

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 SHELTER COVE PDD
5 1308 LOUDON ROAD
6 APPLICATION FOR REVISED LANDSCAPING
7 PLANS FOR CARRIAGE HOMES WITH FRONT
8 AND REAR LOAD GARAGES
9 *****

7 THE STENOGRAPHIC MINUTES of the above entitled
8 matter by NANCY L. STRANG, a Shorthand Reporter,
9 commencing on February 23, 2016 at 7:06 p.m. at The
Public Operations Center, 347 Old Niskayuna Road,
Latham, New York

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

16 ALSO PRESENT:

17 Kathleen Marinelli, Esq. Counsel to the Planning Board

18 Michael Tengeler, Planning and Economic Development

19 Joseph LaCivita, Director, Planning and Economic
20 Development

21 James Easton, PE, MJ Engineering

22 Michael Brennan, Conservation Advisory Council

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1 MR. STUTO: Welcome everybody to the Town of
2 Colonie Planning Board. We made an announcement about
3 10 minutes ago that the first item had been scratched,
4 so we had to start at 7:05 which is the time for the
5 second item.

6 We have a guest here.

7 MR. AUSTIN: We have a guest here tonight from
8 SUNY Albany. He is a graduate student there, Will
9 [SIC] Sakula. It's good to have him here and we'd
10 like to welcome him here to the Planning Board
11 meeting. We like to have students here at our
12 meeting, as well as all of our guests here tonight.
13 Thank you for coming.

14 MR. STUTO: Okay, Joe, before the first item,
15 do you have any administrative matters that you'd like
16 to go over?

17 MR. LACIVITA: Yes. One of the things that I
18 would like to say to the Planning Board Members and
19 actually to the residents that come out is we get a
20 number of calls when a project comes in. We've been
21 making changes to our web site so that we can drive
22 people to our web site to see what the projects are
23 that are coming up in front of the Planning Board.
24 We're trying to push more information out to the
25 residents.

1 I just want to encourage the residents and
2 Planning Board Members. You see the agendas early but
3 if you have questions specifically on projects, that's
4 why we have our TDEs and so on. Reach out to us as a
5 conduit to try to help through the process before we
6 get here because we may be able to handle a lot of
7 questions prior to. We want to just make sure that
8 the residents know that the TDEs are through us and
9 the Planning Department and we can help kind of
10 articulate some of the issues that are going on in
11 some of these projects.

12 ACTING CHAIRMAN LANE: For the record, I'd like
13 to note that Chairman Peter Stuto is recusing himself
14 from the first item on the agenda which is Shelter
15 Cove PDD, 1308 Loudon Road. This is an application
16 for revised landscaping plans for carriage homes with
17 front and rear load garages. We have our applicant
18 here.

19 MR. EASTON: Good evening, Board. My name is
20 James Easton and I'm with MJ Engineering. Just to let
21 the Board know, this project was previously a PD
22 project - I want to say 2003 to 2006. It got changed
23 a little bit back in 2008 with the PDD legislation.
24 When I was at WSP, I developed the plan from the PD
25 process and moved it all the way through to final and

1 now it's currently under construction.

2 The carriage home lots which, if you're
3 familiar with the site, the Town of Colonie's landfill
4 is across the way. This is Route 9 across the top of
5 the page (Indicating). The Mohawk River is here
6 (Indicating). Currently out there on the site, if
7 you've been there, Fay Boulevard is the main
8 thoroughfare coming down and Nantucket and the
9 apartment complex is here (Indicating).

10 The carriage home lots -- I'm just going to
11 highlight in this general area (Indicating) and all
12 these over in here were designed, and part of the PDD
13 was a 50-foot lot width with a 20-foot setback,
14 five-foot setbacks and a 20-foot rear setback. These
15 lots are generally relatively small in the sense of a
16 carriage home lot with a five-foot setback and
17 everything else.

18 I'm just sort of going to reference to you
19 where the carriage home lots are, and then I'll go
20 into really the reason why I am here.

21 This is a very typical rear load garage that
22 you kind of see there right now out on the site. This
23 is Nantucket Street, where there is the rear loading
24 garages. As the 20-foot setback is imposed on the
25 front of the building and the houses take up almost

1 70% of the lot -- if you've been there, it takes up a
2 lot of the space.

