

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

3 *****
4 FOEGLI FARMS PDD
499 - 507 ALBANY SHAKER ROAD
5 SKETCH PLAN REVIEW

6 THE STENOGRAPHIC MINUTES of the above entitled
7 matter by NANCY STRANG-VANDEBOGART, a Shorthand
8 Reporter, commencing on October 7, 2014 at 7:01 p.m.
at The Public Operations Center, 347 Old Niskayuna
9 Road, Latham, New York

10 BOARD MEMBERS:
11 PETER STUTO, CHAIRMAN
12 LOU MION
13 SUSAN MILSTEIN
14 TIMOTHY LANE
15 KATHY DALTON
16 CRAIG SHAMLIAN
17 BRIAN AUSTIN

18 ALSO PRESENT:
19 Kathleen Marinelli, Esq., Counsel to the Planning Board
20 Joseph LaCivita, Director, Planning and Economic
21 Development
22 Michael Tengeler, Planning and Economic Development
23 Daniel Hershberg, PE, Hershberg and Hershberg
24 Peter Ziamandanis
25 Brad Grant, PE, Barton and Loguidice
Lonnie Clar, Greater Loudonville Homeowners Association
Kelly Mateja

1 CHAIRMAN STUTO: Welcome to the Town of Colonie
2 Planning Board meeting.

3 Joe, do you have any business matters or
4 business keeping that you need to do before we get
5 started?

6 MR. LACIVITA: The only thing that I'd like to say
7 is we'd like to make a small change to the agenda for
8 this evening. There was a recommendation on item 2 to
9 the Town Board. It's a Resolution authorizing the use
10 of funds collected pursuant to the statement of findings
11 for our GIS.

12 The Town Attorney's office had called me later
13 this afternoon and said that they'd like to change a
14 little bit of the language in it revising it and
15 then get it back to the Planning Board and then put
16 it on at a later date. They've asked that we pull
17 this item until we could have additional
18 conversations on what we are trying to accomplish.

19 CHAIRMAN STUTO: So, if the Board has no objection,
20 we'll do that.

21 (There was no objection from the Board.)

22 We'll call up the first item. This is Foegtli
23 Farms PDD. This is 499 to 507 Albany Shaker Road.
24 This is a sketch plan review of an 80 townhouse
25 cluster unit development. This is presented by

1 Hershberg and Hershberg.

2 MR. HERSHBERG: Thank you, Mr. Chairman. My name
3 is Daniel Hershberg from the firm of Hershberg and
4 Hershberg. We're here today representing Palatial Home
5 Development, LLC and Peter Ziamandanis is here and is
6 the principal of that firm.

7 The project includes 20.38 acres which includes
8 one small wetland at the front which is about .31
9 acres, and another wetland at the back which is
10 slightly larger and has a pond in the middle.

11 On the 20.38 acres we propose 80 units which is
12 slightly less than four units per gross acre. The
13 plan shows a significant roadway system which will
14 all be privately owned and maintained by a
15 homeowners association. Peter intends to sell this
16 from the walls of the building, in. The homeowners
17 association will maintain everything else.

18 CHAIRMAN STUTO: That's a condominium, correct?

19 MR. HERSHBERG: Under the condominium law, yes. It
20 was set in cluster, but it is actually a condominium.

21 CHAIRMAN STUTO: Is cluster a misnomer at this
22 point?

23 MR. HERSHBERG: Yes, I would not classify it as
24 cluster residential development. Normally you would
25 cluster and leave more greenspace to have the cluster

1 take place. We are able to save a little more
2 greenspace. That's not the purpose of it. The PDD that
3 we submitted to the Town Board described this as a
4 townhome style development because the homes, which I'll
5 show you in a moment, are pretty similar to what your
6 normal townhomes are. They will be developed with a
7 homeowners association or a condominium association that
8 will own all the property, own the common areas, own the
9 stormwater management facilities, own the clubhouse and
10 own the roadways. The only public portion of this will
11 be public water and sewer which will be run in and we
12 have an easement that we have already laid out as
13 requested by the Latham Water District and the Pure
14 Waters Division.

15 The proposal was to have one entrance roadway
16 opposite the school driveway on the opposite side
17 and another one opposite the other roadway on the
18 other portion. We have comments from Albany County
19 Department of Public Works reviewing the project.
20 They said that from a traffic standpoint they think
21 essentially that this would not require a full
22 traffic impact study, but there will be an analysis
23 required for some of the intersections. Their
24 concern primarily was with sight distance because
25 there is a grade difference going in this direction

1 (Indicating) and they thought also that as an
2 improvement the applicant might propose to put in
3 beacons - the school beacons which say school
4 driveway ahead. Whether or not they are the
5 activated one that tells you how fast you're going
6 in a speed zone is yet to be determined. Albany
7 County thought that would be a good improvement
8 regardless of whether or not this subdivision went
9 in. We've talked to Peter about that and Peter is
10 certainly willing to include that.

11 We have a divided driveway here, so this would
12 be the main entrance to the site. Traffic
13 circulates around and we have a driveway here
14 (Indicating). These four units actually face on
15 Albany Shaker Road and the garages are in the rear
16 so these will have sidewalks going out. There is a
17 public sidewalk across the entire subdivision.

18 The stormwater management facilities are quite
19 easy to manage on the site. We did infiltration
20 tests on the site. The infiltration tests of
21 groundwater infiltration rates between 10 and 40
22 inches per hour, which is very good infiltration
23 rate. That is with the exception of one test which
24 was about two inches per hour which is still
25 suitable for porous pavement. Our goal would be to

1 use all porous pavement for both the roadways and
2 the driveways on the site.

