR. PALLESHI: In other words, there is a high
5 point somewhere in the middle here and the water will go
6 in this direction to a catch basin that we are adding.
7 And again, this way to a catch basin that we're adding.
8 There is an existing catch basin between the existing
9 lots 29 and 30 off of Campagna Drive. That's what we
10 are planning to tie into -- that catch basin is within a
11 Town's easement.

12 MR. VOSS: So, again, we'll want to see that.
13 There is more detail to come.

14 I think that we are in agreement with the
15 easement that --

16 CHAIRMAN STUTO: I'm just guessing that the
17 residents may be more concerned with that.

18 MR. VOSS: The stormwater?

19 CHAIRMAN STUTO: The stormwater, because their lots
20 are smaller.

21 MR. VOSS: The site hasn't been fully engineered so
22 we're not sure what the final stormwater designs will
23 be. There is some discussion in our office about the
24 addition of some swales and things along the roadway to
25 potentially capture some of that runoff. That's still

1 to emerge as the project goes forward.

2 MR. PALLESHI: There won't be any increase of any
3 stormwater runoff. The roadway will be porous pavement.
4 So, right now the entire site drains in this direction
5 (Indicating). We're actually intercepting that by
6 sending the front half of the rooftop, the driveway and
7 the new roadway to infiltrate in the westerly portion of
8 it.

9 CHAIRMAN STUTO: Where is the roof water going to
10 go?

11 MR. PALLESHI: Typically, you have a ridge along
12 the roof. The front half of the roof will drain
13 westerly and then infiltrate with the porous pavement.
14 We're actually cutting the drainage area to the rear of
15 the lot.

16 CHAIRMAN STUTO: Do you agree with that, Chuck; the
17 analysis?

18 MR. VOSS: We haven't really seen the calculations.
19 In concept, it sounds feasible. Again, the devil is in
20 the details and how they actually design it and how they
21 engineer it. We'll look forward to seeing that.

22 There was an additional concern with the
23 interconnect of the proposed sewer line off the end
24 of the cul-de-sac out to Campagna Drive between lots
25 12 and 14. We're going to want to see some

1 additional details obviously there and how that is
2 going to be proposed.

3 There are some existing residential structures
4 between those two sites that are not on your
5 property that may be effected. Whether you're going
6 to do directional boring or excavation to make those
7 connections will yet to be seen.

8 MR. PALLESHI: There is an existing easement that
9 runs between those two properties.

10 MR. VOSS: There are some encroachment issues in
11 there from some of the neighbors there as well.

12 We did note earlier on that there was the
13 potential for existence of wetlands on the northern
14 end of the site, but we were able to get the
15 applicant's wetlands assessment which I think lays
16 some of those fears. But again, we'll look at that
17 on the final set of plans.

18 CHAIRMAN STUTO: Those two lots?

19 MR. VOSS: Yes, lots 1 and 2 at the northern end -
20 just some low areas there that you're seeing water. The
21 wetlands are not too far from that location that were
22 identified.

23 Basically, everything else is pretty straight.
24 We're just looking forward to seeing kind of the
25 engineer's report and the full stormwater management

1 report and final designs. Other than that, in
2 concept, it appears that the site will accommodate
3 the development.

4 CHAIRMAN STUTO: Okay, we'll turn it over to the
5 neighbors.

6 Robert Ogren.

7 MR. OGREN: You're putting in a porous street and
8 you're using an actual drain of the water toward
9 Campagna Drive. You're saying that there is already a
10 drainage ditch along Campagna at the rear of the houses
11 at Campagna. There is a storm drain between 12 and 14
12 at the rear of the lots. This is all supposed to be
13 going to that storm drain. It never gets there. I have
14 a pond in my back yard.

15 CHAIRMAN STUTO: Where are you?

16 MR. OGREN: I'm at 16.

17 CHAIRMAN STUTO: You're the fourth lot?

18 MR. OGREN: I'm right here (Indicating). I have
19 ducks swimming around there back there. There are frogs
20 and everything. The water never gets out of there. You
21 didn't mention the storm sewers. Are any going in?

22 CHAIRMAN STUTO: I think that's what he meant by
23 collection basins. I'll let him address that.

24 MR. OGREN: Where is it going?

25 MR. PALLESHI: It's connecting to the existing

1 storm sewer. We're adding an additional catch basin
2 here to get that water out that you're talking about -

3 MR. OGREN: It never gets there. We've had erosion
4 over the years. It never gets there.

5 MR. PALLESHI: We can ensure that the water will
6 get to the catch basin. We can add another one. There
7 is that sort of a high point that I was talking about.
8 So, if you take this drainage and you get it in this
9 direction, we're adding these catch basins -

10 MR. OGREN: But I'm up here at 16.

11 MR. PALLESHI: Right. We're looking at addressing
12 all of the stormwater issues along the entire rear of
13 the property; not just for you, but for all the
14 residents.

