

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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POLLOCK ROAD CONSERVATION SUBDIVISION

59 POLLOCK ROAD

SKETCH PLAN REVIEW UPDATE

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6 THE STENOGRAPHIC MINUTES of the above entitled  
7 Public Hearing by NANCY L. STRANG, a Shorthand  
8 Reporter, commencing on May 24, 2016 at 7:02 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 SUSAN MILSTEIN  
14 CRAIG SHAMLIAN

13

14 ALSO PRESENT:

15 Kathleen Marinelli, Esq. Counsel to the Planning Board  
16 Joseph LaCivita, Planning and Economic Development  
Department  
17 Jason Dell, Lansing Engineering  
18 Frank Pratt  
19 Wendy C. Holsberger, PE, Creighton Manning

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1                   CHAIRMAN STUTO: We will call the meeting to  
2 order.

3                   Joe, do you have any administrative matters  
4 before we get to our work tonight?

5                   MR. LACIVITA: Nothing at this point, Peter.

6                   CHAIRMAN STUTO: Okay, first item on the agenda  
7 is Pollock Road Conservation Subdivision, 59 Pollock  
8 Road, sketch plan review update.

9                   Can we make sure that we put an emphasis on the  
10 conservation - the lands that we are preserving?

11                  MR. LACIVITA: Just for the record, Peter, 59  
12 Pollock is, as we all remember, is split by that  
13 National Grid right of way. So, it has two different  
14 zoning parcels. As we go forward through the process  
15 we will have to rezone that OR zone into the SFR so  
16 that conservation overlay district can be recognized  
17 as using that space.

18                  We've seen the project before and the applicant  
19 is here tonight for an update. We'll turn it right  
20 over to the applicant.

21                  MR. DELL: Good evening. My name is Jason  
22 Dell and I'm with Lansing Engineering. I'm here on  
23 behalf of the applicant, Rivera Homes and Development  
24 for the Pollock Road Conservation Subdivision.

25                  Also here with us this evening is Wendy

1 Holsberger from Creighton Manning Engineering to  
2 answer any additional traffic related questions that  
3 may be proposed.

4 The concept sketch has been before the Board a  
5 couple of times now. Tonight, I'll give a brief  
6 overview of the project and get right to the items  
7 that we had discussed and that the Board had issues  
8 with from our last presentation.

9 So, the project site is located along the south  
10 side of Pollock Road. It encompasses a little over 35  
11 acres and is zoned both single family residential as  
12 well as office residential.

13 The site slopes from the northwest towards the  
14 southeast and there are some federally regulated  
15 wetlands along the central portion of the site.

16 The project proposed is the subdivision on 35  
17 acres to 46 single family lots. As part of the  
18 project, we are looking for the rezoning of the  
19 portion of the parcel that is zoned office/residential  
20 to single family residential. As was mentioned, it is  
21 a conservation subdivision and as we went through the  
22 conservation calculations, we did come up with an  
23 underlying allowable density of 63 lots. We are at 46  
24 lots which is indicating less than what is allowable,  
25 based upon the calculations.

1                   CHAIRMAN STUTO:  You're at how many lots?

2                   MR. DELL:  There are 46.

3                   We have two roads that will enter onto Pollock  
4                   Road on the west end of the project.  They will  
5                   continue onto the south where they will terminate in a  
6                   cul-de-sac.

7                   Water and sewer supply to the project will both  
8                   be provided by connections to the municipal system  
9                   that is located within Boght Road.  Stormwater will be  
10                  managed on-site in accordance with all DEC and Town of  
11                  Colonie requirements.

12                  At the last meeting, as I mentioned before, the  
13                  Board did have some concerns related to the layout of  
14                  the project.  Since that meeting, both myself and the  
15                  applicant have gone and sat down and met with Joe and  
16                  the people from CHA on two occasions to discuss  
17                  revisions to the plan.  We'll hit those.

18                  The first concern that we had from the last  
19                  meeting was the location of the paper street to the  
20                  lands to the south.  If you recall, the paper street  
21                  was on the edge of the wetland and clipped part of the  
22                  wetland.  Both yourselves and CHA were concerned that  
23                  it would encumber any future access to lands to the  
24                  south.  We have moved that paper street now further  
25                  down to where it will not have any wetland impacts,

1 should it ever be put in - in the future.

