

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 BORDEAU CONSERVATION SUBDIVISION  
103-107 CONSAUL ROAD  
5 BOARD UPDATE TO SKETCH PLAN REVIEW  
18 LOT RESIDENTIAL CONSERVATION SUBDIVISION

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7 THE STENOGRAPHIC MINUTES of the above entitled  
8 matter by NANCY STRANG-VANDEBOGART, a Shorthand  
Reporter, commencing on April 28, 2015 at 7:37 p.m.  
9 at The Public Operations Center, 347 Old Niskayuna  
Road, Latham, New York

10

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

15 ALSO PRESENT:

16 Kathleen Marinelli, Esq. Counsel to the Planning Board

17 Joseph LaCivita, Director, Planning and Economic  
18 Development

19 Christopher Longo, PE, Ingalls and Associates

20 Joseph Grasso, PE, CHA

21 Gary Hordel

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1           CHAIRMAN STUTO: Next on the agenda is Bordeau  
2 Conservation Subdivision, 103 to 107 Consaul Road. This  
3 is a Board update to sketch plan review. This is for an  
4 18-lot conservation subdivision.

5           Okay Joe, I think that we've seen this one  
6 before, as well not too long ago. Do you want to  
7 give us an introductory remark before we turn it  
8 over?

9           MR. LACIVITA: This one is really just an update.  
10 We asked the applicant to come back when he had some  
11 building elevations and some site plan conversations and  
12 we're here tonight to be brought up to speed so that we  
13 can move forward with the concept acceptance  
14 application.

15          CHAIRMAN STUTO: Okay, we'll turn it over the  
16 applicant.

17          MR. LONGO: Good evening. I'm Christopher Longo  
18 from Ingalls and Associates. I'm here also with the  
19 developer, Gary Bordeau from Bordeau builders. We were  
20 in front of this Board in early March with our initial  
21 presentation of this conservation subdivision.

22          It is a 16-acre parcel along Consaul Road. It  
23 is a main frontage, but also Crosby Street would be  
24 where the majority of the development area would  
25 obtain access. As part of this 16-acre parcel, over

1           10 acres would be conserved as within an HOA for  
2           permanent conservation of that land. About 6 acres  
3           would be developed on.

4           In our conversations in March, there was  
5           discussion about the amount of curb cuts that were  
6           proposed along Consaul Road. We have not presented  
7           an updated site plan or subdivision concept to the  
8           Board as of yet, as we are still in this on-going  
9           discussion. The main sentiment I believe the Board  
10          had was please return with some architectural  
11          elevations and floor plans to really give an idea of  
12          what the layout would look like in this proposed  
13          cul-de-sac and really the proposed development for  
14          the site. We have brought back some elevations to  
15          give the Board a better idea to hopefully give a  
16          level of comfort that this is an appropriate site  
17          for a conservation subdivision, which in doing so  
18          the Board would adopt the conservation district  
19          overlay standards to this site and allow for the  
20          reduced lot size, allow for the creation of the HOA  
21          and open space area and the permanent preservation  
22          of what the environmental constraints that are on  
23          this site which include the stream which is a  
24          tributary to the Lisha Kill and also another wetland  
25          draw and some slopes that are associated with that.

1           CHAIRMAN STUTO: Can you go over the conservation  
2 as part of your presentation. The conservation  
3 subdivision standards either now or somewhere in your  
4 presentation and how that analysis goes.

5           MR. LONGO: So, the conservation district overlay  
6 standards -

7           CHAIRMAN STUTO: Joe Grasso, do you agree with that  
8 terminology?

9           MR. GRASSO: Yes.

10          CHAIRMAN STUTO: It's conservation overlay?

11          MR. GRASSO: It's not a conservation overlay  
12 district. We're not in a conservation overlay district.  
13 It's a conservation subdivision design standard that get  
14 applied to this that allows the so-called clustering,  
15 which allows reduced lot size and reduced setbacks.