15 MR. OGREN: I know that all of the residents have
16 had problems. I've tried to pump it out and it comes
17 back. I think that I've got a big loop going. It never
18 gets out of there.

19 CHAIRMAN STUTO: Sir, I think that there is a
20 chance that we can improve the situation.

21 Chuck, can you comment on that? What can we do
22 to make it a little bit better? I'm not surprised
23 that he's saying this.

24 MR. VOSS: One of the questions that we had early
25 on was: "Are basements existing on those homes on

1 Campagna Drive?" I think that you just answered my
2 question. You do have basements. Probably you're not
3 the only one with water issues.

4 FROM THE FLOOR: One caved in last year -- one of
5 the foundations on one of the duplexes.

6 MR. VOSS: So, that will be something that we're
7 going to want to look at to make sure that no stormwater
8 comes off the applicant's site and effects the other
9 site from the current existing conditions. They have to
10 mitigate any additional stormwater management issues out
11 there.

12 MR. OGREN: Something has happened there to the
13 water table.

14 MR. VOSS: It will be incumbent upon the applicant
15 to show us their designs, how they're going to deal with
16 the stormwater back there and as Luigi was just saying,
17 they have plans to re-engineer the back end of their
18 site.

19 MR. OGREN: It never used to be a high water table
20 there. Something happened, whether it was the Crossings
21 or the construction --

22 MR. VOSS: We'll make sure that there is a
23 stormwater management plan and the engineer's report
24 really goes into those questions.

25 MR. OGREN: Okay, my next question is that at your

1 last meeting, nobody knew what kind of houses were going
2 in. Does anybody know this week?

3 CHAIRMAN STUTO: We can ask the applicant. Let's
4 get all the issues out and we'll answer them.

5 MR. OGREN: Are they going to have basements?
6 That's one question that I have, and how large are they
7 going to be?

8 CHAIRMAN STUTO: Okay, anything else?

9 MR. OGREN: No.

10 CHAIRMAN STUTO: You'll have another chance to come
11 up if you have any other questions.

12 MR. OGREN: Thank you for your time.

13 CHAIRMAN STUTO: You're welcome. We'll work
14 through this.

15 Can the applicant address the housing type size
16 and the basements?

17 MR. PALLESHI: We do anticipate basements. We'll
18 obviously look at the ground water table. We've done
19 some test pits out there. A lot of these houses are
20 sitting up high enough so that we're further away from
21 the water table.

22 The size of the house - I don't know exactly
23 what size they are. If I were to guess for the
24 neighborhood, you're looking at a roughly 2,000
25 square foot footprint. So, 2,000 to 3,000 square

1 foot house or living space. I don't know exactly
2 the number, but we can have that for you at the next
3 meeting if you really do need to know.

4 CHAIRMAN STUTO: I think that it's a good question.

5 MR. PALLESHI: To my knowledge, that's roughly the
6 size of the houses.

7 MR. VOSS: You're going to need to show that in
8 your SWPPP, as well.

9 MR. PALLESHI: We always go on the higher side to
10 accommodate for the SWPPP and all your impervious areas.

11 CHAIRMAN STUTO: On a full-size lot, you don't see
12 many houses built as small as 2,000 square feet.

13 MR. PALLESHI: I'm talking footprint.

14 CHAIRMAN STUTO: Right, so that could be 4,000
15 square feet.

16 MR. PALLESHI: The lot width is 90 feet with a 10
17 or 12.5 foot setback on the sides. That's your maximum
18 width that you can have.

19 CHAIRMAN STUTO: Okay, next on the list here is
20 David Yule.

21 MR. YULE: Hi, my name is David Yule and I live at
22 32 Campagna. In getting back to the water issue, the
23 water between myself and my neighbor goes this way
24 (Indicating). There is a catch basin in between my
25 house and my neighbor at 36. I didn't hear anything

1 about that catch basin. If you're going to put that
2 road in, the catch basin goes away and my back yard is
3 sloped to bring the water across the road. I'll be
4 joining my other neighbor that I have with another pond.
5 I can tell you that every year it floods back there and
6 I can also tell you that down here further on Wertman,
7 when there is a major storm it will go through this
8 house's yard (Indicating). He has since moved, but
9 water would go through his property line and then all
10 the way down Campagna. The two major storms that I
11 remember, the basements would flood because the water
12 would get soaked through. My first-hand experience is
13 that the water from the sewer backs up into the current
14 catch basin and then the water just expands literally
15 into my yard up to the back of my deck. The two times
16 that we've had really bad storms, we have really bad
17 storms on Campagna. That's the water issue.

18 Now, I have the issue of how much land am I
19 losing? Again, I wasn't here and I wasn't part of
20 this process until I got the letter in the mail. I
21 think that the letter that was mailed out was very
22 deceiving. It says 301 Sand Creek Road. I was
23 thinking that VanGeest is selling out. Everybody is
24 going to be coming off of Sand Creek and I will have
25 houses behind me. I can live with that. I made a

1 few phone calls to different people and they
2 basically said that the road is going to be up to my
3 basketball court. So right now, how much property
4 am I losing? I know that I'm losing privacy. This
5 new road is going to go past my house and into my
6 back deck. Now, I'm going to be watching people
7 come and go.

