

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

3 *****
4 THE CROSSINGS APARTMENTS PDD
5 32 & 40 AVIATION ROAD
6 APPLICATION FOR REVIEW AND ACTION
7 *****

8 THE STENOGRAPHIC MINUTES of the above entitled
9 matter by NANCY STRANG-VANDEBOGART, a Shorthand
10 Reporter, commencing on March 24, 2015 at 8:30 p.m.
11 at The Public Operations Center, 347 Old Niskayuna
12 Road, Latham, New York

13 BOARD MEMBERS:
14 PETER STUTO, CHAIRMAN
15 LOU MION
16 SUSAN MILSTEIN
17 TIMOTHY LANE
18 CRAIG SHAMLIAN
19 BRIAN AUSTIN

20 ALSO PRESENT:

21 Kathleen Marinelli, Esq, Counsel to the Planning Board

22 Joseph LaCivita, Director, Planning and Economic
23 Development

24 Michael Tengeler, Planning and Economic Development

25 Joseph Grasso, PE, CHA

Michael Crisafulli, Crisafulli and Associates

Nick Costa, PE, Advanced Engineering

1 CHAIRMAN STUTO: Next and last on the agenda is the
2 Crossings Apartments, PDD. This is 32 and 40 Aviation
3 Road. This is an application for review and action on
4 concept submission and recommendation to the Town Board
5 for a proposed PDD, rezoning and SEQRA determination.

6 MR. LACIVITA: I think that this project here is
7 ready for action in order to move it forward to Town
8 Board. We've had numerous conversations with the
9 applicant and their engineers. They've made suggested
10 changes as was done by this Planning Board. We're now
11 at a point where we know what the public benefits
12 associated with the project are and we are here to make
13 recommendation to the Town Board and adopt SEQRA to go
14 forward.

15 CHAIRMAN STUTO: I know that we got an email today
16 from Mike Lyons. Was that on the PDD legislation?

17 MR. LACIVITA: Yes. Actually, I made copies for
18 everybody as well.

19 CHAIRMAN STUTO: I hope that the applicant will
20 give us a minute to look at this.

21 MR. CRISAFULLI: My name is Michael Crisafulli from
22 Crisafulli and Associates. You guys are familiar with
23 this project. It's been before the Board for sketch
24 plan review and a concept.

25 It's a 152 unit apartment complex comprised of

1 two buildings. It's pretty much two distinct sites
2 that are bisected by a National Grid easement. It's
3 46 units in the small building here on the right and
4 106 units in the larger building. Our intention is
5 to phase the project where we would build the
6 smaller building first followed by the large
7 building.

8 The last time we were in front of the Board
9 there were comments. The comments were about the
10 site design for the garages along Aviation Road. I
11 just wanted to point out that we ended up removing
12 four of the garage buildings that were out on
13 Aviation which total 243 linear feet of garage that
14 we took off. We still maintain three in the front,
15 two on the larger building and one of the smaller.
16 The reason is that given the amount of garage spaces
17 that we have - we're actually a little bit under the
18 industry standard right now. We just couldn't
19 afford to give up any more. I think that with the
20 removal of the four that we did, it's going to
21 substantially change the look. It will no longer
22 have that wall feel that the Board was opposed to.
23 We also had flat roofs from the original design. We
24 have changed those now to a gabled roof. You can
25 see them in the rendering package that you have.

1 You will see some garages from the front for the
2 most part. It's an open look. We have fencing in
3 the front and landscaping. The entire project will
4 be designed by a professional landscaped architect.
5 We're showing some landscaping now on this plan.
6 Further, it's a very nice plan with attention given
7 to the front of the project and we think that it's
8 going to be nice. I can go through the whole thing
9 with you guys, but that really addresses the main
10 comments from the last meeting.

11 CHAIRMAN STUTO: I don't think that you need to but
12 I don't know what the other Board members think.

13 (There was no response.)

14 We'll go right to the Town Designated Engineer.

15 MR. GRASSO: Could we hear the discussion about the
16 public benefits being proposed?

17 MR. CRISAFULLI: Sure. As part of the public
18 benefit, we have a number of things. We are proposing
19 to construct sidewalks along Metro Park Road, Aviation
20 Road and down Ciccotti Center access road which
21 surrounds the project. We're also offering to build a
22 sidewalk from the Hilton Suites all the way out to Wolf
23 Road. We're also offering to donate \$200,000.00 to the
24 Parks and Rec Department for improvements as they deem
25 necessary at the Crossings, or other parks within the

1 Town.

2 MR. COSTA: Just so that the Board is oriented,
3 that would be from here all the way out to Wolf Road.

4 MR. GRASSO: Home 2 Suites is going to build their
5 own sidewalks. It starts at the west end of the site.

6 MR. COSTA: Correct. We are right here
7 (Indicating).

8 MR. CRISAFULLI: The project is also in the GEIS
9 area, subject to mitigation fees that have been
10 estimated at \$650,000.00.