3 With regard to the roof drainage, we intend to
4 set up a series of rain gardens around the site to
5 take that roof drainage. If there are basements
6 involved, a sump will be required by Town standards,
7 so we'll have to have an outfall for that. Those
8 will also outflow to these rain gardens. We will
9 not have a storm sewer system to collect the
10 stormwater because it will be infiltrated into the
11 ground water at each location. That is consistent
12 with Chapter 5 of the Stormwater Management Design
13 Manual. That situation is good and we've tried to,
14 where possible, leave significant foliage here
15 (Indicating).

16 People who are familiar with the site know that
17 the farm doesn't have much existing foliage on the
18 side here. Those are rear fences to houses
19 primarily at this location here. We would intend to
20 establish a new row of vegetation along this side
21 here (Indicating). We would propose to supplement
22 vegetation where it's weak back here and again,
23 these building footprints are based upon the maximum
24 size of the building footprints that our architect
25 has developed. Again, I will show you those in a

1 moment.

2 A question was raised about how does the
3 density compare to what the permitted density would
4 be on the site. In order to do that, rather than
5 talk in abstract figures, we took the liberty of
6 preparing a plan that if this was a standard
7 residential subdivision, what would we propose? I
8 took the liberty of doing that.

9 This is a plan that would require less than a
10 half of an acre worth of wetland disturbance, so we
11 have done our nationwide permit. We can fit in 38
12 lots. They all meet the 80 foot minimum frontage.
13 They all meet the 18,000 square foot area. It works
14 out to 38 residential lots, which is 1.9 per acre.
15 That's very close to the 2.0 which would be a
16 conservation subdivision. I think that it shows
17 essentially that the SFR zone is correct in
18 establishing about two units per acre as the base
19 density.

20 This system would require that we put in a
21 public roadway of about 2,300 linear feet of
22 roadway. It would then become public roadway to
23 maintain. I point that out because one of the
24 advantages of this from a tax standpoint is that
25 these would all be taxable. We think that the taxes

1 paid on our units based upon what Peter intends to
2 build will be at least equivalent or perhaps more
3 than these units, and that the public cost will be
4 less. There will be no public roadway to maintain
5 and no trash pick-ups to do. These would all be
6 done privately by the homeowners association or
7 condominium association. That's the equivalent
8 plan.

9 Let me show you for the sake of what these
10 buildings are -- and these are hand drawings done by
11 Dominick Ranieri, our architect. Some of these show
12 buildings with garages in the front, although we did
13 try to recess the garages back. This garage is back
14 20 feet from the front line of the building
15 (Indicating). It's not at the street line. This is
16 one unit that is proposed (Indicating). The unit is
17 a ranch. This is a full two-story (Indicating).
18 This is a ranch with a garage at the side entrance
19 (Indicating).

20 CHAIRMAN STUTO: There is no second floor on that.

21 MR. HERSHBERG: There is no second floor.

22 This is a lot like a typical colonial design,
23 but here the garages are in the back (Indicating).
24 That's used where we are capable of doing the rear
25 entrance garages.

1 We have Derby Way which has no buildings
2 fronting on it, but we will have rear entrance
3 garages. The design here is attractive. They will
4 have a value of approximately \$350,000.00 to
5 \$375,000.00 which is what they are thinking of what
6 they are selling these units for. We think that
7 they are substantial and we think -

8 CHAIRMAN STUTO: How many square feet?

9 MR. HERSHBERG: Approximately 2,000.

10 CHAIRMAN STUTO: Minimum or average?

11 MR. HERSHBERG: Average - and again there were some
12 smaller ones. This plan - we layout a couple of
13 different layouts in here; a, b, c, d and e. We said
14 essentially that if as the project goes forward and we
15 build a model and someone says gee, I'd like that model
16 here, we certainly have the capability of mixing and
17 matching them without changing our site very much. We
18 designed it with an awful lot of larger ones in there so
19 that it give us enough space to do those.

20 The other question always is: What is the
21 public benefit here? Site-wise the public benefit
22 is difficult for us to establish because we already
23 have sidewalks and a good pedestrian network area.
24 There is no reason to do anything with it. However,
25 we believe that the principal park that these people

1 would use would be the Crossings. We would like to
2 work with the Town and Recreation and Planning to
3 find projects there that they would like us to
4 commit to do as part of this proposal. We'll
5 certainly work with them to quantify the amount of
6 money that we can afford to put forward, but we
7 think that to do that public benefit that would
8 probably be the best. Obviously, we can't talk
9 about public benefit being tax income because there
10 would be tax income from a single family residential
11 project too, although we think that it would be more
12 here with less requirements.

13 I think that I'm done with my presentation.
14 I'm prepared to answer any questions that the Board
15 may have.

16 CHAIRMAN STUTO: We're going to turn it over to the
17 Town Designated Engineer which is Barton and Loguidice.
18 Brad Grant.

19 I do want to mention to the public what our
20 normal procedure is on a sketch plan. We're not
21 taking a vote tonight. We normally don't take
22 public comment, so we'll see how that goes.
23 Hopefully we'll ask questions that you want answers
24 to, but we're not taking any vote tonight. If this
25 ends up coming back, we'll open it up for public

1 comment. We'll see how that goes.

2 Brad, can you offer your comment as our
3 engineer?

4 MR. GRANT: Yes. It is a dense layout. There is
5 no sugar coating that. There are some areas identified
6 for stormwater management which I would assume would be
7 infiltration based. I haven't seen any soils
8 information to know about groundwater and if you had any
9 boundary conditions. Those are challenges to overcome.

10 The intersection of Saratoga Boulevard - it has
11 that triangle there which is kind of an interesting
12 arrangement. Is there a reason that is in a circle?

13 MR. HERSHBERG: We just thought that we'd like to
14 have an island in the middle there. There is no real
15 rationale for it other than the fact that it seemed to
16 work out well and we're working with Dom Ranieri who
17 likes some greenspace. We didn't have to have as much
18 asphalt.