8 Plus there is the whole landscaping issue,
9 which is true. There is a slope and a swale so you
10 put the road in here and my whole back yard slopes
11 this way (Indicating). What's the point? Now I
12 have to go out myself and hire a landscaper to
13 flatten everything out and push the water this way
14 (Indicating). My neighbor Suzanne is going to have
15 the same issue on the other side because all of her
16 water slopes towards the swale. I don't understand
17 how this road is going to help us. I think that
18 it's going to hurt me, again. I know I'm speaking
19 for myself but just living there for as long as I
20 have, water is a major concern. My basement isn't
21 finished. I've been flooded I don't know how many
22 times. I change my sump pump every 18 months
23 because it runs constantly.

24 We love Colonie and it's a great spot to live,
25 but my other concern is right here (Indicating).

1 I'm not sure who is in charge of stop signs but now
2 are we going to get four stop signs like they have
3 on Maria Drive? There are going to be cars coming
4 this way and this way (Indicating). Right now I can
5 tell you that this street is just a drag race.
6 Every morning I see a Colonie police car sitting
7 someplace on Campagna slowing down the traffic but
8 it's far and few between. We're going to have a
9 whole lot more traffic and this intersection is very
10 dangerous. My kids are older now, but when they
11 were younger we knew to play out back. With all
12 this, I think that with all the traffic and the
13 speed of that road warrants at least a look into
14 whether or not stop signs should be put there.
15 Thank you.

16 CHAIRMAN STUTO: Okay, you raised some good points.

17 Let's start out with the catch basins and his
18 concerns about the drainage there.

19 I'm going to make this comment, Chuck and I
20 hope that you can keep an eye on it -- and the
21 applicant as well. As the Town matures, I would
22 venture to guess that they take the easier lots to
23 develop first. We're probably past our mid-point of
24 maturity here in the Town of Colonie in terms of
25 development. Spots that may be wetter may be

1 getting more developed now. What I'm going to ask
2 you is to consider over-engineering the stormwater
3 on this a little bit and it may be even be an
4 improvement to the neighbors there. I'd appreciate
5 it if you'd keep your eye on that ball.

6 Can you address this gentleman's concern?

7 MR. PALLESHI: We're not building this road to stop
8 any flow of stormwater run-off from his property or
9 anybody's property to pond even more. The water would
10 flow onto the roadway. The roadway is going to be
11 porous pavement where the water will infiltrate into
12 that stone underneath that porous pavement. On top of
13 that we have added two catch basins at the low point of
14 the road. The two catch basins would tie into the
15 existing storm sewers that are out there.

16 CHAIRMAN STUTO: I thought that you referred to an
17 existing catch basin there.

18 MR. PALLESHI: Right in the Town road on Campagna
19 Drive?

20 MR. YULE: It's in our back yard right back where
21 the road is. There is an existing catch basin there.

22 CHAIRMAN STUTO: Can you point to where you think
23 that it is?

24 MR. YULE: Here.

25 MR. PALLESHI: I see an end pipe, but not a catch

1 basin. There is a low point that I see right here
2 (Indicating).

3 MR. YULE: But there is a storm sewer right here
4 and then there is a pipe.

5 MR. PALLESHI: Right, that goes to the low point.

6 MR. YULE: Right, but it's also used to drain the
7 water and when there is heavy water, everything backs
8 up.

9 MR. PALLESHI: We're adding those two catch basins
10 here.

11 MR. YULE: So, basically it's on my property.

12 MR. PALLESHI: It is not your property.

13 CHAIRMAN STUTO: Okay, for the record can you just
14 describe the existing conditions as you understand them
15 and how it's going to be changed?

16 MR. PALLESHI: So, existing conditions - there is a
17 low point right here where we are proposing to intersect
18 a driveway. There is a 12-inch pipe at that low point.

19 CHAIRMAN STUTO: You're on a paper road, if you
20 will, right now?

21 MR. PALLESHI: Yes, between the two houses. Then
22 there is that low point with that 12-inch pipe that
23 drains towards Campagna Drive and ties into a catch
24 basin. By putting the road in, that area will be
25 regraded and everything will continue to drain towards

1 the road. Then, it will go into the two catch basins or
2 infiltrate within the porous pavement.

3 CHAIRMAN STUTO: Where are the two new catch
4 basins?

5 MR. PALLESHI: They're about 15 to 20 feet from
6 Campagna Drive.

7 CHAIRMAN STUTO: On the sides of what will be the
8 new road?

9 MR. PALLESHI: Yes.

10 CHAIRMAN STUTO: The gentleman is referring to
11 losing property. Can you address that?

12 MR. PALLESHI: There is a paper street right across
13 from Winifred. That paper street is 50 feet wide, I
14 believe. To my knowledge, that gentleman does not own
15 it. It's a paper street which was always intended to
16 extend Winifred Drive for development. The property is
17 zoned single family and that's what we are proposing to
18 do. We're not asking to rezone it or change or ask for
19 any variances. All of the 13 lots are within compliance
20 of the single family residential zone.