16          CHAIRMAN STUTO: I just want to make sure that we  
17 have the terminology correct. Thank you.

18          MR. LONGO: So, we are applying to apply the  
19 conservation subdivision design standards to the site.  
20 Those standards are a required minimum of 40% of the  
21 unconstrained land to be permanently conserved and  
22 determining the density - the allowable density - the  
23 constrained lands would be removed from the density  
24 calculation and then the unconstrained lands would be  
25 applied to two units per one acre, maximum density.

1 From 16 acres there are approximately a little bit over  
2 5.5 acres that are constrained lands and that includes  
3 wetland areas which we have about 4.25. Some steep  
4 slopes which are slopes greater than 25% - there are  
5 about half an acre of that. There is also the area  
6 which is within the 100 foot water course buffer which  
7 this stream has an associated 100 foot water course  
8 buffer. Some of that is already accounted for as its  
9 wetland, but there is an additional four-tenths of an  
10 acre which is outside of wetland but still within the  
11 buffer area. So, all that adds up to a little bit less  
12 than 5.5. So, we're left with 11 acres that is  
13 unconstrained. So, with that 11 acres we would be  
14 allowed up to 21.9 or round down to 21 allowable units.

15 CHAIRMAN STUTO: Okay, slow down just a little bit.  
16 The unconstrained land is how many acres?

17 MR. LONGO: Eleven acres.

18 CHAIRMAN STUTO: And then you have to take 40% out  
19 of that; is that correct?

20 MR. LONGO: Forty percent of that has to be  
21 preserved, yes.

22 CHAIRMAN STUTO: So, what does that leave you with?

23 MR. LONGO: The density calculation is based off  
24 the 11. So, that would get us to almost to 22 allowable  
25 units and then from those 11 acres of unconstrained

1 land, 40% of that would have to be conserved. That 4.4  
2 acres would be conserved within the HOA.

3 MR. GRASSO: Just to clarify that - so, you take  
4 the constrained land acreage plus the 40% of  
5 unconstrained and that aggregate is what needs to be  
6 conserved and not just the 40% of the unconstrained  
7 land.

8 CHAIRMAN STUTO: But your number of lot calculation  
9 is based just on the unconstrained lands.

10 MR. GRASSO: Correct.

11 CHAIRMAN STUTO: So, it allows you to have smaller  
12 lots; right?

13 MR. GRASSO: Yes.

14 CHAIRMAN STUTO: Thank you. I just want to make  
15 sure that I understand it.

16 MR. LONGO: There are a lot of numbers and I know  
17 that I'm throwing a lot at you right now too. I'm going  
18 to even give you a couple more. I'm pulling out some  
19 areas that are basically the intent. There is the 40%  
20 of the unconstrained land or developable land, if you  
21 want to call it that. Where we come up with the 40% -  
22 that's this area which is upland or right now it's used  
23 as AG field and it's not shaded green because that's  
24 outside of what would be developed. This would be  
25 within the conserved land. In this case, the mechanism

1 would be a homeowners association that would own and  
2 control all this land. So, this land would be conserved  
3 as well as all the constrained land which would be all  
4 in here (Indicating). This stream corridor and some  
5 more wooded area back here (Indicating) -- and then this  
6 wetland draw slopes in this area. So, that would all be  
7 conserved too. On this site there is really 10 acres  
8 that would be within that homeowners association. They  
9 would own 10 acres and six acres would be what would be  
10 developed on.

11 CHAIRMAN STUTO: I'm going to ask a technical point  
12 while we're on the subject. The DEC has a 100 foot  
13 buffer around DEC wetlands, I guess. Is that  
14 constrained or unrestrained - the DEC buffer?

15 MR. LONGO: We did talk to Planning and the TDE on  
16 that and that is not considered a constrained land by  
17 the Town Code. That's where the 11 acres does  
18 technically include some of the DEC 100 foot buffer,  
19 but that's not part of the Town calculation of what  
20 constrained land is.