19 MR. GRANT: No, we like the greenspace aspect of
20 it. I know that DOT has tried to shy away from these
21 acute angle intersections and try to "T" things up or go
22 to the rotary or roundabout layout. That, to me, should
23 be a consideration. This is two-way on all of these
24 streets?

25 MR. HERSHBERG: Correct.

1 MR. GRANT: Including the northerly entrance?

2 MR. HERSHBERG: We have two lanes separated by a
3 center island - a boulevard entrance.

4 This one we anticipate being a full service
5 intersection, although if it turns out that people
6 want to limit right-in and right-out at certain
7 hours of the day, that is certainly something that
8 we can consider.

9 MR. GRANT: You have to discuss the public amenity.
10 You have a community garden. I like community gardens.

11 The clubhouse - are those two amenities just
12 for the people in the HOA?

13 MR. HERSHBERG: We think that essentially it's for
14 the HOA, however we will work with neighbors and groups
15 to have the HOA make the clubhouse available for small
16 parties or meetings if they wanted. That can certainly
17 be included. Our goal there was to minimize the
18 clubhouse area. It's not a large clubhouse area. It's
19 a relatively small clubhouse with minimal parking but
20 again, we can make the homeowners association make it
21 available to other people in the neighborhood to use.

22 MR. GRANT: Lastly, the pond up in the southern
23 portion -- is there any thoughts towards a hiking trail
24 down toward there or benches?

25 MR. HERSHBERG: We can certainly put in a nature

1 trail through here. Although it's labeled a wetland,
2 you can walk that entire area until you get down to the
3 edge of that. That would be ideal to have a trail
4 around that and we certainly can consider that.

5 MR. GRANT: So, to be a PDD, this has not gone
6 through the rezoning yet.

7 MR. HERSHBERG: No, again, the Town Board
8 recommended that the Planning Board consider it for a
9 PDD and we're waiting for consideration of the PDD by
10 this Board to make a recommendation back to the Town
11 Board.

12 CHAIRMAN STUTO: You understand that we're not
13 prepared to do that tonight.

14 MR. HERSHBERG: We know that.

15 MR. GRANT: There are no internal sidewalks on this
16 layout?

17 MR. HERSHBERG: We didn't plan on it. We think
18 essentially that the traffic volume won't be huge on
19 these and essentially like a whole bunch of residential
20 areas, people use the street to go around. If
21 pedestrian accommodation is a key issue here, we can
22 certainly talk about that.

23 MR. GRANT: And there is no age restriction on
24 this?

25 MR. HERSHBERG: The target market here is a typical

1 target market in this demographic area -- the
2 demographics of this area say that your market will be
3 55 plus people trying to downsize or existing homes or
4 some empty nesters. In this development there certainly
5 might be some children, but more children in it than we
6 do with our senior apartments or apartments that are
7 tailored to seniors.

8 MR. GRANT: I know that the residences in the back
9 of the project are elevated from the site itself along
10 the sides. The groundwater issues and any moist
11 basements and sump pumping - that's part of the
12 information gathering. How are the people fairing with
13 this being undeveloped? That's a question. What is the
14 potential change for that if we have this dense of a
15 layout with this much groundwater infiltration? The
16 driveways and the roads would be -- you're thinking
17 porous pavement?

18 MR. HERSHBERG: All porous pavement. Again, the
19 soil was so forgiving regarding its infiltration rate
20 that we'd be remiss if we didn't use all infiltration
21 methods.

22 As you are aware, some infiltration methods do
23 slow down the rate of infiltration into the ground
24 from the natural condition by storing it in a
25 reservoir underneath porous pavement and some goes

1 out more slowly but again, all the water that falls
2 on the site now goes into the ground and all the
3 water when we're all done will go into the ground.
4 We tried to honor as much as we could the grades of
5 the site so that we're not significantly changing
6 it. We do have to cut into this area of the back.
7 We did have a groundwater table tested in all cases
8 and it was primarily at about 11 feet below grade.
9 It won't impact your normal infiltration methods.

10 MR. GRANT: Noted on the north side you have a
11 drainage swale on the back of all those properties and
12 that's the area on this side of it where you were
13 talking about additional planting to beef up -

14 MR. HERSHBERG: When you look over here
15 (Indicating), people from their backyards have always
16 seen right into the horse farm area. We believe that to
17 get some privacy in here we would propose to put a
18 fairly dense evergreen strip along here (Indicating) at
19 a point back where the woods pick up. These separate
20 the houses and their backyard looks right out into what
21 used to be the pasture area. We will be able to screen
22 that somewhat with our new plan.

23 MR. GRANT: I understand the street names now.

24 MR. HERSHBERG: The horse modality has taken over.
25 I would just like to say, regarding the

1 comments about the density of the site, the Town has
2 some PDDs that are more dense than this. Parkside
3 has a density that is probably two or three times
4 this density. We're going from about two units an
5 acre to four units per acre. It is an increase in
6 density, but there are an awful lot of PDDs that
7 this Town has considered in the past which have a
8 greater percentage increase in density. We think
9 that this density is appropriate. It does allow us
10 to leave this wetland alone, leave the greenspace
11 around that alone so that it breaks up the site. It
12 does allow us to leave this wetland alone and leave
13 some buffer at the site. We don't think that it
14 should be considered overly dense. We did jog
15 buildings around to make sure that your view would
16 not be down a line of buildings. Density is in the
17 eye of the beholder. From a developer's standpoint,
18 it's not dense at all. I guess from a Town
19 Planner's standpoint it might be denser than single
20 family residential units. We're aware of that but
21 again, we thought we did a pretty good job of
22 keeping the density where we think it's feasible.

