

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 ALBANY RV  
34 RENSSELAER AVENUE  
APPLICATION FOR FINAL APPROVAL  
5 \*\*\*\*\*

6 THE STENOGRAPHIC MINUTES of the above entitled  
7 matter by NANCY STRANG-VANDEBOGART, a Shorthand  
8 Reporter, commencing on April 28, 2015 at 7:00 p.m.  
at The Public Operations Center, 347 Old Niskayuna  
Road, Latham, New York

9

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

17 ALSO PRESENT:

18 Kathleen Marinelli, Esq. Counsel to the Planning Board

19 Joseph LaCivita, Director, Planning and Economic  
20 Development

21 Joseph Bianchini, ABD Engineers and Surveyors

22 Donald Fletcher, PE, Barton and Loguidice

23 Walter Brown

24 Scott D. Lukowski, Esq., Stockli Green & Slevin

25

1           CHAIRMAN STUTO: Good evening everyone. Welcome to  
2           the Town of Colonie Planning Board. We have three items  
3           on the agenda and a matter of old business.

4           The items that we are voting on are the first  
5           and third items. If you want to be heard on that,  
6           we ask that you sign in on the sign-in sheet over on  
7           the table to the left of the audience.

8           Before we call up the first item, Joe LaCivita,  
9           do you have any items of business you'd like to  
10          discuss?

11          MR. LACIVITA: Nothing at this time, Peter.

12          CHAIRMAN STUTO: You surprised me only in that we  
13          normally have a week of separation between meetings. We  
14          have a meeting in one week; correct?

15          MR. LACIVITA: We do. That was due to the holiday  
16          that was in between. It got backed up and I forgot what  
17          was happening. It was shortened. So, we're getting it  
18          back up to the first and the fourth -

19          CHAIRMAN STUTO: Just so that the Board Members  
20          realize.

21          MR. LACIVITA: May 5th we will have another one.  
22          You'll be getting your packets tomorrow.

23          CHAIRMAN STUTO: First item on the agenda is Albany  
24          RV, 34 Rensselaer Avenue. This is an application for  
25          final approval. This is a 177 RV parking lot and we

1 have seen this a couple of times before.

2 MR. LACIVITA: Right, and let me give a couple of  
3 summary items here back to the history of this project.  
4 It's been a long-standing project in the Town. In fact,  
5 it started back in 2006 and at that time there was a  
6 plan to bring all three of the sites that Don Strollo of  
7 Albany RV had throughout the Town of Colonie. That  
8 project at the time, 2006, had 1,000 recreational  
9 vehicle parking spots on the original plan. As it  
10 morphed through the project years - which were eight  
11 years in conclusion - final approval was granted on 373  
12 parking spaces of which 81 of these spots were  
13 identified for employee and visitor parking for sales.

14 Tonight we are back here for 177 additional  
15 parking paces, based on the constraints and still  
16 trying to consolidate those remaining two sites left  
17 in the Town to get them here on-site. I think that  
18 is their future and final expansion of this site for  
19 Albany RV.

20 So, tonight we're asking for final approval on  
21 the application for the expansion of 177 slots.

22 CHAIRMAN STUTO: We'll turn it over to the  
23 applicant.

24 MR. BIANCHINI: I'm Joe Bianchini with ABD  
25 Surveyors and Engineers representing Strollo Development

1 who is the applicant for the expanded parking lot.

2 As Joe indicated we are adding 177 spaces which  
3 is a combination of 145 RV spaces, 44 employee  
4 spaces minus 11 spaces that we lose. So, we wind up  
5 with 177 spaces.

6 As discussed before, this is really just a  
7 parking lot and there is no building. There is no  
8 sewer. There is no water. You have parking lot  
9 pavement and you have lighting and landscaping and  
10 you have stormwater management to take care of the  
11 run-off.

12 Since the last meeting, the Army Corp has been  
13 out there. They have confirmed our wetland  
14 delineation on the site. We are not disturbing any  
15 federal wetlands. We're staying at least generally  
16 10 feet away from the federal wetlands. What we are  
17 disturbing and what they have confirmed is the  
18 isolated wetlands. There is an area in here that is  
19 a low point that is isolated. They confirmed that  
20 was isolated. That was just yesterday, so I don't  
21 have a letter yet from the Army Corp. It will take  
22 us a month to two months to get a letter.

23 We also met yesterday with Barton and  
24 Loguidice, the Town Designated Engineer. They had  
25 some comments regarding our stormwater. I think

1           that we have resolved most of those comments. I  
2           think that you have a letter and I think that as a  
3           result of yesterday's meeting, most of those  
4           comments were resolved.