21 To answer his question on his basketball court,
22 I don't think that it will be removed but it does
23 look like the pavement area is outside of the right
24 of way width. Technically, he is encroaching onto
25 that paper street. We'll do the best that we can to

1 save every ounce of that property, whether it's
2 pavement or grass as we develop this subdivision.

3 CHAIRMAN STUTO: Can you address traffic and I'll
4 ask the Town to keep their ears open - in terms of
5 existing conditions and whether a stop sign will be
6 warranted or helpful? Can you talk about that?

7 MR. PALLESHI: Yes, the stop sign will be up to the
8 Town - the Police Department. As he had mentioned it's
9 an existing condition now. The 13-single family
10 residential homes that we are proposing does not justify
11 that much of an increase in traffic. Typically, you're
12 looking at two cars per house. That would be 26 cars
13 and not all 26 cars leave at the same time. There is a
14 queuing in between where you're going to see one or two
15 cars, whether there is a stop sign or not, throughout
16 the peak hour.

17 CHAIRMAN STUTO: I'll ask the gentleman. Do you
18 think that a stop sign is warranted there now to slow
19 down traffic?

20 MR. YULE: Yes.

21 CHAIRMAN STUTO: Can you have Public Works look at
22 that?

23 MR. TENGELER: Absolutely.

24 MR. OGREN: We get a lot of traffic from the church
25 and everybody knows that to avoid Albany Shaker Road

1 that you go up through Campagna over Maria and over.
2 Like I said, I watch a Colonie cop sit on the road and
3 it does slow things down but it's far and few between.

4 CHAIRMAN STUTO: Okay, next is Marcia Oliveri.

5 MS. OLIVERI: Hi. My name is Marcia Oliveri. I
6 live at 30 Campagna Drive.

7 CHAIRMAN STUTO: You're next door to the gentleman
8 who just spoke; correct?

9 MS. OLIVERI: I am. Actually, the gentleman who
10 spoke before him - we could have a nice conversation and
11 the end product would be the same. Water is also an
12 issue on that street. We too have been flooded in our
13 basement.

14 My question is that we have the easement that
15 they are talking about that is in our back yard. It
16 runs right through our back yard. My first question
17 is how do you plan on accessing that? Is that going
18 to involve taking down our 23 and a half year old
19 fence that looks brand new? Are you going to give
20 us more drainage? It was supposed to be from day
21 one, drainage on the right side of our property
22 between 30 Campagna and 32, which is not there. I
23 believe that in part that is part of our problem
24 with water. So, we have more water now from our new
25 neighbors.

1 CHAIRMAN STUTO: Under the stormwater laws, they
2 have to engineer this thing so that they add no more
3 water and it should go to your property in a slower
4 fashion that it would have if nothing was done. So,
5 that's the engineering mandate that our Town Designated
6 Engineer is going to look at. We're going to ask them
7 to over-engineer it and improve the current conditions.

8 We'll listen to your specific comments. You're
9 saying that there should have been a drainage - like
10 a storm sewer drainage basin?

11 MS. OLIVERI: There was said to be a storm drainage
12 between 20 Campagna and 32 Campagna Drive.

13 CHAIRMAN STUTO: Can you point to where you thought
14 that would have been?

15 MS. OLIVERI: Here.

16 MR. PALLESHI: I can't help you with that.

17 MS. OLIVERI: I'd love to know who can help me with
18 that.

19 CHAIRMAN STUTO: It's not between those two houses
20 on the border?

21 MS. OLIVERI: Yes, actually on the border on the
22 inside of our fence.

23 CHAIRMAN STUTO: Who told you that was supposed to
24 be there?

25 MS. OLIVERI: It was way back when they first said

1 that it was needed and then they said that it wasn't
2 needed.

3 CHAIRMAN STUTO: Was that the builder of your
4 houses, or the Town or who?

5 MS. OLIVERI: It was the builder. We have enough
6 water as it is, so any thought of adding more water is
7 like - I think that everyone on Campagna is going to
8 have the same reaction. It's like - we can't take it.

9 And I have a great concern about the swale.
10 It's inside the property line and I want to know
11 what their intension is - are they going to access
12 that swale?

13 MR. PALLESHI: There is an easement.

14 MS. OLIVERI: How are you going to get at 30
15 Campagna? I guess that's my question - the approach.

16 MR. PALLESHI: There is a 30-foot easement right
17 here. It's owned by the Town. We're not planning to
18 access that easement. The only access would be done
19 from the property. They're adding a catch basin here
20 and we're tying into the existing catch basin between 28
21 and 30.