2 CHAIRMAN STUTO: Can you show the current paper  
3 street?

4 MR. DELL: Here is the current paper street  
5 (Indicating).

6 CHAIRMAN STUTO: The plan that I have here  
7 doesn't show that.

8 Okay, now I have the right plan; thank you.

9 MR. DELL: CHA indicated in their letter that  
10 they did support the removing of that paper street.

11 The next concern was with regard to the sight  
12 distance and the safety for the intersection of Road  
13 C. The limiting factor for sight distance for that  
14 intersection is vegetation located along Pollock Road.  
15 So, as part of the project, the applicant has agreed  
16 to clear that vegetation along Pollock Road in order  
17 to achieve the recommended sight distance for that  
18 intersection. So, not only would it improve sight  
19 distance for our access road for the project, but it  
20 would also improve sight distance for Morningside  
21 Drive, across the street.

22 The applicant has also approached the owner of  
23 that property who is agreeable to allow that clearing  
24 to be done to improve the public safety of Pollock  
25 Road.

1                   There was also continued concern about the  
2                   driveway locations that will exit out onto Pollock  
3                   Road.

4                   We did have a supplemental sight distance  
5                   analysis prepared by Creighton Manning and that was  
6                   submitted as part of our response.

7                   CHAIRMAN STUTO: Is that the one entitled  
8                   "Alternate Sketch Plan"?

9                   MR. DELL: You're looking at the concept plan?

10                  CHAIRMAN STUTO: I know that you said that you  
11                  submitted an alternate.

12                  MR. DELL: We submitted a supplemental traffic  
13                  study.

14                  CHAIRMAN STUTO: Oh, okay.

15                  MR. DELL: And that was for the driveways to  
16                  look at the sight distance to see if there were any  
17                  safety issues pertaining to those driveway locations.  
18                  The result of their study came back that all of the  
19                  driveways will meet AASHTO requirements except for on  
20                  the far west corner and sight distance would be  
21                  achieved for that driveway which is some simple  
22                  clearing of that lot and in the right of way right  
23                  there. So, all of the proposed lots that we are  
24                  looking to front onto Pollock Road will have the  
25                  required sight distance per AASHTO.

1                   We also looked at whether our plan is  
2                   consistent with other plans in the area and other  
3                   projects in the area. Along Pollock Road there are  
4                   quite a few houses that currently front out on Pollock  
5                   Road as well as in the area - new projects and new  
6                   construction that are currently underway. We did  
7                   provide a plan that showed pictures of a lot of those  
8                   projects that are successful and have very nice  
9                   houses.

10                   CHAIRMAN STUTO: I'll just say for myself that  
11                   I don't find that persuasive. Good planning tells you  
12                   not to put driveways on a main road or which traffic  
13                   is going to increase on. To point to that, is not  
14                   persuasive to me. I don't think that it's the ideal  
15                   way to do it.

16                   MR. DELL: Another point that was brought up by  
17                   the Board the last time around is to look at the  
18                   addition of another road within the subdivision to  
19                   take those off. We did provide a plan and this could  
20                   be the plan that you were looking at.

21                   CHAIRMAN STUTO: Right. It says "Alternate  
22                   Sketch Plan; CP 1".

23                   MR. DELL: When we looked at doing that we  
24                   added about 600 additional feet of road to the project  
25                   which adds substantial cost to the project at about



1 thinking.

2 MR. DELL: Obviously, driveways right in  
3 between lots like that also would not be desirable  
4 because now you have driveway type -- proximity going  
5 to a house that is situated behind.

6 CHAIRMAN STUTO: It might be more cost  
7 effective to lose a lot or two in order to make that  
8 work, rather than build 600 foot of road and have  
9 driveways on the main road. You're going to have to  
10 talk me out of that because that's how I feel about  
11 it. Losing one or two lots is not \$360,000.00 and I  
12 think that it would be a much better development.

13 It's not just the danger and the aesthetic of  
14 having the driveway on Pollock Road which is  
15 important. It's also a sense of community for the  
16 person who lives there and feeling of connectedness  
17 for the rest of the homes. I think that there are a  
18 lot of factors there.

19 MR. GRASSO: I'm just trying to understand the  
20 comment about the flag-hole lots. So, it would be  
21 that roadway layout that we're looking at on the plan  
22 that is up there and driveways that come off of the  
23 subdivision street -

24 CHAIRMAN STUTO: For example, Road B on that  
25 map - if you eliminate, for the sake of argument, Lot

1 42 and put a driveway through there and connect all  
2 the other roads to Road B -- that's just one schematic  
3 that you could do.