5           The one item in that letter, back in January --  
6           the DEC controls the stormwater program. The  
7           program modified a formula for run-off reduction  
8           volume which requires a little higher factor in  
9           there. So, in order to achieve what they changed in  
10          January, we had to increase our bioretention area to  
11          accommodate that. That's this area down through  
12          here (Indicating). In order to accommodate that  
13          increase, what we did was we put a little kink in  
14          the parking. It's still the same parking, it's just  
15          a little bit of an angle as you go in and go down.  
16          That allows us to increase the bioretension area to  
17          meet the new DEC standards.

18          In addition to that, probably the most  
19          significant changes for this Board was concerned  
20          about the views from the Northway. We added two  
21          berms. This is the Hess property that you may  
22          remember is one of the parcels that Strollo couldn't  
23          acquire (Indicating), but we have bermed it on the  
24          east side here and put a row of evergreens along  
25          that side. We bermed it a little higher -- we had

1 room to do it a little higher over here  
2 (Indicating). We put a staggered row of spruce and  
3 pine trees along that side. We actually put some  
4 more along through here and down where we widen it  
5 out for the bioretention area. Those will be  
6 planted at a height of eight feet. That's a pretty  
7 good size tree to plant. Typically, they grow a  
8 decent foot a year as they grow.

9 What we have done is we took three cross  
10 sections through the site to see what they will look  
11 like. This is the new site here (Indicating). The  
12 site is visible from both the northbound lane from  
13 here to here (Indicating), and on the southbound  
14 lane from here to here (Indicating).

15 On the southbound lane the driver can't really  
16 see, if he's watching the road. He has to turn his  
17 head and look almost backwards because of the way  
18 that it is.

19 The northbound - you are looking in that  
20 direction so we took a couple of cross sections  
21 through the site to see what that would do, in terms  
22 of the berm and the trees. We plotted those and I  
23 do have hand-outs.

24 This is the Northway (Indicating). That's  
25 elevation 304. Typically, a driver's eye is three

1 and a half feet above that. That would put you at  
2 307.5. Here is looking across both the southbound  
3 lane to the site (Indicating).

4 This one is a little different from the one  
5 that you have because we made some changes as a  
6 result of yesterday when we updated it. The site  
7 itself at the entrance is about 299, so it sits  
8 about 5 feet lower than the Northway.

9 Over here (Indicating) where the Hess property  
10 is - that is back up to 307 and 308 on this side  
11 (Indicating). With the berming, you get it up to  
12 310 here and with an eight foot tree, we're up to  
13 318 on that side. That would hide almost everything  
14 way back here in this corner. We took into  
15 consideration an RV that is 12 foot high. That's  
16 the worst case. Most of them are eight to 12 feet  
17 high. We took the 12-foot high and we are screening  
18 that RV at 12 feet with an eight-foot tree.  
19 Anything in the future after this grows a little bit  
20 would definitely be screened the 12 feet - just over  
21 the top of that RV.

22 MR. LANE: What types of trees will be planted.

23 MR. BIANCHINI: We are planting White Pine and  
24 Norway Spruce. Both of them are pretty bushy trees that  
25 are pretty dense. The Arborvitae are dense, but they

1 don't grow as fast and you have to plant real close  
2 together.

3 MR. LACIVITA: Jim, there are also mature trees  
4 on-site that you're going to tree spade and plant them  
5 throughout too, right?

6 MR. BIANCHINI: Right. There are some where we are  
7 building this and those trees -- they're not quite  
8 mature yet, but they are probably about eight foot.  
9 We're going to take those and we're going to put them  
10 probably in the back. There will be a berm also back  
11 here (Indicating).

12 Since we are excavating on the site, we have a  
13 lot of material left. It would normally go  
14 off-site, but we're building a berm back here so  
15 nothing has to go out to Route 7 and wherever.  
16 Everything will stay on-site and we're planting some  
17 berms across that now.

18 There is one exception to that. We did a cross  
19 section that goes across in front of the building  
20 because there is a low area in here that we couldn't  
21 screen and there will be a little bit right here  
22 that is visible (Indicating). We just couldn't do  
23 anything to screen that, but you're already looking  
24 through RVs. You're going to see just the tops of  
25 that. So, all in all, since the last meeting we've

1 added -- I know that the narrative said 31, but  
2 we've added four more today. We're up to 35 more  
3 trees that we're adding since our first submission.

4 CHAIRMAN STUTO: Have you shared those drawings  
5 with the Town Designated Engineer?

6 MR. BIANCHINI: Yes and no. We had them yesterday  
7 when we met but because of that change, they haven't got  
8 the new plan which we just worked out today after our  
9 meeting yesterday.

