

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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CORNERSTONE MEADOWS PHASE II

14 SUTTON PLACE

AMEND NOTE ON SITE PLAN

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6 THE STENOGRAPHIC MINUTES of the above entitled  
7 matter by NANCY STRANG-VANDEBOGART, a Shorthand  
8 Reporter, commencing on December 16, 2014 at 7:02  
9 p.m. at The Public Operations Center, 347 Old  
10 Niskayuna Road, Latham, New York

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

14 ALSO PRESENT:

15 Kathleen Marinelli, Esq., Counsel to the Planning Board  
16 Joe LaCivita, Director, Planning and Economic Development  
17 Justin Marini, Marini Builders

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

3           Joe, do you have any business before we call up  
4 the items on the agenda?

5           MR. LACIVITA: No, we're looking to close out the  
6 year. This being our last meeting of 2014. We're going  
7 to be putting together an aggregate of all of the  
8 approvals that we did in 2014. We hope to record that  
9 in January 14 at that meeting. That will give you all  
10 the square footages that we put back on line and the  
11 approvals and the number of houses coming on board and  
12 all that. Hopefully we'll have that completed within  
13 the next couple of days and we'll be ready to report on  
14 that.

15          CHAIRMAN STUTO: That also reminds me - do we vote  
16 on that schedule that was distributed? Did we do that  
17 last year?

18          MR. LACIVITA: We typically do, Peter. I wasn't  
19 here at the last meeting when it was presented to the  
20 members. I don't know if it was voted or not.

21          CHAIRMAN STUTO: We didn't take a vote.

22                 Is everybody okay with taking a vote and then  
23 if we have a problem we can change it?

24          MR. LACIVITA: These dates are always flexible. If  
25 something has to change, we can always do it, but at

1 least it gets it on the record and we can put it on our  
2 website.

3 CHAIRMAN STUTO: Is it required that we vote? Do  
4 we need to vote?

5 MR. LACIVITA: Historically since I've been here in  
6 2008, we have always voted on it. If we take an action,  
7 I think that would be great.

8 CHAIRMAN STUTO: Anybody have any objection to  
9 voting on the calendar?

10 MR. MION: I'll make a motion that we accept the  
11 current schedule of dates of 2015.

12 MS. DALTON: Second.

13 CHAIRMAN STUTO: All those in favor?

14 (Ayes were recited.)

15 All those opposed?

16 (There were none opposed.)

17 The ayes have it. Thank you.

18 Okay, onto the agenda, Joe?

19 MR. LACIVITA: Yes.

20 CHAIRMAN STUTO: Okay first item on the agenda is  
21 Cornerstone Meadows, Phase II, amend note on site plan;  
22 14 Sutton Place. This is presented by Robert Marini.

23 Joe?

24 MR. LACIVITA: I can actually turn this right over  
25 to Justin. Bob couldn't be here. He's actually out of

1 Town so he sent in his son, Justin who can walk us right  
2 through the request to convert this note that was  
3 previously approved.

4 MR. MARINI: Good evening, Chairman Stuto and  
5 Members of the Board. Like Joe said, I'm Justin Marini  
6 and I'm replacing Bob Marini tonight.

7 I'd like to pass this out to you guys first,  
8 if that's okay.

9 CHAIRMAN STUTO: Sure.

10 MR. MARINI: I know Joe had given you one of the  
11 sheets from the plans, but this should make it a little  
12 bit easier to skim over. We were talking about special  
13 note 7 on 3 of 15. It was in Phase II. That note  
14 initially reads Lot 16, but there was a change in lot  
15 numbers in the subdivision at one point in time and it  
16 was never updated by SY Kim in that note. It says Lot  
17 16 and it's referring to Lot 14 Sutton Drive according  
18 to the new numbers.

19 CHAIRMAN STUTO: And 14 is on the second page?

20 MR. MARINI: Yes.

21 CHAIRMAN STUTO: Okay, it's at the cul-de-sac.

22 MR. MARINI: Yes. That note reads that Lot 14  
23 Sutton Drive is not to be built until that temporary  
24 turnaround that you see at the cul-de-sac is removed and  
25 Sutton Drive is extended. We inherited these approvals

1 on this subdivision and what we are proposing is that  
2 note be stricken from the plans because this would not  
3 be unlike what we did in Burton Meadows in the Town of  
4 Colonie to build that lot. It would obey the setback as  
5 the temporary turnaround exists now and in the future  
6 when that temporary turnaround is removed. We have  
7 actually obtained a contract on that lot and the  
8 customer is fully aware of the situation.