22 MS. OLIVERI: But the swale - how are you going to
23 get that?

24 MR. PALLESHI: The swale is on our property here.
25 There is a catch basin there and we're adding another

1 catch basin on our side and then tying into the existing
2 catch basin that's within the Town easement. We're also
3 giving the Town an easement over the new catch basins
4 that we put in, so that they can maintain them.

5 MS. OLIVERI: Just so that I understand, the
6 easement is on the inside of our fence, from the back
7 yard.

8 MR. PALLESHI: It's on the outside of your fence.

9 CHAIRMAN STUTO: Okay, let me ask a couple of
10 questions.

11 The easement that runs between those two
12 properties - what is that easement? What is the
13 purpose of it? What are you going to do with it?

14 MR. PALLESHI: It's a 30-foot existing utility
15 easement. There is an existing catch basin within it
16 and a pipe that drains to Campagna.

17 CHAIRMAN STUTO: So, there is an underground pipe
18 that runs the length and catches water toward the back
19 of the property.

20 MR. PALLESHI: Right.

21 CHAIRMAN STUTO: Are you getting on top of that
22 easement at all, or under it or in it?

23 MR. PALLESHI: Yes, to make a connection from our
24 new catch basin on our site to that existing catch
25 basin.

1 CHAIRMAN STUTO: But you're not going to disturb
2 the length of the easement. You're just going to
3 connect toward the back of the property.

4 MR. PALLESHI: Just the rear - say, 10 feet within
5 the property line.

6 CHAIRMAN STUTO: Do you understand that, ma'am?

7 MS. OLIVERI: Yes, I do.

8 CHAIRMAN STUTO: You're speaking of the swale. You
9 have an existing swale, in theory. And they're going to
10 create another swale on their property. So, I'm not
11 sure which swale you're asking about.

12 MS. OLIVERI: The swale that they are creating -
13 it's my understanding that it's now going to be on the
14 other side of our fence.

15 MR. PALLESHI: Correct.

16 CHAIRMAN STUTO: Okay, so that is to collect the
17 water from their property and direct it into the
18 drainage pipes and so forth. Correct me, if I'm wrong.

19 MR. PALLESHI: That's correct. I mean the simple
20 way to look at it is, as it stands today, if you have
21 six inches that falls on this property with no
22 development, that water goes into the ground. Even
23 though you have impervious on it, doesn't mean that
24 you're increasing the amount of water. Six inches of
25 water still falls. I believe that -- well, we are in

1 the right direction in over-engineering the stormwater
2 so that we can do what it's doing now. That's part of
3 the whole stormwater management and redistributing the
4 water over the entire area rather than what you used to
5 see, where it is concentrated in one area and then ponds
6 and infiltrates into one area. We're doing that over
7 the entire site, providing these infiltration practices.

8 MR. VOSS: In theory, that's what they're mandated
9 to do. At this point, we haven't seen any engineered
10 drawings and we wouldn't at concept. But we will
11 eventually require that information.

12 Again, just to address the ponding issues or
13 the swale issues, the plan provided so far doesn't
14 have that level of detail to show that existing
15 condition yet. We will certainly request that the
16 applicant show that so that we can see it.

17 MS. OLIVERI: Okay, thank you.

18 CHAIRMAN STUTO: Joe Ieraci.

19 MR. IERACI: I believe that the Town is going to
20 keep their eyes and ears open to watch how this gets
21 further developed for water. The current road here -
22 there is a basin that this area, I believe that you said
23 you didn't use a wetland and this in the spring gets
24 very, very damp and floods out and it drains through
25 that basin. So, obviously you have to pay attention to

1 what happens because if you remove that basin it's just
2 going to end up in everybody's basement. I don't know
3 if anybody that's in this area that hasn't had water
4 problems.

5 You've heard the horror stories of foundations
6 falling in and a couple of folks have had their
7 foundations actually sinking and having to be
8 rebuilt. That water - I don't believe is from run
9 off. I believe that water is from ground water.
10 I'm not sure, but if you look back on some maps,
11 because I have - if you go back 40 or 50 years there
12 was something that was called Sand Creek on maps and
13 every so often you could see it and it came right
14 through this area. Developers may have buried it.
15 I have never seen a conduit or pipe any place, but I
16 believe that what everybody is facing here is Sand
17 Creek hitting a dead spot of not being able to pass.
18 Almost invariably houses on this side had the
19 problem and it starts to lessen on this side
20 (Indicating). They still have problems where the
21 original Sand Creek was. I'm not sure what anybody
22 can do now. That day has gone by. It was a
23 different Planning Board.

24 The other point that I'm concerned about are
25 the sizes of the houses. Not necessarily the size

1 of the roofs but with any house, you're going to
2 have a driveway and you're going to have pavement
3 and covered areas. All that adds to more ground
4 water. It doesn't get absorbed. It adds to run
5 off. That's another item that you want to be very
6 wary of when you do examine the plans. Not because
7 of the size of the house but the thicker the roof,
8 the more run off. These are just items that I
9 wanted to add to the list of things to consider
10 because I've lived in Colonie my whole life. I love
11 the area. I just would like to see it developed
12 smartly as opposed to quickly.