10 CHAIRMAN STUTO: We'll turn it now over to our Town  
11 Designated Engineer for comment on that.

12 Why don't you start with the visual? That  
13 seems to be the issue that has been most important.

14 Don, can you absorb that?

15 MR. FLETCHER: The visuals, based on the meeting as  
16 Joe said yesterday, is cut into three sections. They've  
17 added 35 additional trees - eight foot trees of  
18 evergreen. I think that one concern is trying to reduce  
19 that impact to the back on this parking lot here  
20 (Indicating) and cutting those sections coming up  
21 northbound there. It appears for the most part that  
22 they have taken into consideration of what the Planning  
23 Board had to say.

24 CHAIRMAN STUTO: Northbound it seems to be screened  
25 pretty well. What about southbound?

1 MR. FLETCHER: I think that southbound in that area  
2 - you've got the building right there, Joe (Indicating).

3 MR. BIANCHINI: Southbound is just a short  
4 stretch -

5 MR. FLETCHER: It's that short stretch right there  
6 (Indicating).

7 MR. BIANCHINI: Which perpendicular, you're looking  
8 at a right angle from here over to right about here  
9 (Indicating) and then in that case you have to look  
10 backwards, basically, to see the site from the  
11 southbound.

12 MR. LACIVITA: By that time you have the building  
13 obstruction.

14 MR. BIANCHINI: And once you go past there, you  
15 have the buildings there.

16 CHAIRMAN STUTO: I don't know if I agree with that  
17 1000%.

18 Don, are you done with your comments?

19 MR. FLETCHER: That's on the landscaping.

20 On the stormwater, which was most of the  
21 comments in this letter - they're going to revise  
22 the stormwater report based on the meeting that we  
23 had. They're working on that today and we haven't  
24 gotten a revised report yet. I know that I can go  
25 through the report in detail, but a lot of it is

1 going to change based on the first comment with the  
2 increase with DEC going up to the 1.2 versus the  
3 1.0. So, they've had to tweak the parking lot.  
4 Like Joe said, they moved it and increased the  
5 bioretention area. We haven't seen the final plans  
6 in stormwater on that, but we expect that to be  
7 coming in the next couple of days.

8 CHAIRMAN STUTO: So, you'll review that?

9 MR. FLETCHER: Yes, we'll review that.

10 CHAIRMAN STUTO: I'll open it up to the Board.

11 Craig, do you have an opinion yet?

12 MR. SHAMLIAN: So, say again what the elevation on  
13 the Northway is, Joe.

14 MR. BIANCHINI: The elevation of the Northway is  
15 304.

16 MR. SHAMLIAN: And the top of the berms?

17 MR. BIANCHINI: The top of this berm here  
18 (Indicating) is 310. That elevation in that corner is  
19 310. You're eight foot high and from the Northway,  
20 looking up slightly so you're looking over the tops of  
21 the trees and your view is up from there.

22 MR. SHAMLIAN: The top view on that plan - you  
23 can't berm -

24 MR. BIANCHINI: We can't extend that berm over into  
25 here (Indicating) because that's into the existing site.

1 MR. SHAMLIAN: What do you have for trees along  
2 that -

3 MR. BIANCHINI: These are all eight foot trees here  
4 (Indicating). It's just because of the elevation and  
5 you're looking right through all the cars and so forth  
6 and all the RVs that are parked here. So, you will be  
7 able to see back over into here and perhaps some of the  
8 RVs. From the Northway it's 200 feet, but you have got  
9 to look at it. At 65 miles per hour, you're not going  
10 to see much. And this new parking, Joe, and that line  
11 of sight that is of impact is what 1,250 feet?

12 MR. BIANCHINI: Yes, from the Northway here, to  
13 back here (Indicating) is over 1,000 feet. I think that  
14 the way to the back is about 1,200 feet.

15 MR. SHAMLIAN: Lastly, southbound? The  
16 perpendicular view that you were referencing, what would  
17 prevent from screening that so that -

18 MR. BIANCHINI: This is s all wooded right here  
19 (Indicating) so when you break out of that woods, it's  
20 almost perpendicular that you look across. You're not  
21 going to see any RV's because this is all the  
22 bioretension (Indicating) and this is the berm so you  
23 don't see anything from that.

24 MR. SHAMLIAN: I think that you've done a pretty  
25 good job of addressing in terms of the questions that I

1 had.

2 MR. BIANCHINI: You can see RV's all along through  
3 here but -

4 MR. LACIVITA: I think that one of the other issues  
5 with that is that anything that is on this side of the  
6 paved area is all wetland area and you can't be in there  
7 planting.

8 MR. BIANCHINI: This is the wetland here  
9 (Indicating). We're not disturbing any of this. There  
10 is no more room to expand.