3 Part of the Town's general construction notes
4 is that two trees are two inch in caliper or larger
5 and needs to be planted in the front of the house.
6 That's really good for traditional single family home
7 lots and we are not proposing to change them from the
8 traditional single family home lots. In this case for
9 the carriage home lots, it's very difficult to put the
10 two trees in front. I'll explain the reason why.

11 There is a sidewalk that's on the private
12 property. Again, we're talking 20 feet. Per the
13 plans, we have a one-foot greenspace and then a
14 five-foot sidewalk. So, out that 20 feet, I've
15 already taken six feet away from it. So, from the
16 sidewalk to the theoretical building line, it's
17 basically 14 feet.

18 Part of the approved plan section, when this
19 was contemplated many years before I was involved with
20 it, National Grid put its utilities within the Town's
21 right of ways. Since that time frame, National Grid
22 has changed their policy and now is taking easements
23 across outside the right of way across people's front
24 yards. In this case, it's a 15-foot easement that
25 National Grid took across the front of all these

1 properties. That means you have five feet between
2 National Grid's easement and the proposed building
3 setback line. That makes it very difficult to put
4 trees in this space - really five feet - and stay out
5 of National Grid's easement so that the tree roots
6 don't rip their powerlines and things like that. Is
7 there space to really put trees and really comport
8 with what the Town really wants? Part of what we
9 looked at is based upon the amount of greenspace that
10 is really there, the best place for any trees would
11 basically be in the rears of most of these properties,
12 instead of the front and basically provide landscaping
13 just like you see out there now - more landscaping in
14 the front. It's just the preference instead of the
15 two trees in front, that you see in every single
16 family standard subdivision - when we put it in, we
17 get close because that tree gets pushed to the back
18 because that's physically really the only other space
19 that we can have in there. These two houses are a
20 generic footprint. Actually, right now out there when
21 you drive by they are the one-story houses that are
22 out there and you can kind of see out there that 15 or
23 20 feet is not a lot of space for the setback line.
24 With National Grid's easement in there - to put a tree
25 of any size in there that's going to grow to any mass,

1 it's just physically too close to the house. What's
2 going to happen is that it's either going to ruin the
3 foundation or the homeowner is just going to rip it
4 out. So, we'd rather have a permanent thing in the
5 back where we know that's not going to interfere with
6 anything.

7 So, we did basically a rear load for you on the
8 traditional plan and then the same thing that was
9 given to you before -- again, it's a generic front
10 load garage scenario. Again, you can see from the
11 pictures that just by appearance, there is more
12 greenspace in the backs of these lots versus in the
13 front of these lots because of the nature of the
14 design. The nature of the design was to have the new
15 urbanism design where the houses are pushed to the
16 front, close together and things like that.

17 We're here tonight to talk about whether or not
18 some of these trees that are required by Code can be
19 placed in the backs of the yards.

20 MR. SHAMLIAN: The National Grid easement
21 precludes trees on it?

22 ACTING CHAIRMAN LANE: Yes, they're never going
23 to allow you to put trees anywhere on it.

24 MR. SHAMLIAN: I know that it was an obvious
25 question, but I just wanted to get it out there.

1 MR. EASTON: Yes.

2 ACTING CHAIRMAN LANE: How in the rear is that
3 going to provide any kind of screening that people
4 wouldn't want -- that they'd probably dispose of that
5 as well. Do we have any concern with that?

6 MR. EASTON: With the trees in the rear -
7 actually for the fact that they are carriage home lots
8 and are smaller lots -- typically 50 by 100 foot in
9 depth. So, by having the tree in the back where
10 people are going to gather, more or less, that tree
11 back - there even though it's going to break up
12 people's view and it's going to be nicer in the back
13 yard. Therefore, I do not see someone removing the
14 tree because of how small the people's back yards are
15 going to be.

16 MR. LACIVITA: Jamie, for the Board Members,
17 can you flip to the street and show them the street
18 make-up so that they can get a better sense of what
19 the visual impact might be? Thanks. You can see the
20 river.