21 CHAIRMAN STUTO: Does the Town agree with that?

22 MR. GRASSO: Yes. So, it's not constrained for the  
23 purposes of the density calculation.

24 MR. LONGO: And yes, there are DEC jurisdictional  
25 wetlands on this site and we do have an application into

1           them which is pretty much this plan that you guys are  
2           seeing. You guys are looking at this plan concurrently  
3           with DEC and we are awaiting comments from them, so we  
4           do anticipate some revisions in fine tuning to this plan  
5           as well. We are in front of you guys kind of early in  
6           the process, normally because we would normally have all  
7           that worked out with DEC. In this instance, we are  
8           asking for the application of the conservation  
9           subdivision design standards to this site. We feel that  
10          due to the environmental constraints, the wetlands, the  
11          stream corridor, the slopes that are associated with  
12          this site - that there is still appropriate developable  
13          land. We feel that the conservation subdivision would  
14          be the best application for this site to achieve what  
15          the developer hopes are some very marketable homes.

16                 That kind of leads me into your question that  
17                 you had back in March. What will this development  
18                 look like? What is the intent here? What is the  
19                 housing size and style and appearance here? To  
20                 explain that a little bit further, you should have  
21                 in your packets the housing elevations and floor  
22                 plans.

23                 Do you have any more questions?

24                 CHAIRMAN STUTO: I don't know. We're going to hear  
25                 from our Town Designated Engineer and he may have some

1 comments.

2 MR. HORDEL: I am Gary Hordel and we are proposing  
3 square footages here from 3,200 down to 1,700 square  
4 feet, two-story, four bedrooms, two and a half baths. A  
5 combination of different exteriors. Each one of these  
6 plans can be dressed in any fashion; stone, brick, board  
7 and batten, clapboard, shake. We can change up columns  
8 from round to square to tapered. So, it gives you a  
9 nice flexible -- I have never built the same house twice  
10 in a subdivision next to each other in 33 years. We  
11 always change up a porch, tweak a gable on the front so  
12 the houses are not the same. When you drive in our  
13 subdivisions, we are not the same cookie cutter  
14 subdivision. We never have built that. So, you have  
15 the confidence. If you'd like, I can invite you to a  
16 couple of my subdivisions and I'll give you addresses so  
17 that you can get a flare because I've never built in  
18 Colonie before. So, more of a high-end builder for  
19 years and we're going to start prices in here in the  
20 three eighties to five hundred. That's where we're  
21 thinking that we're going to hit a sweet spot.

22 CHAIRMAN STUTO: Okay, is that the end of your  
23 presentation?

24 MR. HORDEL: Yes.

25 CHAIRMAN STUTO: There will be comments and

1 questions coming up.

2 I think that if Joe Grasso gives us his  
3 comments, that's probably where we would want to go  
4 right now.

5 MR. GRASSO: So, it's up for sketch. We don't  
6 haven't issued a review letter on a project. We have  
7 looked at the application materials again. Most of our  
8 comments are consistent with the comments that we raised  
9 last time. It's really about that we're dealing with  
10 what I would consider very small lots. We've heard  
11 about lots about 7,000 square feet, which is consistent  
12 with the adjacent neighborhood to the south. Those lots  
13 are also very small. I think that the lots that are  
14 proposed are 60 feet wide.

15 One of the concerns that we had was how was the  
16 footprint of the house and the scale of the house  
17 going to fit on the small lot so that the Planning  
18 Board could get a sense of the type of neighborhood  
19 character that would be created. I applaud the  
20 applicant for coming in with what I would consider  
21 very good footprints. It's a rather very compact  
22 footprint. The widths are only 40 or 50 feet wide.  
23 They range in depths from 50 to 70 feet. I think  
24 that there is a variety of total square footages  
25 from 1,800 square feet to 3,200 square feet. Two of

1 the models shown are two-story and one I think is  
2 one-story. I think that these are good footprints  
3 to fit on the lots. When we get a formal  
4 application, I think that it may be beneficial to  
5 actually see these footprints on the lots because  
6 the other ones that you showed may have been too  
7 diagrammatic and not actually to scale. There are  
8 some unique things about these lots and about how  
9 they are going to be configured and whether or not  
10 we've got just one row of houses.