11 MR. LACIVITA: Even toward the highway, it's all  
12 wetland here (Indicating).

13 MR. BIANCHINI: This is dedicated wetland.

14 MR. FLETCHER: The wetland area is right where that  
15 pond plain merges in. That's pretty much where that  
16 wetland is where the Northway starts.

17 CHAIRMAN STUTO: Any more questions or comments,  
18 Craig?

19 MR. SHAMLIAN: No, thanks Peter.

20 CHAIRMAN STUTO: I'll just open it up to the Board.

21 It seems that you have gone reasonably far -  
22 substantially far in trying to provide the screening  
23 and we've had it looked at by our TDE and our  
24 department. Craig has just asked all of the  
25 relevant questions so it appears that I'm satisfied

1           anyway. We'll see what happens when we move along  
2           with the project.

3                     We have to do SEQRA here?

4                     MR. LACIVITA: The SEQRA and then final.

5                     MR. BIANCHINI: I think that it is a public  
6           hearing, right?

7                     CHAIRMAN STUTO: That's right.

8                     Are there any members of the public that want  
9           to be heard on this?

10                    MR. BROWN: Is Mike Tengeler here?

11                    CHAIRMAN STUTO: Mike isn't here tonight.

12                    MR. BROWN: He asked me to come in tonight and I  
13           was hoping to get to talk to him. I am Walter Brown and  
14           I live at 129 Exchange Street down in West Albany. This  
15           is my 43rd year living there. I'm a taxpaying citizen  
16           and always been good. I've always kept my house nice  
17           and tried to encourage my neighbors to keep it nice.

18                    Unfortunately, when the Tobin packing plant  
19           went out of business and walked away from us, the  
20           land was turned over to the IDA. For the last 18 or  
21           20 years or so, Albany RV has been hiding behind the  
22           IDA and making us people that live in that  
23           neighborhood suffer horrendously. I'm pretty sure  
24           that most of you people probably have been down my  
25           street and realized that 23.5 feet from my front

1 door are hundreds of camping trailers with no  
2 blockage, no berms, no trees, no nothing. It's just  
3 filthy dirt and crushed stone that was put down 18  
4 years ago, barely added to whatsoever, never any  
5 dust control, even though I have had New York State  
6 Health Department here many times, to my house and  
7 to the site and was told by them that they were  
8 going to make Albany RV do something about the dust  
9 and still nothing has ever been done. We're still  
10 suffering to this day. It's still absolutely  
11 horrendous. We still have filthy dirt coming in our  
12 windows. We can't open our windows. We can't have  
13 a clothes line. Our vehicles have been destroyed  
14 over the years from all the dirt.

15 I have a petition here. I don't know if the  
16 Planning Board ever got one, but I had given the  
17 Supervisor's office and Albany County copies of this  
18 petition.

19 CHAIRMAN STUTO: We are happy to pass it along and  
20 put it in the record.

21 MR. BROWN: Would it be okay to just put it over  
22 here (Indicating)?

23 CHAIRMAN STUTO: Sure. If you put it on the end,  
24 we'll all look at it.

25 MR. BROWN: This is hand done. I wrote it myself.

1 I didn't get any special legal documentation. I just  
2 used my notebook and I went to my neighbors and said  
3 that I need some help. I am fighting for you as well as  
4 my family and friends around my neighborhood. I'm here  
5 with that paper and ask you to sign it, if you agree  
6 with what we wrote on it. All we asked is that we don't  
7 really care about the Tobin's plant. We understand that  
8 is a huge thing that is going to take years to get  
9 someone to knock it down and stuff like that. We have  
10 all understood it. I'm talking for these people who are  
11 on the paper, even though it's only hearsay from me.  
12 It's still their feelings as well as mine that time has  
13 come.

14 We were under the assumption that Albany RV was  
15 going to vacate that premises when they got their  
16 first approval for the new building. Last year Mr.  
17 Tengeler told me that when he came down to the site  
18 and we talked. I went over everything with him and  
19 showed him the destruction and just the mess that's  
20 over there, and the things that we have to look out  
21 of our windows at every day and stare at and deal  
22 with the floodlights every night. I had to spend  
23 \$270.00 for blinds for my bedroom so that I could  
24 actually get darkness in my room to sleep. It would  
25 be so nice if I could have my window pen at night

1 and wake up to the sun. I haven't done that in 20  
2 years. I haven't been able to wake up in my bedroom  
3 to sunshine. I have to get up to pull up my blind  
4 to get my light.

5 Right now, we have no recourse. Right now that  
6 it's turned over, the IDA is gone now. Crisafullis  
7 and Robert Ganz, the lawyer - they own it now so  
8 they're going to have to do something because you  
9 people will now have the power to tell them to get  
10 off the site or do something to bring it up to code.