13 CHAIRMAN STUTO: Okay, thank you.

14 Marilyn Huber.

15 MS. HUBER: I'm Marilyn Huber at 26 Campagna Drive
16 and I have to reinforce what has been said already. I
17 have had very expensive basement work done to help
18 rectify this.

19 Also, the problem has given me additional work.
20 There is also an iron oxide problem that I was told
21 by a geologist that's it's ancient soil. There is
22 an iron oxide built up in our pipes. I've seen it
23 over in the Crossings - some of the run offs. I'm
24 concerned about that because I know that I have an
25 easement in the back myself, in my back yard. My

1 sun room is the legal 10 feet from the line.

2 Also, the traffic - I had written to the
3 previous Town Boards a letter about traffic with
4 suggestions including a stop sign at Winifred, and
5 requesting a bike path. We have a lot of pedestrian
6 bike traffic along there and it's a wide road. I
7 think that it would lessen the traffic to have
8 something like a bike path. This is going to add
9 some more traffic. Let's face it.

10 I just want to take the opportunity to say that
11 people speed at 55 miles an hour. They go around
12 you and try to turn into your drive way. They don't
13 see that 30 mile an hour sign - not that they would
14 obey it. They try to beat the light before it
15 changes. That's an issue. I'm just reinforcing. I
16 don't know if you have anything to say about the
17 area at 26 and what those plans are. I'd be
18 interested to know.

19 MR. PALLESHI: We're adding a catch basin directly
20 behind your house.

21 CHAIRMAN STUTO: We have a letter that got mailed
22 to us and also we emailed it around.

23 Would you mind reading that into the record,
24 Brian?

25 MR. AUSTIN: This letter is dated February 6, 2014.

1 It's addressed to Peter Stuto, Planning Board Chairman,
2 Town Public Operations Center, 347 Old Niskayuna Road,
3 Albany, New York 12205.

4 "Dear Mr. Stuto, I am writing to express our
5 concern over the proposal to build additional homes
6 on the property in back of Campagna Drive. This
7 proposed project was disapproved by the Town Board
8 several years ago because there was not enough space
9 for such expansion. Nothing has changed since then
10 and we are surprised that it is once more being
11 considered. It is our understanding that the
12 project would only extend to 100 yards beyond the
13 existing barn and there would be a dead end. What
14 would prevent further development beyond that point
15 and on Sand Creek Road? We have been living here
16 for 34 years and would like to see the property in
17 the back of us remain the same. We will probably
18 not be able to attend the meeting on the 11th, but
19 wanted to have our concerns considered. My husband
20 Leo and I both oppose this project. Sincerely, Mary
21 Darien, 10 Campagna Drive, Albany, New York, 12205."

22 CHAIRMAN STUTO: Thank you.

23 I know that Mike Tengeler received this letter
24 in the office and did a little bit of research on
25 that. She makes a reference to this having been

1 disapproved. Can you help us with a little bit of
2 that history?

3 MR. TENGELER: Yes. After researching with the
4 Building Department, we determined that back in 1995
5 there was a Zoning Board of Appeals presentation that
6 went on from November 1995 that culminated in a denial
7 without prejudice in 1996. The project that was being
8 referred to in that letter was for a three key-lot
9 subdivision that had limited frontage that did not meet
10 the Town standards at that time, nor at this time. In
11 laymen's terms it was a totally different project that
12 did not conform to the zoning ordinances in the Town of
13 Colonie. This project that has come along some 20 years
14 later conforms to the zoning and the frontage, therefore
15 it never had to go before the Zoning Board of Appeals
16 like they had to in 1995 for the separate project. It
17 was denied without prejudice and the reason that it was
18 denied without prejudice was the applicant just failed
19 to show up for the last appearance at the Zoning Board
20 of Appeals.

21 CHAIRMAN STUTO: Okay, thank you.

22 Any other members of the public like to speak
23 on this project?

24 MS. DEWEY: My name is Nicole Dewey and I'm the
25 owner of 8 Campagna Drive. I would be here

1 (Indicating). My question along with the letter from
2 Mary is what is preventing further expansion down into
3 where the barns is?

4 MR. PALLESHI: From my knowledge, VanGeest wants to
5 keep 1.62 acres. We're terminating this thing with a
6 cul-de-sac. We've got two lots and there is no way to
7 extend that once the houses are built. If for some
8 reason the developer decides to develop that before
9 building houses, they would have to come back in front
10 of this Board anyway. That's not the intent. The
11 intent is 13 single family residential lots with the
12 cul-de-sac.