11 You'll notice on the plan that there are some  
12 key-hole lots, so we're going to have a situation  
13 where there is another house right behind a house.  
14 I think that it's important for the Board to take  
15 that into consideration as it starts to drill into  
16 an appropriate lot layout for the subdivision.

17 CHAIRMAN STUTO: Can I interrupt for one second?  
18 Is that what they proposed last week or did they modify  
19 it?

20 MR. GRASSO: The plan that I have is a little bit  
21 different. I think that what you presented tonight is a  
22 just the footprints and the elevations.

23 MR. HORDEL: Yes.

24 MR. GRASSO: There has been a couple of iterations  
25 of the plan. The one that I have is showing 15 lots and

1 I want to just reiterate to the Planning Board some of  
2 the comments that I have on that as well. I think that  
3 they are very important.

4 CHAIRMAN STUTO: Here is the point: a picture  
5 paints a thousand words. We saw something last time,  
6 but we had reservations about the number of lots and  
7 curb cuts and so forth. There are no drawings in front  
8 of us. You didn't hand out any in our package though.

9 MR. SHAMLIAN: Isn't that bottom plan the one that  
10 we saw last time?

11 MR. LONGO: Yes, this is the exact plan that you  
12 saw. I know that you did mention the concerns with  
13 this, with the three lots here. We do understand that  
14 and we will resubmit, as Joe was mentioning, when we get  
15 into the formal layout of lots and how this subdivision  
16 works and what lots work and how they should be  
17 oriented. We certainly do intend to submit that. The  
18 way that we understood the comments and sentiments last  
19 meeting was that if we could come back and give the  
20 Board a better understanding of how this neighborhood  
21 would be and the layout and the style of the proposed  
22 neighborhood, that would give your Board a little bit  
23 better understanding as to if this was appropriate for a  
24 conservation subdivision. That's really our formal  
25 application and our formal question to this Board

1           tonight. Is this property appropriate for conservation?  
2           If it is, we will certainly move ahead in the  
3           appropriate lot layouts which would meet the code as set  
4           by the conservation standards and would meet to the  
5           liking of the Board, as well.

6                     MR. AUSTIN: What are the size of the lots?

7                     MR. LONGO: The lot minimum width is 60 feet and  
8           the minimum area is actually set because it's allowed to  
9           be set by the specific subdivision. It is set at 7,000,  
10          but that is a little bit smaller than what the average  
11          is. The average is actually closer to about 10,000  
12          square feet for each parcel and that provides a minimum  
13          depth of about 120 feet so with the 20 foot front  
14          setback and 20 foot rear setback that gives you about 80  
15          feet for the buildable area and then a five foot side  
16          setback. As I mentioned it's pretty much a typical lot  
17          size of about 10,000. There are about two lots that get  
18          down toward the 7,700 number. We could even bump up  
19          that minimum area. As I said, as we get into specific  
20          lot layout and lot design, I think that Joe LaCivita  
21          might be able to chime in on this - we may be able to  
22          adjust the minimum lot area and minimum width, minimum  
23          front setbacks that would be required for this  
24          subdivision even after tonight if the Board decides that  
25          this is appropriate for conservation. That wouldn't be

1 determined specifically tonight.

2 MR. LACIVITA: We still need to see you come back  
3 for concept submission to see that you're heading in the  
4 right direction with the Board.

5 MR. LONGO: Understood.

6 MR. AUSTIN: It seems to be an on-going issue. I'm  
7 just scanning the minutes from the last meeting.

8 There was an issue brought up by Mr. Grasso at  
9 the time about a minimum of 18,000 square foot lot  
10 down to a 7,000 and now they're saying 10,000. He  
11 made the comment as well that a 2,500 square foot  
12 home on a 7,000 square foot lot being hard to  
13 picture. The same thing now with the 3,200 square  
14 foot home on a potentially 7,000 and 10,000 square  
15 foot. That's a lot of house and not a lot of lot.

16 MR. HORDEL: What happens from the street view -  
17 the house is longer and deeper than what we are used to.  
18 We're used to sprawling and we're not sprawling anymore.  
19 We're shrinking. So, our designs become different, in  
20 our viewpoints, of the house and they become different in  
21 the subdivision.