9 CHAIRMAN STUTO: When is that turnaround going to  
10 be removed?

11 MR. MARINI: That, we don't know and that's why  
12 we're proposing to have that note stricken from the  
13 plans because the extension of Sutton Drive -

14 CHAIRMAN STUTO: I assume that when the road is  
15 extended it's going to be removed; correct?

16 MR. MARINI: The turnaround will be removed, yes.

17 CHAIRMAN STUTO: Is that in writing anywhere?

18 MR. LACIVITA: Yes, actually the Marini company has  
19 entered into an agreement with the Garviens. Those are  
20 the purchasers of that home. We put that in your  
21 packet. They understand that the turnaround will be  
22 removed -

23 CHAIRMAN STUTO: No, I understand that. What I'm  
24 asking is - is there a note that says when the roads  
25 extend that the turnaround will be removed? Can we make

1           that a condition of this?

2           MR. LACIVITA: It says in the note here, Peter,  
3           that you see highlighted - number 7 says construction of  
4           Lot 16 which is now 14 with the lot number changing -  
5           must not commence until such time as Sutton Drive is  
6           extended and the temporary turnaround is removed.

7           CHAIRMAN STUTO: I want to ensure that once the  
8           road is extended that it will be removed.

9           MR. MARINI: Chairman Stuto I believe that what  
10          happens there is this actually ties in with Canterbury  
11          Crossing. That is a future phase of Canterbury  
12          Crossing. When that phase occurs, which I don't know  
13          when that will be and that's why we're here to request -

14          MR. LANE: You're saying that they are connecting  
15          it?

16          MR. MARINI: When that phase of Canterbury Crossing  
17          is constructed -

18          CHAIRMAN STUTO: And that's owned by somebody else  
19          and not you; right?

20          MR. MARINI: Correct. That's why we don't know  
21          when that is going to occur at this time.

22          CHAIRMAN STUTO: Who is going to remove it when  
23          that occurs?

24          MR. MARINI: I believe that's Amedore's project.

25          CHAIRMAN STUTO: But this is not their property.

1 MR. MARINI: We'll remove it whenever we're able  
2 to.

3 CHAIRMAN STUTO: You understand my problem, Joe.

4 MR. LACIVITA: Yes.

5 CHAIRMAN STUTO: How do we ensure that? I don't  
6 know if we can put that on Amedore or not.

7 MR. MARINI: We'll do the removal of the  
8 turnaround.

9 MR. LACIVITA: Correct. When I talked to Bob  
10 Marini when he brought this in - and actually from a  
11 building perspective from the Building Department it  
12 meets all the setbacks even if a turnaround was to  
13 stay -

14 CHAIRMAN STUTO: We understand that.

15 MR. LACIVITA: It would be a little further of a  
16 setback but you had the same thing happening on Burton  
17 Drive. Mr. Marini had said that once Sutton continues  
18 on into the remainder of Canterbury Crossing - that they  
19 would come back and take that out. I think that's what  
20 Justin was getting to.

21 CHAIRMAN STUTO: Does anybody have any questions?  
22 We can make that a condition of the removal of the note.  
23 Do we substitute that as a note? What is the best  
24 procedure?

25 MR. LACIVITA: I think that if it's the record,

1 Peter, that the motion is contingent upon the turnaround  
2 being removed when Sutton is extended -

3 CHAIRMAN STUTO: So, you have any more lots in  
4 there or no - that are not developed?

5 MR. MARINI: We have from Lots 14 and 15 Sutton all  
6 the way to the end. What you see on these two sheets  
7 that I just handed you - those are our lots there.

8 CHAIRMAN STUTO: How many built out? That's what I  
9 guess I'm asking.

10 MR. MARINI: We're in the process of building them  
11 now. The turnaround and the road is in. We have a  
12 couple of other homes -

13 CHAIRMAN STUTO: I know that you're a developer in  
14 Town and you're around and you'll be around. If you  
15 sold the rest of the development and walked away we have  
16 to be able to go after somebody. I guess I'm okay with  
17 that under that condition. I don't know if anybody else  
18 has any other issues or questions.

19 (There was no response.)

20 Do we have a motion based on that condition?

21 MS. DALTON: I'll make a motion.

22 MR. MION: I'll second.

23 CHAIRMAN STUTO: Any discussion?

24 (There was no response.)

25 All those in favor say aye.

1           (Ayes were recited.)  
2           All those opposed say nay.  
3           (There were none opposed.)  
4           The ayes have it.  
5           Thank you.

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9           (Whereas the above entitled proceedings were  
10          concluded at 7:12 p.m.)

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CERTIFICATION

I, NANCY STRANG-VANDEBOGART, Shorthand  
Reporter and Notary Public in and for the State of  
New York, hereby CERTIFY that the record taken by me  
at the time and place noted in the heading hereof is  
a true and accurate transcript of same, to the best  
of my ability and belief.

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NANCY STRANG-VANDEBOGART

Dated January 15, 2015