11 That building and the site took precedence and  
12 was never brought to the Planning Board. There was  
13 nothing ever approved or done before they just came  
14 in there and bulldozed everything that there was.

15 This is what I used to look at (Indicating).  
16 That used to be the view out of my front door and my  
17 front window upstairs (Indicating). Now, I have  
18 nothing but crushed stone, camping trailers and  
19 dirt. That's all I see every day and every night.  
20 I have nothing but that.

21 My scariest part right now - I just heard them  
22 saying that they're going to get 174 spaces to  
23 consolidate the rest of these lots. I don't believe  
24 that 174 spaces will do it. I think that if you go  
25 down Exchange Street, there is probably more than

1           that right there right now just in that one site in  
2           front of my house and the site across the street  
3           from the Tobin building itself. If you go count  
4           them right now, you're going to find out more than  
5           just 175 campers just in those two sites. If these  
6           guys are telling you that they're going to get all  
7           the rest of these sites cleared out and put on this  
8           site with 174 things, I don't see it happening. I  
9           really don't. I think that we've suffered long  
10          enough where if you are going approve some kind of  
11          thing for these people, I think that you have to  
12          start thinking about us people and how many years  
13          we've suffered and lived with the dirt and disgust  
14          down here with no berms, no trees, no fence, nothing  
15          at all; absolutely nothing. Just these campers  
16          right in front of our doors -- the whole  
17          demographics of my neighborhood is totally changed.

18                 It went from a bunch of houses that used to  
19                 have flower boxes and flowers and nice yards to  
20                 rental units where the people don't care about the  
21                 house and the landlord should own all the big houses  
22                 now. They don't care either. As long as their rent  
23                 checks are in the mail, that's all they care about.  
24                 Now, if you go down our street, it's a whole  
25                 different world. It's totally different. If you go

1 back to the 80's and look at the street and what it  
2 used to be or the 70's back when I moved in there,  
3 it was a totally different thing. Now, I'm here to  
4 beg you people and asking from the bottom of my  
5 heart from myself and from my neighbors to give us  
6 some kind of relief from this company. We don't  
7 care about the plant. It's going to take time to do  
8 something with that. If you could help us get these  
9 things away from us and make them put the site back  
10 to the way that it used to be in the pictures.  
11 Right now it's just a mess. It's crushed stone.  
12 It's all old broken down camping trailers, down in  
13 the back by the woods and stuff. They have old RV  
14 offices and they used to have their offices down  
15 there.

16 When they used to tell you guys that this was a  
17 storage lot, that's a bunch of malarkey. This  
18 wasn't just a storage lot. This was a sales and  
19 rental business. They had two office trailers down  
20 there that they use 24/7 to do business out of.  
21 People were making hundreds of thousands of dollars  
22 off of this every year. It's \$9,000.00 a month  
23 rental to put those campers down there that they get  
24 paid. Crisafulli and Ganz have been collecting it.

25 CHAIRMAN STUTO: Sir, I'm not trying to cut you

1 off. If I could make a suggestion? If you sit down for  
2 a minute, we'll ask some questions both of the applicant  
3 and of our department and try to get some facts out that  
4 may or may not satisfy part of the thrust of what you're  
5 saying. If you give us a little time, we'll give you an  
6 opportunity to get back up.

7 MR. BROWN: Okay.

8 CHAIRMAN STUTO: I'll look to Joe LaCivita because  
9 you may be the point person that may have the most  
10 knowledge and the applicant. Do we know what the  
11 applicant's plans are for this particular site?

12 MR. LACIVITA: Yes, it's been conveyed to us a  
13 number of times during conversation and in fact in our  
14 meeting the other day with Mary Beth Slevin the attorney  
15 for Mr. Strollo, that they are going to be consolidating  
16 lots and pulling everything off of those external lots  
17 now onto this site. I can't attest to the number that  
18 are currently sitting on that site out there right now.

19 CHAIRMAN STUTO: Can I ask the applicant what the  
20 plans are for the Exchange Street location?

21 MR. LACIVITA: I would just like to clarify one  
22 thing. When Mr. Brown was talking, he said the IDA. I  
23 want to clearly say that this was Albany County IDA who  
24 owned the Tobin site.

25 CHAIRMAN STUTO: Do you know what the current

1 goings on there are now? Let's let him talk first and  
2 then we'll get back to what you know about that.

3 MR. LUKOWSKI: My name is Scott Lukowski and I'm  
4 from Mary Beth's office representing Albany RV.

5 I just actually wanted to get up to confirm  
6 what Joe was saying. The goal is to consolidate all  
7 of the operations onto this property, as my client  
8 has expressed to me and we have expressed to Joe a  
9 number of times.