13 CHAIRMAN STUTO: The owner has frontage on Sand
14 Creek though, right?

15 MR. PALLESHI: Correct.

16 CHAIRMAN STUTO: Nothing would prevent him from
17 coming in.

18 MR. PALLESHI: Not the builder, but VanGeest.

19 CHAIRMAN STUTO: He could potentially come in with
20 another application and look to build off of Sand Creek.

21 MS. DEWEY: But that would be a different plan that
22 this one.

23 CHAIRMAN STUTO: Right.

24 Anybody else?

25 (There was no response.)

1 CHAIRMAN STUTO: Board Members?

2 MS. MILSTEIN: The question that I had is: Are
3 there any sidewalks intended?

4 MR. PALLESHI: No.

5 MS. MILSTEIN: That's one thing that I would like
6 to see, if it gets farther.

7 MR. MION: My only concern is in the cemetery, but
8 I think that you're going to be working with the
9 cemetery and we're also going to be getting other people
10 to look at that to ensure that it's going to be done
11 correctly. I'd like to wait and see the comments on
12 that. I'd hate to see some of those big trees in there
13 go. They've been there for a while.

14 CHAIRMAN STUTO: Anybody else?

15 MR. AUSTIN: I'd just like to echo the comment that
16 was mentioned before about kind of having some more
17 detail on the size of the homes for the next meeting.
18 That's just so we know that they will be appropriate for
19 that neighborhood and something that will fit in with
20 the character with the existing neighborhood. Not that
21 it needs to, but I don't know if a 4,000 square foot
22 home is entirely appropriate next to --

23 MR. PALLESHI: Correct. I was just throwing
24 number.

25 MR. AUSTIN: I just think that would be great to

1 see.

2 CHAIRMAN STUTO: I think that the neighbors have
3 some valid concerns. As we said, we'll just reiterate
4 that if you could over-engineer the stormwater and maybe
5 improve it for these neighbors, I think that it would go
6 a long way toward getting along with the neighbors as
7 well.

8 MR. LANE: If I might add to that, mentioning the
9 oxidation -- and we know that over time the pipes get --
10 I guess you could call it calcified. I don't know that
11 has become a situation on the stormwater lines there,
12 but is that possibly something that could be looked at?
13 That's just to make sure that what is there can handle
14 the capacity of what is going to go through it and not
15 necessarily going by -- do we know what's out there?

16 MR. VOSS: Sure. We have rough information about
17 what's out there now. Additional plans will show us
18 what that is. The engineer's report will have the
19 proof. We'll get all that information.

20 CHAIRMAN STUTO: Do you have something new to add?

21 FROM THE FLOOR: Yes, just a quick question that I
22 forgot to add. I know that we don't know the size of
23 the properties that you plan on building, but what are
24 the average size lots?

25 CHAIRMAN STUTO: The minimum lot size is 18,000

1 square feet. That's the smallest lot.

2 What's the largest lot?

3 MR. PALLESHI: If you don't count VanGeest, it's
4 30,939.

5 CHAIRMAN STUTO: What are some of the other bigger
6 lots?

7 MR. PALLESHI: Some of the other ones are 20,000
8 and 21,000 and all the ones through the middle here are
9 18,000 to 19,000.

10 CHAIRMAN STUTO: If the neighbors want to take a
11 set of plans and share them with your neighbors, that
12 would be fine.

13 Okay, we have an application here for concept
14 acceptance. We've seen the presentation and we've
15 heard a few neighbors. Do we have a motion?

16 MR. AUSTIN: I'd like to make that motion that we
17 accept the concept acceptance.

18 MR. MION: Second.

19 MR. PALLESHI: Can I make one more comment, if I
20 may? While it's on my mind -- it's regarding the
21 sidewalks. I just wanted to let you know that there are
22 no sidewalks within the existing subdivision. To me, I
23 feel that adding a sidewalk to just this little
24 cul-de-sac doesn't make the most sense. I just kind of
25 wanted to get - I know that one of the members had

1 mentioned, sidewalks, but I want to get your feelings
2 for it - some of the other members. As part of this
3 whole stormwater, DEC want to eliminate impervious areas
4 and by doing the sidewalks would increase them.

5 CHAIRMAN STUTO: Chuck, what do you think?

6 MR. VOSS: I guess looking at it preliminarily I
7 would say that because there are no existing sidewalks
8 within the subdivision, building a sidewalk to nowhere
9 may not serve a purpose here. If there were sidewalks
10 on Campagna and the other roads, I would suggest that
11 would have been a valid point. Again, it's up to the
12 Board. I think that they have raised some additional
13 issues with stormwater. It's going to change how they
14 design the site certainly. I don't know if you have
15 room for sidewalks. You may down maybe on one side.
16 Again, with no interconnect to Sand Creek and no
17 sidewalks there and no sidewalks internally, I don't
18 know. It's the Board's decision.

19 MR. PALLESHI: The other thing too is that by
20 adding that 20-foot easement next to the pedestrian
21 connection for say Lot 13 to walk on a non-busy street
22 to get to that -- I don't see the need for a sidewalk, I
23 guess.