21 MR. EASTON: Getting back to this little plan,
22 most of these trees - I'm just going to highlight it
23 in here - would be on the periphery here (Indicating).
24 Again, it would be blocking the views and putting it
25 on the back and blocking these houses really from --

1 these houses that have the rear loading garage - the
2 trees in the back will actually provide a nice buffer
3 from the traditional single family home lots that you
4 will see the bigger homes on.

5 ACTING CHAIRMAN LANE: So, that will give the
6 homes that are back to back a little buffer.

7 MR. SHAMLIAN: Are you still proposing two per
8 lot?

9 MR. EASTON: Based upon the size of the lots, I
10 believe the carriage home lots would only dictate one
11 in size.

12 ACTING CHAIRMAN LANE: What kind of trees are
13 you proposing?

14 MR. EASTON: Right now on the plan is a red
15 maple or a river birch, which they are saying would be
16 conducive to the size and scale that they are going to
17 get with the amount of space. They felt that there
18 were two type of species that would work well in that
19 back yard area. Certainly, if the Planning Board has
20 a different suggestion, we can easily change the type
21 of species but typically, you see a lot of Bradford
22 Pears and maples are along people's traditional single
23 family front yards.

24 MR. AUSTIN: Jamie, it looks to me that there
25 is one tree between the lots. Is that one tree for

1 two lots, or is that one tree per lot?

2 MR. EASTON: It will be one tree per lot.

3 ACTING CHAIRMAN LANE: Will you have to put
4 them in opposite corners so that you'll have
5 screening?

6 MR. EASTON: I understand that it looks like
7 there will be one tree per lot, but if we put a tree
8 on that corner, this guy has one -- there is basically
9 one ornamental tree based on everybody's lot line.
10 There would be at lease one tree on everybody's lot.
11 I know that the picture looks like one for two houses
12 but there would actually be one tree per lot.

13 MR. LACIVITA: And as these mature, it will
14 make a nice tree scape.

15 MR. EASTON: Yes.

16 MR. LACIVITA: Can we call to possibly have
17 them staggered - the red maple?

18 MR. EASTON: Absolutely.

19 MR. LACIVITA: Then it makes a nice aesthetic
20 look in the spring and the fall.

21 MR. EASTON: I'm fine with that. The applicant
22 would actually be fine with that. We tell them that
23 we have to stagger it or change the species and we
24 have no problem with that.

25 ACTING CHAIRMAN LANE: Is that recommended?

1 MR. LACIVITA: When you look at a streetscape,
2 you like that alternative look. I don't know from the
3 CAC perspective what your thoughts would be on that.
4 Not that we want to put you right on the hot spot.

5 MR. BRENNAN: We're looking for as much
6 greenspace as possible. What is the percentage here
7 for the project?

8 MR. LACIVITA: Overall, it exceeds the
9 greenspace because it's a residential component. I
10 don't remember that number off-hand.

11 MR. EASTON: You're probably looking at this
12 project close to 40% to 50%. Out of the 70 acres,
13 this area alone down here is probably 12 to 15 acres
14 that was dedicated to the Town of Colonie.

15 MR. LACIVITA: Yes, based upon the PDD, this
16 also had a public amenity where it had a connector to
17 the bike path and to put a bridge in there. It's a
18 phenomenal entry point.

19 MR. BRENNAN: So, it's like cluster development
20 and you have a big greenspace.

21 MR. LACIVITA: Yes.

22 MR. BRENNAN: That place had a lot of trees on
23 it?

24 MR. EASTON: The land that is out there that
25 has been dedicated to the Town or reserved is

1 basically all the trees that are out there. The
2 density of the project was to basically take 70 acres
3 and push it down to about 40; so, 30 acres were
4 untouched out there.

5 MR. LACIVITA: This was a rolling meadow when
6 it was created.

7 ACTING CHAIRMAN LANE: Anyone want to make a
8 motion?

9 MR. MION: I'll make the motion.

10 MR. AUSTIN: I'll second.

11 ACTING CHAIRMAN LANE: All in favor?

12 (Ayes were recited.)

13 MR. EASTON: Thank you.

14 ACTING CHAIRMAN LANE: You're welcome.

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16 (Whereas the above entitled proceeding was
17 concluded at 7:19 p.m.)

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CERTIFICATION

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I, NANCY L. STRANG, 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 L. STRANG

Dated _____