10 CHAIRMAN STUTO: If we vote in the positive  
11 tonight, is that enough for you to vacate the other  
12 locations?

13 MR. LUKOWSKI: I honestly don't know the entire  
14 number of what we have at the other locations, but it  
15 has been stated to me that the goal is to consolidate  
16 into one locations.

17 MR. BROWN: I'm not trying to be picky, but goal is  
18 kind of a weaselly word.

19 CHAIRMAN STUTO: I understand.

20 MR. LUKOWSKI: I don't have a specific number for  
21 you.

22 MR. BIANCHINI: I can say that Exchange Street will  
23 be the first one that will be vacated. There is another  
24 one off of Terminal Drive. It's way in the back and  
25 it's not adjacent to any residential properties.

1           Then, there is also the one that they started  
2           out with on Central Avenue. Those two would be the  
3           last one on State Street.

4           MR. AUSTIN: My question is: There are 177 spots  
5           that you're asking for. Say that there is more than 177  
6           RV's on Exchange Street or on Terminal or the other one  
7           combined? Do those other spots still stay open? The  
8           goal is to consolidate. Now, obviously a goal can be  
9           met or not met. So, if this goal is not met we could  
10          see you in another six months for another 100 spots.  
11          You're saying that this is it. Originally, the plan was  
12          for 1,000 spots. Now, we're not near 1,000 spots yet,  
13          are we?

14          MR. LACIVITA: No. If this was to be approved, we  
15          would be at 550 that I calculated yesterday.

16          MR. AUSTIN: I think that what I heard was that  
17          this is the last expansion of the site.

18          MR. LACIVITA: Correct, but lets not forget also  
19          that there are two sites remaining, Joe, that have not  
20          been under contract. There is the Hess site and one  
21          other potential that he is still trying to acquire.

22          MR. BIANCHINI: The Hess site and the [SIC]  
23          Bartainaian.

24          MR. LACIVITA: So, the Hess and [SIC] Bartainian -  
25          you're still going after those two site so that we can

1 finish the abandonment of the paper streets and the  
2 potential for additional parking may come if they become  
3 aquired.

4 MR. BIANCHINI: You can see from the size of those  
5 lots that we're not talking a lot.

6 MR. LACIVITA: You're not talking a lot, but it's  
7 still additional parking.

8 MR. AUSTIN: If the Hess site is acquired, where  
9 are you putting those nice big berms around it -

10 MR. BIANCHINI: That would have to be on the left  
11 to block it. You can see from the size of those lots  
12 that we're not talking a lot.

13 MR. AUSTIN: If that is part of the Hess site, what  
14 are you putting this nice berm around?

15 MR. BIANCHINI: That would have to be on the left  
16 to block it. There are two Hess parcels. There is this  
17 one over here (Indicating) and then there is this one  
18 here. This one is where the berm is (Indicating). That  
19 would have to stay the way that it is, pretty much.  
20 This one could be expanded for parking there. Then  
21 there is a site down here (Indicating) and I don't know  
22 if that's even usable because that's pretty much wetland  
23 down there.

24 MR. AUSTIN: I guess getting back to my first  
25 question is that we have a lot of RV's that are still

1 yet to be put on the site with those other sites to stay  
2 open -

3 CHAIRMAN STUTO: Joe may have some current  
4 knowledge about what is going on at the Tobin Plant.

5 Do you, or no?

6 MR. LACIVITA: As far as the applicant who has come  
7 to talk about it -- he's not an applicant at this time.  
8 There is a developer who has come to me and he gave me a  
9 plan as to what he plans to do with the Tobin site. It  
10 includes the demolition and the redevelopment of that  
11 site.

12 CHAIRMAN STUTO: It probably won't include RV  
13 parking, is that right?

14 MR. LACIVITA: It won't include RV parking. There  
15 is a footprint that he has showed us of several pad  
16 sites within it.

17 CHAIRMAN STUTO: Is that now sold to the project  
18 developer rather than the Albany County IDA? Is it a  
19 private developer?

20 MR. LACIVITA: The Albany County IDA has options  
21 with the developer. The developer is doing his due  
22 diligence at this point and he's trying to talk to both  
23 municipalities and move forward with that.

24 CHAIRMAN STUTO: So, there is no guarantees but  
25 there is something at least being talked about.

1 MR. LACIVITA: Since being here in 2008, this is  
2 the only one that's gone this far.

3 CHAIRMAN STUTO: And the applicant is saying that  
4 the first sign of relief or moving the RV's will be from  
5 the Exchange Street.

6 MR. BIANCHINI: I don't know either how many RV's  
7 he has on that site and the other sites.

8 MR. AUSTIN: But he has more than 177 on the  
9 Exchange Street site to still stay open.

10 MR. BIANCHINI: He needs to get rid of that site.

11 MR. LACIVITA: Can we condition the approval that  
12 the Exchange Street site be relocated to this site and  
13 any other remaining RV's be transferred to the other  
14 sites that are currently in operation and this one  
15 remain closed?