22 MR. GRASSO: I'd like to make a few more comments  
23 first and put some things in context.

24 In terms of the footprints and the conservation  
25 design standards, one of the common concerns is that

1 the front elevations are going to be dominated by  
2 garage doors. Obviously, each of these footprints  
3 shows a two-stall garage. It's clearly evident in  
4 two of the elevations. One doesn't because it's a  
5 side-load. It would be good when we looked at the  
6 plan and the actual footprints - whether or not  
7 these lots can actually accommodate a side-loaded  
8 garage because I think that all the other lots that  
9 are close to the road are going to have that garage  
10 door element dominating the front. I like what is  
11 done with the elevations, architecturally, to try to  
12 minimize the impact of that and I think that is  
13 something that the Planning Board should consider.

14 The other thing is just regarding the  
15 conservation density or development design, one of  
16 the fundamental purposes of it is to reduce the  
17 environmental impacts of the project. This lot, I  
18 would consider to be heavily constrained by wetlands  
19 and the Lisha Kill tributary and some steep slopes.

20 Also importantly there is a regulated buffer of  
21 100 feet adjacent to these wetlands. These wetlands  
22 are all regulated by DEC, so they carry a 100-foot  
23 buffer. No disturbance is allowed within that  
24 buffer without an authorization - an Article 24  
25 permit by DEC. That buffer isn't intended to

1 protect the value of the wetlands. Most of these  
2 lots are proposed to occupy substantial portions of  
3 the buffer or the home sites themselves would be  
4 located within that 100-foot buffer. I think that  
5 it's important for the project to move forward to  
6 understand what kind of buffer we're going to have  
7 left, if at all, so that we can evaluate potential  
8 impacts on the wetlands and stream corridor within  
9 the site. That's something that we raised in the  
10 initial review and I would just like to see that  
11 elaborated on as part of the concept submission so  
12 it's clear to us exactly what we're going to be  
13 left.

14 CHAIRMAN STUTO: Can I make a comment on that?

15 Joe, I saw on the website, that they have a  
16 drawing. It's not in our package. That's part of  
17 what confused me because I was looking at that.  
18 It's fairly apparent on the drawing that's on the  
19 website that if you take into account the 100-foot  
20 buffer, there is not much non-buffer area and a lot  
21 of the lots are fully covered by a buffer, if not  
22 the majority covered by the buffer. So, it just  
23 underscores that point that you're making.

24 MR. GRASSO: The only thing that I will say about  
25 the buffer is in getting out to the site and studying

1 the map so far, there is a substantial part of some of  
2 these buffer areas have already been developed into  
3 agricultural fields, really. So, impacts have already  
4 occurred. So, I think that if we look at the new layout  
5 in the context of the limits of the woods and what has  
6 already been disturbed, we should use that as a guide to  
7 possibly allow some typical lot development to occur  
8 within previously disturbed areas, but we have to really  
9 take a close look at the plans and it's going to be  
10 important for you to clearly show that on the  
11 application materials so that we can understand just  
12 where these impacts are likely to occur. That's whether  
13 it's previously disturbed lands or new impacts with in  
14 the buffer. Our recommendation would be to try to  
15 minimize any new impacts within the buffer area to the  
16 greatest extent possible, in order to allow this to seek  
17 relief under conservation development design standards.

18 CHAIRMAN STUTO: Can you walk that drawing by us  
19 and show us where the 100-foot buffer is?

20 MR. SHAMLIAN: Do you have a map in the last  
21 submission that actually showed the buffer?

22 MR. LONGO: Yes, and I will make a few notes on  
23 this before I bring it around. This, we submitted in  
24 our original application. There is no change to this  
25 plans.

1           CHAIRMAN STUTO: Does that have the lots on it?

2           MR. LONGO: This does not. As part of the  
3 requirements to apply these conservation subdivision  
4 design standards is to do an analysis of the site to  
5 analyze what should be conserved, what is constrained  
6 land and where development activity would occur. So, we  
7 have prepared this map, which is basically a site  
8 analysis diagram which shows both the stream any wetland  
9 area, and then here is the buffer limit.