4 MR. DELL: Basically then to lose this lot?

5 CHAIRMAN STUTO: Yes, I'm not a designer, but  
6 something like that. Something along those lines.

7 MR. SHAMLIAN: Obviously, there are pros and  
8 cons to everything. You could also have a shared  
9 driveway and you wouldn't lose a lot. You might have  
10 some easement issues, but that's also a scenario. You  
11 could see if it could work.

12 MR. DELL: We did pull a couple of the  
13 driveways close together fronting on Pollock. In  
14 addition to just that -- early on in the DCC phase, we  
15 did provide a larger front yard setback. We are at a  
16 40 foot front yard setback from these lots. We have  
17 also provided T turnarounds to allow cars to turn  
18 around so that they wouldn't have to back out onto  
19 Pollock Road. We did take other safety factors into  
20 account that we feel that these driveways would not be  
21 a safety concern, being the fact that you could see  
22 the driveways right across the street.

23 MR. SHAMLIAN: The houses across the street  
24 have been there for a very very long time. They've  
25 been there for 40 years.

1                   CHAIRMAN STUTO: This is a key issue that we'll  
2 probably come back to. Why don't you continue with  
3 your presentation?

4                   MR. DELL: Those were the main points that we  
5 wanted to bring up to you; the sight distance on  
6 Pollock, the shifting in the road and provide the  
7 additional sketch we feel doesn't quite work and adds  
8 too much cost.

9                   CHAIRMAN STUTO: We appreciate it.  
10                   We'll hear from our Town Designated Engineer,  
11 Joe Grasso.

12                   Can you comment on this project?

13                   MR. GRASSO: Yes. As Jason said, the project  
14 is still at the sketch plan review and normally we  
15 don't do formal written comment letters. Because the  
16 project has been reviewed a couple of times by the  
17 Planning Board, we did take the liberty to write a  
18 comment letter so it's in your packets. It's a letter  
19 dated May 3rd. I'm going to touch on many of the same  
20 issues that Jason spoke to but they'll be in a  
21 slightly different order.

22                   The first one is regarding the density. We  
23 agree with the density calculation of the proposed  
24 density of 46 lots which is significant less than what  
25 the calculated maximum allowable density per the

1 zoning is which is at least 63 lots.

2 One thing that we did ask Jason to check on if  
3 the project continues to move forward as planned is  
4 whether or not the density requirement could be met  
5 without considering that additional lands that are  
6 zoned OR or maybe not even need to go through the  
7 process of rezoning that and that's something that  
8 they could look at.

9 CHAIRMAN STUTO: It's a legal question.

10 MR. GRASSO: It's a mathematical question of  
11 when in terms of when you only look at the lands on  
12 the west side of the National Grid lands, is there  
13 enough unconstrained lands to justify the 46 lots?

14 CHAIRMAN STUTO: They're not full size. They  
15 don't meet the 18,000 square feet, so you have to go  
16 to a conservation subdivision analysis. I would rather  
17 not have them develop the other parcel, though.

18 MR. GRASSO: Understood. I'm just saying  
19 from density standpoint.

20 Did you want to speak to that?

21 MR. DELL: After you asked me that question, I  
22 recalculated it and we do need a small portion -

23 MR. GRASSO: Okay, so a zone change for that OR  
24 land would still be required. Because it's a  
25 conservation development overlay district and proposed

1 as a conservation development project, 40% of the  
2 unconstrained land is required to be preserved as open  
3 space as well as the additional constrained land.

4 CHAIRMAN STUTO: They've met that, right?

5 MR. GRASSO: They've met that but we're asking  
6 that what they do is document exactly the size of the  
7 different open space land so that we can see that to  
8 confirm.

9 CHAIRMAN STUTO: I think that it's a complement  
10 to the project. I think that's a great thing.

11 MR. GRASSO: It would appear that over 16 acres  
12 is preserved but just want to quantify it when they  
13 come back for additional review.

14 One thing that we want to bring to the Board's  
15 attention is that the Board should determine  
16 appropriate buffers from adjoining properties. While  
17 they are in the planning process, they can take it  
18 into consideration while they work on their plans.

19 CHAIRMAN STUTO: He already made his  
20 presentation but didn't we ask whether there could  
21 be only roadway onto Pollock and add the other one as  
22 a safety road valve?

23 MR. GRASSO: Yes.

24 CHAIRMAN STUTO: I didn't hear the applicant  
25 address that.

1                   MR. GRASSO He did not specifically address that  
2 in his presentation.

3                   Did you want to speak to that?

4                   MR. DELL: Sure. It's good planning in our  
5 estimation and Joe agrees with it in his letter that  
6 for access to the subdivision, having two points of  
7 access immediately across the way from existing  
8 intersections is the safest alternative. We have  
9 multiple points of access now to get out onto Pollock  
10 Road as opposed to one main access and an emergency  
11 access. We will be meeting sight distances in both  
12 spots and putting this intersection in and improving  
13 the sight distance will not only help our project but  
14 everybody else that travels on Pollock Road.