23 MR. GRANT: Last but not least is the clubhouse. I
24 know that a lot of the functions you would have in there
25 are also available across the street at the Crossings.

1 You probably have to pay a fee to rent the room at the
2 Crossings. It kind of makes me wonder if it's really
3 needed.

4 MR. HERSHBERG: Again, the clubhouse is our last
5 building that we'll build here. Quite honestly if in
6 fact the units don't work as well or if there is a
7 problem with that, the clubhouse can go. We're more
8 concerned with the community garden area back here
9 (Indicating). A picnic area could very well replace
10 that clubhouse. The clubhouse is not a major element of
11 our plan.

12 MR. GRANT: And I'm not expressing an opinion one
13 way or the other. It's just with the Crossings and the
14 full breath of services over there, somebody is going to
15 ask that question.

16 MR. HERSHBERG: We're aware of that. That
17 clubhouse is quite small. It's about 1,200 square feet.
18 It's not big enough to even have a large party. It's
19 got a bathroom in it so people who are doing their
20 gardening there have a place to go. We're probably
21 going to use a portion of that to store farm tools for
22 the people in the garden. It's not planned for any
23 large functions.

24 CHAIRMAN STUTO: Those are good comments, Brad;
25 thank you.

1 We'll take comments and questions from the
2 Board.

3 MS. DALTON: Can we start with the folks in the
4 audience?

5 CHAIRMAN STUTO: We normally don't.

6 Can everyone raise their hand who has an
7 interest in this project?

8 (Several audience members raised their hands.

9 Do you all know each other? Do you have a
10 representative or two that could tell us what you're
11 questions are? We normally don't take public
12 comment.

13 MR. CLAR: My name is Lonnie Clar and I'm on the
14 Greater Loudonville Association Board of Directors and
15 I'm President of the Colonie Coalition of Homeowners.
16 It's a neighborhood association.

17 There are a number of questions. Some are
18 going to be for the Town and some are going to be
19 for the developer and I think that they are fairly
20 general questions. Some of them have been answered.

21 We wondered how tall the buildings are going to
22 be. They don't seem to be very visible from the
23 homes that are already on Danielwood.

24 CHAIRMAN STUTO: Why don't you get all your
25 questions out and we'll make a note and then we'll

1 answer them.

2 MR. CLAR: I wondered how large the buffer is going
3 to be between the current residences and the proposed
4 buildings, but that has shown up now on the map.

5 How much of the wooded area do you plan to
6 leave standing? That's another question that I
7 wanted to touch on.

8 Has a traffic study been done? Is it going to
9 impact on the Albany Shaker Road traffic during rush
10 hour? It's a bear of a road to travel on now. Are
11 we going to need another traffic light over there;
12 possibly opposite Wertman? Will that impact on
13 Albany Shaker Road traffic? Will there be one or
14 two entrances? I think that we've found that out
15 tonight. Will there be any connection to the
16 residential streets behind the parcel? I don't
17 think that's planned now. Any commercial
18 development along Albany Shaker Road? I believe
19 that's zoned commercial on a portion of the parcel
20 that abuts Albany Shaker Road.

21 CHAIRMAN STUTO: Want to get that one out of the
22 way?

23 MR. HERSHBERG: No, it's all zoned single family,
24 SRF on the zoning map.

25 MR. CLAR: When the Town responds to this, will it

1 be rezoning that entire parcel?

2 CHAIRMAN STUTO: I can answer that. They're
3 proposing a PDD, which is a planned district development
4 and that is technically to rezone the whole thing.
5 Normally that density wouldn't be permitted. With the
6 PDD, which is a rezone, they would be permitted to do
7 this. You kind of define your own new zone.

8 MR. CLAR: With a PDD am I correct in thinking that
9 if it was zoned as a PDD, would there be commercial
10 development possible along Albany Shaker in that
11 stretch -

12 CHAIRMAN STUTO: No, unless he proposed it and he's
13 not proposing it.

14 MR. CLAR: There are streams going through the
15 property. How are they going to handle those? Are they
16 going to bury those streams, or are they going to leave
17 them open? There is at least one stream that leads to
18 the pond that is visible from Albany Shaker Road. You
19 can see that stream going through the parcel. I'm not
20 sure if they are going to bury it or not.

21 There are a couple of other questions that came
22 to mind. Will there be outdoor parking as well as
23 the indoor parking? There seem to be garages. Will
24 there be additional parking spaces?

25 With porous pavement, what happens over the

1 course of several years? Does that get treated? If
2 it gets sealed does that eliminate the porous part?
3 If it doesn't get sealed, how do you treat it? How
4 do you care for it over the course of years? Porous
5 pavement sounds good when it's first put down. What
6 happens five or ten years into that?

7 CHAIRMAN STUTO: You asked the right person.

8 We'll do these all at once.

9 MR. HERSHBERG: I love that one.

10 CHAIRMAN STUTO: We know.

11 MR. CLAR: The last thing: Will there be a
12 possibility of a meeting just between the developer and
13 the neighbors?

14 MR. LACIVITA: That's exactly what I was going to
15 get into Peter, because typically at sketch plan we
16 don't go through these litany of questions. We
17 specifically ask the developer and Dan to have a
18 neighborhood meeting so that we can get all these
19 questions out with the neighborhood specifically before
20 it comes back to Planning for concept.

21 That meeting date is?

22 MR. HERSHBERG: A week from tonight at the Shaker
23 Road Loudon Road Fire Department at 7:00. Peter is
24 going to hand those notices out to people's doors
25 tomorrow. We just wanted to have it after tonight's

1 meeting to be certain that we still have a project.

2 MR. LACIVITA: And that's where all these questions
3 would have been answered at that time. We're outside
4 the typical agenda.