10           Also in what we feel is another important  
11 consideration that the Board should make is that  
12 here are the limits of the agricultural field. So,  
13 what we have attempted to do with our development is  
14 stay within the limits of that agricultural field to  
15 the best of our abilities so that we would minimize  
16 the impacts as much as possible. So, understanding  
17 that yes, there are additional areas which are  
18 technically within the 100-foot buffer, those areas  
19 are already being agriculturally worked.

20           CHAIRMAN STUTO: We do have an aerial, which we can  
21 roughly see?

22           MR. SHAMLIAN: Was the calculation done of the  
23 amount of land that you are going to develop in the  
24 buffer area and then a further calculation of what  
25 percentage of that has already been disturbed?

1 MR. LONGO: That is part of our application to DEC.  
2 That is currently being reviewed by their department and  
3 their wildlife specialist, so I believe that the total  
4 number to be disturbed was three acres. I'm not sure  
5 how much of that was already disturbed. I know that it  
6 is specified in that actual application, but I don't  
7 know how much has already been disturbed. I do know the  
8 total including the AG field is about three acres of  
9 buffer.

10 CHAIRMAN STUTO: How do you define disturbed? As  
11 being part of one of the lots?

12 MR. LONGO: I'm saying as part of the agricultural  
13 field - previously disturbed by agricultural.

14 MR. GRASSO: I would guess probably about 75% of  
15 the proposed lots has already been disturbed. About 25%  
16 has not been. Our recommendation would be to try to get  
17 that closer to 100% of what has already been disturbed.

18 MR. SHAMLIAN: There is still a question as to  
19 whether or not we would even want to consider the fact  
20 that it's already been disturbed, right?

21 MR. GRASSO: Yes.

22 CHAIRMAN STUTO: Do you have any more to say? Do  
23 you want to keep going?

24 MR. GRASSO: I think that the next time that it  
25 comes before the Planning Board we would recommend a

1 full concept submission so that we can really decide  
2 whether or not the project should continue to advance so  
3 that we can get all the facts out there.

4 CHAIRMAN STUTO: Does anybody want to give the  
5 applicant any feedback on this?

6 MR. MION: I agree. I like the idea of keeping it  
7 within what has already been disturbed and not anymore.  
8 I have walked it. I think that in order to do that, you  
9 are going to have to either waive some lots or -- you  
10 sure can't shrink them anymore.

11 MR. LACIVITA: I think that one of the clear things  
12 that came from the three sites that were on Consaul Road  
13 - that be limited to two, if I remember that. We were  
14 heading towards that path on the last one with a shared  
15 access point possibly to those two sites.

16 CHAIRMAN STUTO: I think that we did say that on  
17 the record.

18 MR. LONGO: We understood that and I know that we  
19 didn't provide a new plan, but we do understand that  
20 comment and certainly should another submittal come,  
21 that would be incorporated.

22 CHAIRMAN STUTO: Let me just ask another question.  
23 Average lot size or range of lot size and the footprint  
24 of the building -- I'm just trying to get a mental  
25 picture of -- they are smaller lots obviously than the

1 normal 18,000 square foot lot and I'm just trying to  
2 see, or get a mental idea of whether the lot works.

3 MR. LONGO: The average lot size is about 10,000  
4 square feet and these are between 3,200 and 2,200 square  
5 feet and that's two stories. So, you're in the range of  
6 maybe 1,000 to 1,500 of actual footprint. So, we're at  
7 about 10% to 15% of cover of the lot with the actual  
8 building.

9 CHAIRMAN STUTO: Do you agree with those numbers,  
10 Joe? For some reason I thought that the lots were  
11 smaller.

12 MR. GRASSO: The last percentage seemed low when I  
13 was listening to you say 10% to 15%.

14 MR. LONGO: The biggest footprint that is proposed  
15 it 1,774 square feet and that's a ranch. Your single  
16 family is going to cover the most. So, if you divide  
17 that number into your 10,000 square feet or an average  
18 of 85, you'll come up with right around that number  
19 which is not a very big disturbance.