11 MR. GRASSO: You've got an extensive packet and
12 some place buried in there is our comment letter. Our
13 most recent one is dated February 26th of this year. We
14 commend the applicant for taking the comments that were
15 raised by the Planning Board and Planning and our office
16 to heart. I think that we had raised them the last time
17 that you were in front of the Board back in December.
18 Primarily, that was regarding how the context of the
19 site was going to be regarding the extensive garages and
20 the walls and the use of extensive brick along the front
21 of the site, which we expressed a lot of concern over.
22 They have substantially revised the plan and we are very
23 supportive of the plan as it is proposed and we do
24 support the minimal use of some garages up along the
25 front, but we appreciate the change in the architectural

1 design. We like what they have done with the entrances
2 and where they have taken the garages out they have also
3 incorporated landscaped fencing across the frontage and
4 we also appreciate their willingness to work with a
5 landscape architect for the landscape design because
6 it's not very often that we hear people refer to
7 landscape architects being involved.

8 Obviously, the public benefits were another big
9 question mark when the project was originally
10 reviewed by the Planning Board. We appreciate the
11 applicants willingness to make some firm commitments
12 regarding the public benefits. We have reviewed
13 those and we do feel that they are consistent with
14 things that we have previously discussed with them
15 and some of the things that have been discussed
16 previously with the Planning Board as well.

17 Regarding the sidewalks all the way around the
18 frontage of the project site which we support, the
19 Board sometimes understands that those things would
20 be required of the project anyway, even if it wasn't
21 a PDD. What makes these sidewalks different is
22 there is no defined drainage or curbing along the
23 edges of these roads and when they go and they build
24 these sidewalks, they are going to have to install
25 curbing and they're going to have to look at

1 extending some closed drainage system. That will
2 change the context of the sidewalks and it will cost
3 quite a bit of money, but it will make it consistent
4 with what the Town is also using mitigation fees for
5 the reconstruction of Winners Circle and Maxwell
6 Road, which will be under construction this summer.
7 The section that they will have at least on their
8 side of Aviation Road and Metro Park Road will be
9 consistent in what the Town is implementing further
10 down the road.

11 We also support that other extension from Home
12 2 Suites to Wolf Road. That is something that the
13 Planning Board identified as a strong need when we
14 looked at the Home 2 Suites project. They basically
15 built a sidewalk across their frontage, but they
16 weren't willing to make the extension all the way
17 down to Wolf Road which we obviously got a good
18 sidewalk system down there. This is a very
19 important linkage of sidewalks because it will take
20 you from the Aviation/Maxwell Road corridor and
21 connect it down to the Wolf Road continuous sidewalk
22 system. It will obviously benefit the users of the
23 Rudy Ciccotti Center as well as the Belltrone Living
24 Center, which can take advantage of that as well.
25 This will be the first pedestrian connection between

1 Wolf Road and the Crossings Park. We are excited if
2 that continues to move forward.

3 The other public benefit that Mike mentioned
4 was the \$200,000.00 contribution towards recreation
5 improvements. We appreciate the fact that is
6 something that can fund future needs someplace in
7 the Town at the direction of the Town Board. So, we
8 support that. That is obviously a sizable
9 contribution. It's important for the Planning Board
10 to understand and put into context the level of
11 public amenities being offered by the project as it
12 relates to the additional density of the project.
13 Obviously, this is a PDD. We previously documented
14 that based on the current number of units which they
15 are proposing which I think is 152 units - which is
16 down from the 200 that they had started with, we are
17 looking at additional project density of about 114
18 units. We are looking a public improvements that
19 are in the range of about \$400,000.00 to \$500,000.00
20 and we should think about that in the context of
21 the -

22 CHAIRMAN STUTO: Can we talk about the square
23 footage again?

24 MR. GRASSO: Sure. We also did that analysis for
25 them because the Planning Board had previously raised

1 it. It's about an additional 100,000 square feet of
2 residential space over and above what they would be
3 allowed based on the density formulas prescribed in the
4 zoning for the COR zone.

5 CHAIRMAN STUTO: Right, but if they did all office
6 - that's actually what I wanted to hear.

7 MR. GRASSO: That's right and I think that it was
8 142,000.

9 MR. CRISAFULLI: That would be 142,000 for the
10 commercial calculation. We are at 220,000 so we are
11 like 68,000 over.

12 CHAIRMAN STUTO: That's closer to 80.

13 MR. GRASSO: So, you included the commercial. We
14 had also extracted it and that's why we came up with
15 100,000. When you extract the commercial, you only look
16 at what they would look at for residential.