5 CHAIRMAN STUTO: Was that your question, ma'am?

6 FROM THE FLOOR: That meeting, I don't think, is
7 enough time for a holiday weekend. Columbus Day is that
8 weekend and we're only finding this out a week in
9 advance. I think that should be pushed out a little
10 bit.

11 MR. HERSHBERG: We would be willing to have a
12 second meeting. During this process people who haven't
13 been here before aren't aware of how this process works.

14 We will have to do a concept submission to this
15 Board. Concept approval is required first to make a
16 recommendation to the Town Board about a PDD. So,
17 as these plans develop we can certainly take
18 comments we hear and incorporate them into the plan
19 and then we'll have another meeting with the
20 neighborhood.

21 We're not adverse to the neighborhood meeting
22 at all. Peter is a neighbor. He lives in the area.
23 He knows a lot of people and he certainly would be
24 willing to meet with people multiple times. We're
25 not limiting it to a single neighborhood meeting.

1 CHAIRMAN STUTO: Okay, you want to try to run
2 through the questions?

3 MR. HERSHBERG: Yes, I'll take it in reverse order.

4 Porous pavement does not require significant
5 additional treatment. I have seen porous pavement
6 down for 25 years and the original pavement is still
7 in place. Porous pavement, properly done, will last
8 as long as standard pavement. If you want to drive
9 into the Village of Colonie and look at the painted
10 lines on the Shop Rite or the Funeral Directors -
11 painted lines look a little rough. The difference
12 is that they don't look as sharp as they do on new
13 pavement because the pavement has a rougher context.
14 Other than that, porous pavement performs just as
15 well as does standard asphalt pavement.

16 New York State DOT has standard asphalt
17 pavement specification these days. We have adopted
18 it a little bit.

19 I put porous pavement down for the first time
20 in 1972. That's 42 years ago. That pavement has
21 been redone once, but redoing porous pavement is no
22 more difficult than doing standard pavement. You
23 mill up a portion of it and you put down another
24 layer of porous pavement.

25 We do have a Town road in Antoinette Estates

1 which is done in porous pavement. It was put down
2 originally two years ago. You just put the top
3 course on it and it's working fine. The Town
4 doesn't have any problem maintaining it or plowing
5 it. The issue about porous pavement and the
6 difficulty with it is not real. Do not seal porous
7 pavement. As a matter of fact every place that we
8 put porous pavement on, do not apply sealer. Sealer
9 is an impervious layer and would make porous
10 pavement non-functioning. It may look nicer but
11 again, quite often the look of the porous pavement
12 is essentially a more pebbly surface than you see in
13 a very smooth asphalt surface. If you love the
14 environment, you ought to love porous pavement.
15 It's the most forgiving thing in the world. It takes
16 the water that falls on pavement that normally
17 collects and creates are all sorts of stormwater
18 problems and puts it back at exactly the same rate
19 that it came down before. The water that fell on
20 our porous ground goes right into the ground. We
21 don't increase the discharge. The rain that came
22 down before goes into the ground at the same rate.

23 There was another issue about commercial use.
24 There is zero commercial use on this site. We don't
25 intend any commercial use of this PDD. The zoning

1 map shows all this as single family residential.

2 Regarding alignment, we actually have a line on
3 our plan here which edges the existing woods. We
4 tried to avoid doing that. The two stream courses -
5 one that comes out into there and one that comes out
6 into here (Indicating) - we're not piping the stream
7 courses, we're not grading them and they're going to
8 look the same just like the way that they do today.

9 This area right here is a fairly substantial
10 buffer from the back of Danielwood (Indicating).
11 Unfortunately, this site here and because of
12 topography and the presence of the wetland, we had
13 to come closer here (Indicating).

14 We are aware of the fact that we have a
15 viewscape problem in there and we're willing to work
16 with the homeowners to be certain that they're
17 satisfied with our intention to provide a
18 green-scene for that area there. Essentially, that
19 tree-line comes down into here (Indicating). People
20 who are familiar with the site go across a large
21 pasture area and then it starts up a steep hill.
22 When it starts up that hill is where the woods
23 start. This portion of the woods is coming down
24 (Indicating) so it's not that we're not clearing any
25 of it but we tried to leave the woods at the

1 critical points where it joins the adjoining
2 properties. Again, Peter was very careful.

3 Peter is a neighbor of you folks. He doesn't
4 want to do anything to make himself persona non
5 grata. He wants to continue to live in the area and
6 he doesn't want people knocking on his door
7 complaining about his project. This project will be
8 managed, I think, as well as any project in the Town
9 will.

10 CHAIRMAN STUTO: Outdoor parking?

11 MR. HERSHBERG: We do have additional parking
12 spaces that are in here (Indicating). It allows one
13 parking space in the garage and one parking in the
14 driveway, and every unit has a two-car garage. So,
15 theoretically if they don't store anything in their
16 garage, they have four parking spaces for each unit. In
17 addition to that, we have some small areas that we set
18 up for off-street parking. Essentially, if you have
19 guests over and they want to park there and there is no
20 space in your driveway, they can park there
21 (Indicating).

22 We have a 26-foot wide roadway. We believe
23 that the Fire Department will say parking on one
24 side only. They're not going to allow parking on
25 both sides of a 26-foot wide roadway. We're aware

1 of that. We would placard one side no parking and
2 the other side we would allow parking.

3 We think that essentially it's thought out well
4 enough that we do have rear exits on these buildings
5 here (Indicating). People visiting people would
6 have plenty of storage in the driveways. It's a
7 little cumbersome sometimes. The first person in
8 has to be the last person out. For the normal use
9 of the house there is plenty of parking for the
10 residents.