16 CHAIRMAN STUTO: I don't know if we can. I don't  
17 know if we can legally do that.

18 MS. MARINELLI: I think that we can.

19 CHAIRMAN STUTO: Is the applicant okay with that?

20 MR. BIANCHINI: Yes.

21 CHAIRMAN STUTO: Mr. Brown, do you have any other  
22 questions? We're going to condition this on them  
23 abandoning the Exchange Street site. Is that what you  
24 are proposing?

25 MR. LACIVITA: That would be my motion that you

1 guys would vote on.

2 CHAIRMAN STUTO: Okay. Do you have any other  
3 questions?

4 MR. BROWN: Not really, no.

5 CHAIRMAN STUTO: Okay, you'll hear us vote on that  
6 in a minute.

7 MR. SHAMLIAN: Can we ask that question of counsel  
8 rather than Joe?

9 CHAIRMAN STUTO: If they agree to it, then that's  
10 okay.

11 MR. BROWN: Could we question Albany RV as to what  
12 they're going to do with the site once they vacate it?

13 CHAIRMAN STUTO: I don't think that they own it. I  
14 think that they are leasing it. They don't own it.

15 MR. BROWN: Right, but are they going to take all  
16 their stuff with them? The lighting and all the stuff  
17 that they have installed? All the old garbage that they  
18 plowed down in the woods? Basically what I'm saying is:  
19 Are we going to make them clean up their mess before  
20 they leave and not just walk away from the site and let  
21 it sit the way that it is now for a developer to worry  
22 about?

23 CHAIRMAN STUTO: Okay, we understand your  
24 question. I'll let the applicant respond to that.

25 MR. BIANCHINI: I don't know what is there exactly.

1 Anything that is Albany RV's will be cleaned up and  
2 taken care of. Again, this is a leased site so that  
3 there may have been other stuff that is there that is  
4 not Albany RV's and I can't say anything -

5 CHAIRMAN STUTO: I'm not even saying planting  
6 grass -

7 MR. BIANCHINI: It's whatever the owner of that  
8 site wants to do with it after that.

9 CHAIRMAN STUTO: I'm not sure how much further we  
10 can go after that.

11 MR. AUSTIN: Mr. Brown, I'm not sure but that might  
12 not be what your goal is.

13 MR. BROWN: I don't really expect it to come back  
14 to a greenspace again.

15 MR. LANE: Once vehicles are not sitting on it,  
16 there will be something growing there.

17 MR. BROWN: We don't want someone to come in and do  
18 the same thing again - park tractor trailers in there  
19 for instance and become a tractor trailer storage yard  
20 in front of our houses again. That's why I would like  
21 to see them do something with the site. Take down the  
22 lights. It wouldn't kill them to do something with the  
23 crushed stone. They've already sold all the top soil.  
24 They had Fiacco Trucking come in and bid the original  
25 excavation. I was there watching the whole thing. They

1 piled all the top soil down in back in a humungous pile  
2 and eventually they just trucked it all out of there.  
3 The only thing left of the piles back there now is trees  
4 that they bulldozed, old pieces of RV's and propane  
5 tanks. I showed some people that came down to the site.  
6 I've been around showing them all the stuff that's down  
7 there. Albany RV was the first tenant there ever. It  
8 was exactly like those pictures right there before  
9 Albany RV moved in. That's the condition that Albany RV  
10 received the property right there - just what you are  
11 seeing. It was grass and trees. It was beautiful. I  
12 think they came in and bulldozed it down and took the  
13 topsoil away, put down the crushed stone, put up all the  
14 lights - which the Town never knew about until I called  
15 and started complaining. I told them that these people  
16 came and -

17 CHAIRMAN STUTO: I don't know if we have  
18 jurisdiction over that.

19 MR. LACIVITA: It has been affirmed that Albany RV  
20 will clean up the site and anything that is Albany RV  
21 equipment or junk that might be there will be removed  
22 from the site and that has been affirmed by Joe  
23 Bianchini.

24 MR. BROWN: That sounds fair.

25 CHAIRMAN STUTO: Thank you, Mr. Brown. Those are

1 good comments and we appreciate it.

2 Any other members of the public?

3 (There was no response.)

4 Can somebody help us walk through the  
5 environmental review?

6 MS. MARINELLI: You have in your packets the EAF  
7 form. This is an unlisted action under SEQRA and I'll  
8 just go through Part II, the impact assessment. There  
9 are 11 items.