24 CHAIRMAN STUTO: We have a motion before us and a
25 second, but can you talk about the connection? Do we

1 have definitive plans for a connection?

2 MR. VOSS: Just what you have before you.

3 CHAIRMAN STUTO: Did you talk to the Parks
4 Department on that?

5 MR. VOSS: We can certainly do that.

6 CHAIRMAN STUTO: Okay, make sure that you do.

7 FROM THE FLOOR: Can I make a comment relative to
8 that? In my proposal I proposed an access path
9 connecting to the Crossings and I was told that there
10 was no bike paths to connect to. That's ridiculous
11 because there was the Crossings at the time. If you're
12 familiar with Hackett Boulevard or something like that
13 where they have that multi-use wide walkway, it could
14 even be striped. That would help cut down on the
15 traffic. It would give people a safe place to walk
16 because I know a lot of us do walk and bicycle ride
17 along there, and it would connect to this and into the
18 Crossings in the back, and also to the other one.

19 CHAIRMAN STUTO: So, what are you recommending?

20 FROM THE FLOOR: I'm recommending some kind of
21 striping or a wide multi-use path down one side of the
22 street that would allow pedestrians -

23 CHAIRMAN STUTO: You're saying stripe the existing
24 street?

25 FROM THE FLOOR: Well, on the one side.

1 MR. LANE: Are you talking about a bike lane?

2 FROM THE FLOOR: Well, a multi-use path. It could
3 be a wide sidewalk for bicyclists. There are a lot of
4 bicyclists.

5 CHAIRMAN STUTO: You're saying install something
6 new?

7 FROM THE FLOOR: Put stripes down to show that it's
8 a bike lane.

9 CHAIRMAN STUTO: Down Campagna?

10 FROM THE FLOOR: Yes, and over to the Crossings. A
11 lot of people go to the crossings.

12 MR. AUSTIN: I'm not sure that's part of this
13 project. We can't put that upon this developer.

14 FROM THE FLOOR: Well, you're addressing sidewalks.

15 MR. AUSTIN: Sidewalks within the new development.
16 There are no existing ones.

17 CHAIRMAN STUTO: We can still ask Mike to talk to
18 the Public Works about that, as well.

19 How far is the access that you're providing
20 from the nearest path?

21 MR. PALLESHI: It's 170 from the edge of pavement
22 to the proposed pavement to the rear of the property
23 line, and then another 140 into the existing multi-use
24 path within the Crossings.

25 CHAIRMAN STUTO: That would be a nice connection,

1 too.

2 MR. AUSTIN: You'd have to pave that?

3 MR. PALLESHI: No, I believe just some sort of a
4 dirt trail that would lead there.

5 CHAIRMAN STUTO: Is it part of your plan to make
6 the connection?

7 MR. PALLESHI: I think that was something that the
8 Town had asked for - providing a 20-foot easement for
9 that connection. I think that the last discussion was:
10 Where do you put it? Over here didn't make sense
11 because this is the closest point to the closest
12 connection of the Crossings.

13 CHAIRMAN STUTO: Can you give that a serious look
14 and talk to the Parks Department?

15 MR. TENGELER: Sure.

16 CHAIRMAN STUTO: Okay, we have a motion before us.
17 Any other comments or questions?

18 MR. AUSTIN: I'll just put my two cents in about
19 the sidewalks. I don't think that it's necessary at
20 this particular development. I would echo what Chuck
21 was saying about the fact that there no existing
22 sidewalks. With all of the stormwater issues that
23 everybody is concerned about, I don't think that adding
24 any impervious sort of anything should be there. I know
25 about water too. Water is not a fun thing at all.

1 Houses that I've owned before, I've had this issue.
2 Some people pay a lot of money for ponds but most people
3 don't want them in their back yards involuntarily. So,
4 the whole thing with the Town with the stormwater
5 management plan is very important. Chuck is very
6 knowledgeable about this stuff, as well. Our Town
7 Designated Engineers are very good at this. They will
8 not make anything worse and most likely they'll make
9 things better.

10 CHAIRMAN STUTO: Anybody else want to make a
11 comment?

12 (There was no response.)

13 CHAIRMAN STUTO: All those in favor?

14 (Ayes were recited.)

15 CHAIRMAN STUTO: All those opposed say nay.

16 (There were none opposed.)

17 CHAIRMAN STUTO: The ayes have it.

18 Thank you.

19

20 (Whereas the above entitled proceeding was
21 concluded at 8:00 p.m.)

22

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1 CERTIFICATION

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I, NANCY STRANG-VANDEBOGART, Shorthand

4

Reporter and Notary Public in and for the State of

5

New York, hereby CERTIFY that the record taken by me

6

at the time and place noted in the heading hereof is

7

a true and accurate transcript of same, to the best

8

of my ability and belief.

9

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NANCY STRANG-VANDEBOGART

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Dated February 20, 2014

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