11 CHAIRMAN STUTO: I know you talked about the
12 traffic study.

13 MR. HERSHBERG: The typical traffic study trigger
14 with New York State DOT is generating 100 vehicles per
15 hour in the peak hour. With 80 units we're probably
16 only talking about generating no more than 72 vehicles
17 per hour. A residential unit normally generates about
18 .9 vehicles during the peak hour. It's below the level
19 that DOT would require a traffic impact study. Albany
20 County said essentially they're not really concerned
21 about a total traffic impact study, but they may want
22 certain intersection studies and we are certainly
23 willing to meet with the Town Designated Engineer to
24 determine what intersections would be most impacted and
25 we'll study those and we'll compare with an analysis of

1 those intersections as well as the impact of the site.

2 CHAIRMAN STUTO: Thank you.

3 How tall are the buildings?

4 MR. HERSHBERG: They're two stories, but we do have
5 a decorative roof so my guess is that the peak of that
6 roof is about 32 feet. The peak of this roof here is
7 also about 32 feet. On the ranch style it's about 21
8 feet. Again, they are typical the same height as a
9 colonial house.

10 CHAIRMAN STUTO: That's the end of the list that I
11 had.

12 MS. MATEJA: I'm Kelly Mateja and my children go to
13 Shaker Road Elementary. I was at gymnastics practice
14 tonight so my apologies.

15 I love PDDs. You know that I do. I'm an urban
16 planner and I think that you have done a really
17 phenomenal job trying to be environmentally
18 sensitive. Dom has done a great job with the
19 design. There aren't any snout houses which means
20 that garages are not pushed up. I'm glad to see
21 that.

22 Honestly, the bulk of my concerns are around
23 the public benefit and I know that's a concern for
24 you as well. You're in a tough spot. You're making
25 decisions that are going to impact this neighborhood

1 forever.

2 Just consider that it's not age restricted to
3 older adults and that you may have children in this
4 neighborhood. I had to teach my children to ride
5 their bike on Driftwood Drive and that was
6 terrifying because they are incredibly clumsy. So,
7 I just encourage you to consider sidewalks
8 throughout the neighborhood, especially since the
9 Town is not going to be maintaining them. They're
10 going to be under the homeowners association so if
11 you could consider that, that would be wonderful.

12 The other thing that I would really request
13 that you consider is improvements either at Shaker
14 Road or Miracle Lane. As somebody who drives
15 through those intersections and runs through them
16 every day, I cannot overstate how wonderful
17 roundabouts are, especially in terms of pedestrian
18 safety and for traffic safety. At Shaker El Drive
19 you've got the church here (Indicating). Are they
20 not going to fit the roundabouts? If at all
21 possible, think about it and try to make it work
22 because lighted intersections are not always the
23 safest way to go as I know you guys know.

24 The last comment that I have was that the
25 community gardens - if you could reach out to

1 Community Gardens and see if they would be
2 interested in partnering? I know that we have a
3 little bit of a desert in Colonie in terms of
4 community gardens and that might be appreciated.

5 Other than that, I know that you worked hard.
6 I think that you were very sensitive. I would just
7 really like for the Board to consider public
8 benefits and ways to make it more integrated into an
9 existing neighborhood that is very concerned about
10 the future of this neighborhood.

11 Thank you for taking my questions.

12 CHAIRMAN STUTO: Thank you, very much.

13 We're going to turn it over to the Board. I
14 think that we got the flavor of the neighbor's
15 questions. Please go to the meetings, send us
16 letters and emails. If it comes back before us,
17 come to those meetings and we'll open back up again
18 or public comment.

19 MR. ZIAMANDANIS: May I just address you?

20 CHAIRMAN STUTO: Sure.

21 MR. ZIAMANDANIS: I'm Peter Ziamandanis. I will be
22 running the whole project. I know Joe. I have spoken
23 to Joe at a couple of the meetings and I had not spoken
24 with any of you.

25 I'd just like to give you an idea of what my

1 intentions were from the beginning. I live at 12
2 Maria Drive. When my boys were little we used to
3 walk there. We'd push a stroller and we used to
4 feed the horses and there is a lot of sentimental
5 value for me there, too. I've had my eye on that
6 property, I'm not going to lie, for the last 15
7 years. Thank God it worked out and I had the
8 opportunity to do something here.

9 My intention was not to just build a bunch of
10 townhomes - cookie-cutter townhomes that you see all
11 around, and then just go move away some place in a
12 big home. What I want to do is put more effort and
13 more money back into this development. I want it
14 like the pictures show here (Indicating). For
15 instance, this is not your typical townhome. I
16 don't want the garages out front.

17 When I approached Dan and Dom Ranieri to come
18 up with ideas, I had a litany of things that had to
19 be done. The garages had to be mostly either set
20 back or around back. Even though this is a unit
21 here and it's mirrored this way (Indicating), this
22 is a two-unit, two-story. My intention was to make
23 it an elegant place that people could be proud to
24 live in and not a cookie-cutter type thing like I
25 said. Everything is going to be handicap

1 accessible. The hallways will be wide, all the
2 doors inside the home will be 36 inches for
3 wheelchair accessibility if it has to be. All the
4 casings around the doors will all be upgraded. This
5 is not going to be a cheap endeavor. This is going
6 to be a very elegant endeavor that I want to be
7 proud of.

8 As Dan said, I live on Maria Drive around the
9 corner and I intend to spend my retirement there
10 with my kids and my family. We love this community
11 of Colonie. My kids grew up here. I'm very proud
12 to be associated with the Town of Colonie and I'm
13 going to put my heart and soul, should this all go
14 through, into this project; just so everyone knows.
15 That's my intention.