20 CHAIRMAN STUTO: They're roughly quarter acre lots  
21 rather than slightly less than half-acre.

22 MR. GRASSO: Yes. There are a few lots that are  
23 bigger that are probably twice the minimum lot size that  
24 I think, kind of skew the average. I don't want to get  
25 us thinking that the lots are 10,000 square feet. If

1           you look at the plan, there are lots that are smaller.  
2           That's why I think that it's important for us to take  
3           the footprint actually on the lots as configured and I  
4           think that we just need to drill into each and every  
5           lot. Again, these lots have a five foot side yard  
6           setback and when you talk about these footprints and  
7           homes being 10 feet apart, that could raise something  
8           that needs to be looked at by the Board. When we look  
9           at the lots, maybe they aren't going to be 10 feet  
10          apart, based on how you configure these home sites.  
11          Again, it could be something where we customize the  
12          setbacks so that certain lots need to have more than a  
13          five foot setback in order ot provide adequate area  
14          between the buildings.

15                   CHAIRMAN STUTO: I agree with that.

16                   MR. LONGO: Again, if we have a 40-foot lot, we  
17                   have 20 feet in between the houses - 10 and 10. You  
18                   have 20 feet in between the houses and your normal  
19                   subdivision is 40 and we're in a conservation area  
20                   trying to save and be considerate of the environment.  
21                   This is how we get there. There is no other way to get  
22                   there.

23                   MR. HORDEL: Certainly, those three housing styles  
24                   fit on specific lots and as Joe had requested, should a  
25                   concept submittal come, we would certainly fit one of

1           those three houses on each of the lots. These are shown  
2           to scale with those types of houses on there and yes,  
3           the 60 foot wide and maybe the 7,700 square foot lots -  
4           they get the 40 foot wide house to allow for that 10  
5           feet on each side and more of a 1,000 square foot house  
6           footprint.

7           CHAIRMAN STUTO: Okay, we want to see that. I'd  
8           like to see, if it can be clearly superimposed, the  
9           disturbed area and the agricultural area, so you can see  
10          what additional area you're going to be disturbing  
11          within the 100 foot buffer and the 100-foot buffer line.

12          MR. GRASSO: A good graphic that we often ask for  
13          is the layout superimposed on the aerial. Nowadays,  
14          it's pretty easy to do. I think that would help show  
15          the agricultural part.

16          MR. SHAMLIAN: I think that you're going to need to  
17          get pretty close to the 100% that Joe was talking about  
18          to get into the buffer more than what is already in --  
19          based on the agricultural use. I think that probably is  
20          going to be problematic.

21          MR. LONGO: Our greenspace, even though it gets  
22          larger, doesn't count for anything. Even though we're  
23          giving 40% or 50% of greenspace, it doesn't count for  
24          anything. I don't think that's fair.

25          MR. GRASSO: I disagree. I think that the parcel

1 is so constrained by the wetlands and the buffer, the  
2 40% I think is easily met. I think that we went through  
3 this calculation before. It's easily met based on the  
4 buffer constraints on the property. I think that the  
5 buffer is a driving factor that is going to drive the  
6 homesites. Unfortunately, it's going to be more than  
7 40% greenspace. But it's a very, very constrained  
8 parcel, when you look at the buffer.

9 MR. LONGO: I understand your comment that we will  
10 attempt to get to 100%, but can I offer something for  
11 consideration? As long as the house footprint is within  
12 that agricultural area, understanding that there would  
13 be yard associated with that which may cause some  
14 impact, I'm taking about basically these five pretty  
15 much -- the house is proposed within that field. There  
16 is going to be some squaring off of that lot that would  
17 get into the treed area to really make for a developable  
18 area and some usable rear yard. I guess, is that  
19 something that the Board would be open to at least at  
20 the house footprints or within that AG area that we  
21 could allow for some -- obviously, we're not going to be  
22 at 100%. That may bring us down to 85% or 90% but at  
23 least the building lot is within that AG area.