17 CHAIRMAN STUTO: Another applicant brought up the
18 point on a different application about a PDD in a dense
19 residential. I think that particular parcel was
20 surrounded by single family residential. This one is
21 not.

22 MR. GRASSO: And it was zoned single family
23 residential whereas this one is zoned CORE.

24 MR. CRISAFULLI: We also think that it is a unique
25 piece of property or pieces of property that really

1 don't warrant additional office space or a commercial
2 space in the Town. There is a glut of office space now
3 and we think that there is a better use for it. I think
4 that's been supported initially.

5 MR. GRASSO: What's important to understand is the
6 Comp Plan talks -- and that's the reason why the zoning
7 was rewritten -- was to try to accommodate these types
8 of mixed-uses. We had always said that you can't think
9 of mixed-use within a project site like we have seen in
10 applications where you have a little bit of office and
11 you have a little bit of apartment. What the zoning was
12 really trying to do is look at this mixed-use on a
13 larger scale. That's what we look at here. Normally,
14 we wouldn't be supportive of a strictly residential
15 project. When you put it in the context of what is out
16 there, this will be the only residential project in this
17 immediate vicinity of the project site. It's somewhat
18 risky for the applicant because it's an untested market,
19 but we do think that they did a really good job. We
20 have confidence that it's going to be a sustainable
21 project which is what we looked at.

22 MR. LANE: You have proximity to the park. You
23 have proximity to a lot of employees on Wolf Road.
24 People that work there that don't want to commute -

25 MR. CRISAFULLI: I think it's also important to

1 point out that the Ciccotti Center is in favor -- we
2 have met with the director there. They love the idea
3 and they think that it's a great compliment. We think
4 that it's a very nice relationship that can develop
5 between the two properties.

6 MR. GRASSO: Our office is kitty-corner from the
7 site and we have 60,000 square feet and a couple hundred
8 employees. In talking to the younger employees, they
9 are excited about this type of project going in the
10 ground as a possibility to live work and play in a very
11 close area.

12 Procedurally, it's at a big step of the
13 process. It needs SEQRA to be done. It is a Type I
14 action because it's a zone change of over six acres
15 adjacent recreation area.

16 The Town Attorney's Office did lead agency
17 coordination with the Planning Board. No other
18 involved agencies requested lead agency status so
19 the Planning Board can do that. We have drafted a
20 negative declaration in your packet for
21 consideration of a negative declaration. A SEQRA
22 determination is required before formal action by
23 the Planning Board. Along with the SEQRA
24 determination there is a draft recommendation of the
25 Planning Board which would go to the Town Board

1 indicating support of the proposed zone change and
2 there are additionally waivers that are required of
3 the project and we have included a draft Resolution
4 in support of the waivers building on the discussion
5 that took place during the initial sketch plan and
6 the initial concept review by the Planning Board.
7 So, that's in your packet, as well.

8 CHAIRMAN STUTO: SEQRA always come first, right?

9 MR. GRASSO: Yes. Because it's a Type I action,
10 the applicant did prepare a full Environmental
11 Assessment Form. We have completed Part II and as well
12 as Part III which goes through the evaluation of impacts
13 and in summary. We are in support of a preparation of a
14 negative declaration. I will read the draft Resolution.

15 Whereas Crisafulli Associates has submitted to
16 the Town the Crossing Apartment PDD project.

17 Now therefore be it resolved that the Planning
18 Board declares itself lead agency for the purposes
19 of SEQRA review, and

20 Be it further resolved that based on a thorough
21 review of the project by the Planning Board that
22 there will be no significant adverse environmental
23 impacts and no Environmental Impact Statement will
24 be required, and

25 Be it further resolved that the attached draft

1 negative declaration be adopted in accordance with
2 SEQRA.

3 CHAIRMAN STUTO: Are you suggesting that we take a
4 vote on that now?

5 MR. GRASSO: I am suggesting that.

6 CHAIRMAN STUTO: Do we have any discussion?

7 (There was no response.)

8 MR. LANE: I'll make a motion.

9 MR. SHAMLIAN: Second.

10 CHAIRMAN STUTO: Any discussion?

11 (There was no response.)

12 All those in favor say aye.

13 (Ayes were recited.)

14 All those opposed say nay.

15 (There were none opposed.)

16 The ayes have it.

17 One thing that you didn't mention which I see
18 is in the packet and I agree with is the PDD
19 findings. So, that's another vote. I don't know if
20 the order matters so much.

21 MR. GRASSO: As long as SEQRA is done, that's
22 consistent with the appropriate process. We can do the
23 PDD findings or the land use waiver findings.