16 CHAIRMAN STUTO: Thank you.

17 Kathy?

18 MS. DALTON: I didn't really have a question. I
19 have one or two comments.

20 First of all, I do think that so that it's very
21 reasonably done.

22 With regard to the density, my biggest issue
23 was actually something that Mr. Hershberg talked
24 about. You don't want to look down the block and
25 see boom, boom, boom. The way that it looks like

1 you have the roads laid out on a curve, that's not
2 going to happen. So, if you come before us again
3 and as the project evolves, really nice architecture
4 is great but that's still not going to do it if
5 everything is laid out and you look down the block
6 and that's all you see.

7 CHAIRMAN STUTO: Thank you.

8 Lou?

9 MR. MION: You have 80 units in there. That's what
10 you're going to put in there; correct?

11 MR. ZIAMANDANIS: Yes, sir.

12 MR. MION: You're talking about traffic studies and
13 the people that you're targeting this to - most of them
14 have two cars. The group of people that range anywhere
15 between 25 and 45 and 50 years old are going to have
16 kids and they're probably going to both be working.
17 Granted you're talking about 70 people coming out of
18 there -

19 MR. HERSHBERG: Peek hour.

20 MR. MION: That's an average, but you're talking
21 about that road that's heavily trafficked in the morning
22 and in the evening, and you've got a lot of people
23 coming out of a family where they are both working jobs.
24 Out of 80 if you had 150 cars coming out, that's going
25 to be quite a bit in them morning. I would like to see

1 a traffic study done.

2 MR. HERSHBERG: I'll point out that the most
3 studied classification of land use in the IT studies is
4 single family residential. They've got over 4,000
5 typical full studies of full development sites of all
6 sort of single family residential and townhome
7 developments and that figure is something less than one
8 car per unit per peak hour volume. The answer is that
9 even though there might be two cars, the opportunity for
10 two people to always leave within the same peak hour -
11 and some people don't leave at all during peak hour
12 which is traditionally on this road 8:00 to 9:00 or
13 maybe 7:30 -- even if you have your peak hour volume go
14 to 7:30 to 9:30, the chances of you having more than
15 nine-tenths of a vehicle per hour is very minimal. We
16 can have a traffic study fully done, but I'm pretty
17 certain that they are going to come up with those
18 figures. Those are well-developed figures.

19 MR. MION: I understand that, but we have a very
20 heavily traveled road there. That's one of the main
21 arteries. I can understand it if it was back someplace
22 back off up in the hills; that's one thing. We're
23 talking about a main artery here and I think that it
24 bears to be looked at.

25 MR. LACIVITA: We can talk with Albany County a

1 little bit, Lou, on that. I know that they are not
2 asking for it. They're asking to see trip generation to
3 verify the counts. I think that we could work with
4 Albany County to see because that is their road that
5 they control. If they so choose, after seeing the
6 counts that go through a full study we can certainly
7 work with the applicant and get that, as this progresses
8 through.

9 MR. MION: You also have a school there, and there
10 is a lot going on there.

11 MR. HERSHBERG: Our goal there would be to get the
12 relevant data that we have and have Mr. Merkle at the
13 Albany County Department of Public works and Mr. Neeley
14 in your Highway Department take a look at it. Based
15 upon this we think that the potential problem might be
16 at intersection a, b, c and d and e. We're not saying
17 that we don't want to do a traffic study. We just want
18 to try to define the scope of it so that we have a
19 manageable traffic study.

20 MR. MION: You have the farmhouse there now. The
21 driveway goes right past - it goes all the way back to
22 the property, right?

23 MR. ZIAMANDANIS: That road would be eliminated.

24 MR. MION: Are you going to go farther east of
25 that? I know that right along that road is the

1 wetlands.

2 MR. HERSHBERG: That house is right about here
3 (Indicating) on the site and the barn is back here.
4 Again, that roadway comes back something like this
5 (Indicating). It skirts the wetlands. Actually, that
6 curb cut is someplace right about here (Indicating). We
7 are going to move the curb cut in this direction and
8 both the dwelling and the barn will come down and
9 essentially we will establish a new roadway in there.
10 The back yards of these will still run up to the wetland
11 (Indicating). As I said, this is a porous wetland.
12 It's not really a swamp.

13 MR. MION: You're going to build around it.

14 MR. HERSHBERG: Yes, we're not touching it at all.

15 MR. MION: And then you're going to go all the way
16 to the back because in the back it goes down.

17 MR. HERSHBERG: Yes.

18 MR. MION: And then to that treeline back there? I
19 know that when I was back there I saw the other houses.

20 MR. ZIAMANDANIS: I want to leave at least a 20 to
21 30 foot buffer of dense mature trees that are there now
22 and not touch them. The existing homes there that have
23 backyards will have a great amount of privacy that they
24 enjoy now.

25 MR. MION: So, that's about what is there right now

1 - that buffer.

2 MR. ZIAMANDANIS: I don't intend on intruding there
3 at all; no. That goes all the way around. Whatever is
4 there I want to keep. I want to leave it there and a
5 substantial density of trees.

6 CHAIRMAN STUTO: Brian?

7 MR. AUSTIN: Do you know the impact on the schools?

8 MR. HERSHBERG: We can estimate it based upon the
9 Capital District Regional Planning Commission figures of
10 how many students per dwelling would be there. In our
11 concept submission, we would normally do a demographic
12 analysis. We'll have that done.

13 MR. AUSTIN: I guess my other question is, I'm
14 trying to kind of see it. It looks like a very nice
15 plan. I'm concerned about density as well as it appears
16 to be everyone else's concern. It's a community of
17 townhomes - 80 townhomes that are on a plot of land that
18 is surrounded by neighborhoods with single family homes.
19 So, just in my mind, it seems a tad bit out of place.
20 You have all these townhomes and they look very nice
21 too. The architecture is quite nice and it's very
22 elegant and it looks very expensive. It's nice and it
23 looks good, but are the houses around there that same
24 style? I don't believe so. There are older homes that
25 are from the 70s and the 80s.