24 CHAIRMAN STUTO: I'm not going to commit one way or  
25 the other on that.

1           MR. SHAMLIAN: I would like to see a visual on  
2 that.

3           MR. GRASSO: All I would add to that is I think  
4 that it would be considered by the Board, but we'll look  
5 for a certain minimum set back from the wetlands so that  
6 there is -- I think that it's important that right now  
7 you're showing some development right up to the wetland  
8 with no buffer being allowed at all. I think that it's  
9 important that we establish some minimum buffers to  
10 these wetlands; whether or not it's 25 feet or 50 feet,  
11 we can look at it on a lot by lot basis, but I think  
12 that you have to take that into consideration so that we  
13 understand exactly what buffer will be left; is that  
14 fair?

15           MR. SHAMLIAN: The other thing is how do we protect  
16 the future homeowner from doing something in that area?

17           MR. LONGO: We'll put deed restrictions in and  
18 we'll also put up signage. We'll make them sign a  
19 waiver on the contract.

20           MR. HORDEL: Also, they would not own very much  
21 wetlands at all. The intent here -- I think that we're  
22 very close to that -- is that any wetland area would be  
23 owned by the HOA. So, the goal here is to not have any  
24 wetlands on private lots.

25           MR. GRASSO: And when you're allowing a five foot

1 setback, you can pretty much do that because the lot is  
2 going to be right up against that buffer.

3 MR. AUSTIN: Is there anything that is going to be  
4 done with the three houses on Consaul? Are you  
5 shrinking it down to two?

6 MR. LONGO: Yes, we will have one curb cut.  
7 Whether that curb cut is for two driveways; one common  
8 driveway for two lots or if it needs to be one lot based  
9 on how that second house fits, I think that we should be  
10 able to fit two lots there with one common driveway  
11 using that existing gravel drive that the barn uses and  
12 still be able to provide tow lots there. Yes, we do  
13 intend to have one cut with no new driveway onto  
14 Consaul.

15 MR. AUSTIN: I think that my biggest concern  
16 overall on the project is just seeing an actual lot  
17 layout of size of lots and how this is going to fit on  
18 those lots and how the side load garage door is going to  
19 work. This is all good, but I don't think that we're  
20 getting enough detail for us right now to make any  
21 decisions. From what I am hearing and from what the map  
22 looks like and the sizes - it sounds like it's a lot and  
23 not a little. It doesn't sound like it's going to fit  
24 well. But, if you can bring something that shows us  
25 otherwise, it's going to be a lot easier for us to make

1 a decision.

2 MR. HORDEL: Well, this is what we are here for -  
3 to get your input and making sure that we're meeting  
4 your needs and what the town needs and wants.

5 MR. LONGO: I apologize to the Board for not  
6 providing as much as you'd like to see right now. I do  
7 want to express why we came to you so early in the  
8 process and so schematically with this project. It's  
9 because we are asking to apply these standards. So,  
10 it's not common and it's not typical that you would  
11 apply these standards so before we expend more resources  
12 to developing this, we are asking something from the  
13 Board so that we know that we can keep going forward  
14 with the lots as they are shown to make sure that we can  
15 get lots that work, that are the appropriate layout and  
16 that support the houses that we want to put on them. I  
17 guess that's what I'm asking from the Board is if we  
18 keep going with this and we get lots that are acceptable  
19 to the Board and are the appropriate size, is this  
20 conservation subdivision standard going to raise any  
21 issues down the road?

22 MR. AUSTIN: Lou and I were just saying that we  
23 can't go ahead until we see that. We can't give you  
24 feedback. So, I guess we're kind of at a standoff then.

25 MR. LONGO: Okay, we'll take your comments and put

1           them on the map and we'll put the overlays on. That's  
2           going to be the biggest thing that you need visually.  
3           We'll put the house sizes on and we'll bring it back.

4           MR. AUSTIN: Spectacular.

5           MR. LONGO: Thank you, very much.

6           CHAIRMAN STUTO: Thank you.

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10                   (Whereas the above referenced proceeding was  
11           concluded at 8:10 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