24 CHAIRMAN STUTO: Let's do the PDD.

25 MR. GRASSO: Just to clarify, we had drafted these

1 nine findings which are basically the requirements of
2 the PDD that the Planning Board finds, but the Planning
3 Department actually took the time and went through and
4 put it in a formal recommendation of the Planning Board
5 to the Town Board which they included all of the PDD
6 findings that we had in our letter. That's the one that
7 Joe just handed out at the beginning of the meeting. I
8 would rather just go by that document because it's
9 inclusive of the findings and will avoid some
10 repetition.

11 Whereas the Town Board referred the application
12 to the Planning Board for review and consideration
13 of a Town Board Resolution -

14 CHAIRMAN STUTO: I don't know that we need to read
15 the whole thing. Let's give a minute for everybody to
16 look this over.

17 MR. GRASSO: There are 12 findings.

18 CHAIRMAN STUTO: Do we have a copy to give to the
19 stenographer?

20 MR. LACIVITA: Yes.

21 (There was a brief break in the proceedings.)

22 CHAIRMAN STUTO: Any questions on the Resolution
23 before us?

24 (There was no response.)

25 Do we have a motion on this Resolution which is

1 a recommendation of the Planning Board to the Town
2 Board?

3 MR. LANE: I'll make a motion.

4 MR. MION: I'll second.

5 CHAIRMAN STUTO: Any discussion?

6 (There was no response.)

7 All those in favor say aye.

8 (Ayes were recited.)

9 All those opposed say nay.

10 (There were none opposed.)

11 The ayes have it.

12 And I would ask the Stenographer to enter the
13 entire Resolution into the record.

14 Land Use Law waiver findings: Joe, do you
15 think that would be a good one next?

16 MR. GRASSO: Yes. The applicant is requesting a
17 waiver from the Land Use Law as it relates to allowing
18 parking in the Aviation Road and Metro Park Road front
19 yard setbacks, as well as to construct a 269 parking
20 spaces of the required 300 parking spaces and land bank
21 23 parking spaces, and to allow the building setback to
22 exceed the 25 foot maximum front yard setback.

23 CHAIRMAN STUTO: I would ask that the whole
24 resolution be included in the record with the
25 stenographer.

1 Does anybody have any questions about the
2 Resolution in front of us?

3 (There was no response.)

4 Do we have a motion?

5 MR. SHAMLIAN: I'll make the motion.

6 MR. LANE: Second.

7 CHAIRMAN STUTO: Any discussion?

8 (There was no response.)

9 All those in favor say aye.

10 (Ayes were recited.)

11 All those opposed say nay.

12 (There were none opposed.)

13 The ayes have it on the Land use Law Resolution
14 waiver findings.

15 We're here for concept acceptance as well. We
16 have a complete record and concept application in
17 front of us. We have comments from the Town
18 Departments and the Town Designated Engineer. Do we
19 have any questions on that or any discursion?

20 (There was no response.)

21 Do we have a motion on the concept acceptance
22 based upon the conditions of the department comments
23 and the Town Designated Engineer's comments?

24 MR. AUSTIN: I'll make that motion.

25 MR. MION: Second.

1 CHAIRMAN STUTO: Any discussion?

2 MR. AUSTIN: I just want I'm very happy with what
3 you guys did on redoing the gables. I think that makes
4 this look great. It just cleaned up a lot. I was also
5 concerned about the density, but I just want to go on
6 record as saying that this is a much better spot or site
7 for density. As we were saying earlier and I think as
8 Joe said, that other property that we were talking about
9 is a residential property and it's surrounded by that.
10 It think that this project will be very successful.

11 MR. CRISAFULLI: Thank you.

12 CHAIRMAN STUTO: Anybody else?

13 (There was no response.)

14 I echo what my colleague on my right said. I don't
15 think that I could say it in a better way.

16 MR. GRASSO: I would just like to update the
17 Planning Board on the Maxwell Road Extension Project.
18 That's one that you've heard a lot about. It extends
19 from this corner of Metro Park Road (Indicating) and
20 goes down to the Winner's Circle corridor and will
21 terminate at the Marcus Boulevard roundabout. That
22 will, as we have talked about, change the context of
23 traffic as it goes down the Wolf Road corridor. The
24 Town Board is looking to award that contract to the
25 Luizi Brothers at this Thursday's Town Board meeting.

1 That project will go under construction within the next
2 30 days or so. That road should then be opened before
3 fall before winter sets in. There is going to be a lot
4 of work going on in this area.

5 CHAIRMAN STUTO: Great.

6 We have a pending motion before us. Any other
7 comments or questions on those?

8 (There was no response.)

9 All those in favor say aye.

10 (Ayes were recited.)

11 All those opposed say nay.

12 (There were none opposed.)

13 The ayes have it.

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16 (Whereas the above referenced proceeding was
17 concluded at 8:58 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.

NANCY STRANG-VANDEBOGART

Dated April 20, 2015