10 The first one: Will the proposed action create  
11 a material conflict with an adapted land use plan  
12 for zoning regulations? No, or small impact may  
13 occur.

14 Will the proposed action result in a change in  
15 use or intensity of the land? No, or small impact  
16 may occur.

17 Will the proposed action impair the character  
18 or quality of the existing community? No, or small  
19 impact may occur.

20 Will the proposed action have an impact on the  
21 environmental characteristics that cause the  
22 establishment of a critical environmental area? No,  
23 or small impact may occur.

24 Will the proposed action result in an adverse  
25 change in the existing level of traffic or affect

1 existing infrastructure or mass transit, biking or  
2 walkway? No, or small impact may occur.

3 Will the proposed action cause an increase in  
4 the use of energy and fails to incorporate  
5 reasonably available energy conservation or renewal  
6 energy opportunities? No, or small impact may  
7 occur.

8 Will the proposed action impact A. Public or  
9 private water supplies or B. Public or private water  
10 waste treatment facilities? No, or small impact may  
11 occur.

12 Will the proposed action impair the character  
13 or quality of important historic, archeological or  
14 architectural or aesthetic resources? No, or small  
15 impact may occur.

16 Will the proposed action result in an adverse  
17 change to natural resources? No, or small impact  
18 may occur.

19 Will the proposed action result in an increase  
20 in potential for erosion, flooding or drainage  
21 problems? No, or small impact may occur.

22 Will the proposed action create a hazard to  
23 environmental resources or human health? No, or  
24 small impact may occur.

25 With respect to Part III of the EAF, the

1 determination of significance, I'll just read in  
2 what is in your packet.

3 The proposed project involves a construction of  
4 a parking lot with 133 RV parking spaces and 44  
5 employee parking spaces. The use is permitted in  
6 this district subject to special use permit. The  
7 project would cause a change in density of land use.  
8 Because of the low intensity use, no significant  
9 impact is expected. Although the project will  
10 result in a physical change to the site, given the  
11 size of the project no significant impact on land  
12 resources is expected.

13 That's what is to be voted on.

14 CHAIRMAN STUTO: Do we have a motion?

15 MR. LACIVITA: The number of spaces is wrong.

16 MR. FLETCHER: The narrative in the package  
17 indicates 145 RV spaces.

18 MR. LACIVITA: Plus the 44 additional parking in  
19 the narrative.

20 MR. BIANCHINI: We lose 11 spaces in the  
21 configuration. That's out of the 177 total spaces.

22 MS. MARINELLI: So, you should amend the Part II to  
23 indicate 145 RV spaces in place of the 133 RV spaces  
24 which I cited.

25 CHAIRMAN STUTO: Everything else is the same?

1 MR. BIANCHINI: Right.

2 MR. AUSTIN: I'll make a motion.

3 MR. MION: Second.

4 CHAIRMAN STUTO: Any discussion?

5 (There was no response.)

6 All those in favor?

7 MR. MION: Aye.

8 MR. AUSTIN: Aye.

9 CHAIRMAN STUTO: Aye.

10 MR. LANE: Aye.

11 MR. SHAMLIAN: Aye.

12 CHAIRMAN STUTO: All those opposed?

13 MR. SHAMLIAN: Nay.

14 CHAIRMAN STUTO: We have one opposed.

15 On the main question which is the application  
16 for final approval, based upon condition of PDD  
17 final review, the engineer drawings, and all the  
18 Town comments as well as the important condition  
19 that we discussed today, that is the abandonment of  
20 the Exchange Street parking lot and removal of all  
21 property of the applicant of that spot.

22 MR. LACIVITA: Do we just want to further condition  
23 Joe - that he affirmed that the berm will stay in that  
24 parking area on the Hess property?

25 MR. FLETCHER: It's just off the Hess property.

1           MR. LACIVITA: The berm will stay on it and it will  
2 not be parking?

3           MR. BIANCHINI: There will be no further expansion  
4 on that.

5           CHAIRMAN STUTO: Well, he can't alter the plans  
6 without coming back here.

7           MR. MION: I'll make that motion.

8           MR. AUSTIN: I'll second.

9           CHAIRMAN STUTO: Any discussion?

10          (There was no response.)

11          All those in favor say aye.

12          MR. MION: Aye.

13          MR. LANE: Aye.

14          CHAIRMAN STUTO: Aye.

15          MR. SHAMLIAN: Aye.

16          MR. AUSTIN: Aye.

17          CHAIRMAN STUTO: All those opposed say nay.

18          MS. MILSTEIN: Nay.

19          CHAIRMAN STUTO: Okay, we have one recorded nay.

20          The application for final approval is approved.

21          Thank you, very much.

22

23          (Whereas the above referenced proceeding was  
24 concluded at 7:35 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 June 1, 2015