1 MR. HERSHBERG: Maybe the late 80s, but time flies
2 when you're having fun.

3 MR. AUSTIN: But it doesn't fit. That's kind of my
4 opinion. Not only does it seem like there is -- to
5 quote a friend of mine on the Zoning Board, he used to
6 say putting 10 pounds in a five pound bag.

7 When you flip the board over you kind of sold
8 me. You showed me a subdivision of 38 homes.
9 That's great. It fits too. There are all these
10 other subdivisions around too.

11 CHAIRMAN STUTO: And he made is attractive.

12 MR. AUSTIN: I don't dislike the plan at all, but
13 I'm just trying to figure out in my mind how it fits.
14 I'm looking at the ariel shot and I see subdivisions all
15 over the place and I know the area pretty well and it's
16 all single family homes. Those are, I guess, my
17 thoughts. I don't dislike it, but I'm just trying to
18 like it more.

19 MR. HERSHBERG: We'll work on that.

20 CHAIRMAN STUTO: I'll give my comments now. I
21 think that the density is the biggest issue and when I
22 originally saw the words cluster in the application or
23 the agenda that the Department originally proposed, I
24 said, oh, that's interesting. They're going to do a
25 genuine cluster which is build the houses in one area

1 and sort of surround the majority of it with greenspace.
2 I think that would be appropriate here. I have issues
3 with the density here. I think that a lot of the
4 problems would go away if it was scaled down a bit and
5 the greenspace that will be left over could truly be
6 used for a public benefit. Maybe there is an
7 in-between. I don't know. You have squeezed as much in
8 there as possible, in my estimation.

9 MR. ZIAMANDANIS: We could have gotten a few more
10 units in there.

11 CHAIRMAN STUTO: I believe you. I think that you
12 get the thrust of that.

13 MR. LANE: I'm glad that you're not quite married
14 to the clubhouse. I do like the community garden, but
15 is it possible to do something like a pavilion or
16 something of that nature?

17 MR. ZIAMANDANIS: I think that Peter said that he
18 wanted a picnic area and maybe a picnic area with a
19 pavilion and a small building that we could store the
20 farm items in -

21 MR. LANE: And a barbeque and that kind of thing.
22 I think that would give you the community feel that
23 you're looking for that gives you that public benefit.
24 A small clubhouse, I think, would not be as attractive.
25 Maybe an attractive nuisance.

1 CHAIRMAN STUTO: Susan?

2 MS. MILSTEIN: Are there going to be basements?

3 MR. HERSHBERG: A number of these units will have
4 basements. The only ones that won't have it is if we
5 have any trouble with groundwater and our initial tests
6 say that we won't. Peter would like to have basements
7 so that it would be more substantial so that people
8 won't be tempted to store their stuff in their garage.
9 Quite honestly when you have houses without basements
10 you might as well give up one of your garages because it
11 has everything it. With full basements we think that
12 people will probably make use of their garages for the
13 proper use.

14 MS. MILSTEIN: I just had a discussion with someone
15 who is down-sizing and was looking at a project and it
16 didn't have basements.

17 MR. HERSHBERG: So many of them are on slabs and as
18 Peter said, this is a different element than you've seen
19 on a whole bunch of the townhouse type units that you
20 have in the Town. They are very standard. We are
21 trying to make a number of different units so that you
22 won't feel like you have the same product repeating all
23 over the site.

24 MS. MILSTEIN: My concern also with traffic isn't
25 just during the week, it's Saturday morning. Trying to

1 take a left into the Crossings can take 20 minutes. I'm
2 not just concerned about during the week, I'm concerned
3 also on Saturdays.

4 MR. HERSHBERG: One thing that was mentioned to us
5 as a potential public benefit for this project is a
6 consideration of a left hand turn on Albany Shaker Road
7 into the Crossings. That was one of the things that was
8 brought up as a potential public benefit. It's close
9 enough to us that it makes sense. That's one of the
10 things that we certainly will look at.

11 What we would really ask is what Planning and
12 Economic Development or Parks Department or Highway
13 Department or the Planning Board themselves think
14 should be included as a public benefit. We would
15 certainly take them under advise and see whether or
16 not we can fit them in. That's our goal there. It
17 doesn't even have to be a single item. It can be a
18 group of items. There could be a laundry list of
19 things that people want to see in the Crossings. We
20 may be able to do more than a single item.

21 MS. MILSTEIN: I know you're a master of
22 visualization so you won't leave it to the Planning
23 Board's imagination as to what it will look like, but is
24 there any way you can get better visuals of this?

25 MR. HERSHBERG: Yes, we will prepare a photo image

1 where we will take it and superimpose the finished
2 development of the buildings on it on a future plan. We
3 will also try to show you what it looks like from other
4 areas. Even if there had been set aside of a lot for a
5 roadway connection to the adjoining streets, we wouldn't
6 want to do it because again, that would be an intrusion
7 on those neighborhoods. These subdivisions were done
8 before the Town insisted on having street connections to
9 adjoining properties.

10 CHAIRMAN STUTO: Craig?

11 MR. SHAMLIAN: Most of my questions have been
12 answered. I do think that density is an issue, although
13 I think that you've done a very nice job in the
14 elevations that you have shown us so far. The density
15 remains a bit of a concern of mine, as does traffic at
16 the intersection specifically. Is there a particular
17 reason why you also want an ingress and egress at
18 Miracle as opposed to everything coming out at Shaker
19 Elementary?

20 MR. HERSHBERG: That goes back to having a second
21 entrance for emergency purposes. I'm pretty certain
22 that the fire people in the Town and the EMS people in
23 the Town said they don't want a single entrance
24 subdivision or single entrance to 80 units.

25 CHAIRMAN STUTO: What about an emergency gate

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 October 20, 2014