15                  MR. GRASSO: There are some additional comments  
16 that we have that kind of factor into the access  
17 arrangement which I think is important for the  
18 Planning Board to consider all the issues at hand  
19 here.

20                  Our next comment talks about the two access  
21 points on Pollock Road and the fact that we agree with  
22 the findings of the Creighton Manning Traffic Study.  
23 It's important to note that both access points align  
24 with the existing Town road on the north side of  
25 Pollock which is obviously much more desirable than

1 creating off-set intersections.

2 The other thing we looked at here is the  
3 likelihood that this stub street could provide access  
4 to the lands of [SIC] Cubbits to the south which is a  
5 large vacant property. What we asked the applicant to  
6 do is look at the property to make sure that this stub  
7 street connection was in a logical spot and to look at  
8 whether or not one or two access points could be  
9 provided to serve that property so that we can get a  
10 sense of how heavily used this stub street connection  
11 would be.

12 MR. SHAMLIAN: How big is that parcel?

13 MR. LACIVITA: I think that's about 60 acres.

14 MR. GRASSO: I would say so; about 60 acres.

15 Go ahead, Jason.

16 MR. DELL: This is our concept plan expanded to  
17 show the aerial photo that show these properties  
18 extend out to Sparrowbush. So, what we showed on this  
19 plan was two potential future locations. There would  
20 be two points of access here [Indicating]. A point of  
21 access to our subdivision and then there is also an  
22 easement on our parcel that goes and connects to  
23 Pollock Road which I believe Joe lists in his letter  
24 that CHA does not believe that would be a feasible  
25 access, however, we would have the access into the

1 subdivision.

2 MR. GRASSO: The zoning on all those properties  
3 are zoned OR and based on their size, we do think that  
4 it's reasonable to assume that a connection to the  
5 stub street connection would be developed at some  
6 point in the future. So, it's important for the Board  
7 to consider that traffic would then route through this  
8 subdivision and when they sited this stub street  
9 connection, it was more desirable to locate it in a  
10 spot that the traffic could get out to Pollock Road  
11 without having to circumvent all the way through the  
12 subdivision.

13 As you know, one of the primary concerns  
14 regarding developing that second access connection to  
15 Pollock Road to the east -- and if we eliminate that,  
16 then when you make that possible future connection to  
17 the adjacent properties, you can be routing more  
18 traffic through the subdivision. It's just something  
19 that I bring to the Board's attention. We're still  
20 not 100% certain that the second access connection is  
21 required to support the project. There are some  
22 issues with that, as we identify on our letter.

23 What Jason spoke about is developing that  
24 second access connection on Pollock to the east and  
25 requires some clearing on the north side of Pollock

1 Road in order to meet either the intersection or  
2 stopping sight distance requirements per the AASHTO  
3 standards. That clearing is going to have some  
4 impacts on some of the homes on Morningside Drive  
5 because you're basically clearing into back yards.  
6 So, there could be public concerns regarding that  
7 clearing work, even though it's not on those private  
8 properties and the person who owns those properties  
9 has agreed to the clearing, there could be impacts  
10 that we may hear during the subdivision review process  
11 and the Board is going to have to take that into  
12 consideration.

13 CHAIRMAN STUTO: So, who owns that property;  
14 the own resident?

15 MR. DELL: This is all owned by Wonderlich.

16 CHAIRMAN STUTO: That's the resident who lives  
17 on the corner?

18 MR. DELL: Yes, he is a large property owner.

19 MR. GRASSO: So, from our perspective I'm  
20 trying to summarize our access recommendation. Even  
21 if that access connection goes away, the development  
22 can really continue to move forward as it's laid out  
23 with the rest of the lots. You just wouldn't have  
24 that public road connection out to Pollock Road. It  
25 could be either eliminated all together or set up as

1 an emergency access connection.

2 CHAIRMAN STUTO: What is your recommendation?

3 MR. GRASSO: I'd like to see if there are  
4 concerns that come out during the planning process of  
5 the clearing process on Pollock Road. If there aren't  
6 any, this plan is consistent with our recommendation  
7 right now. I also don't understand the full  
8 likelihood whether or not the connection to the lands  
9 to the southeast are going to be developed.  
10 Obviously, that factors into it. If I was certain  
11 that connection was going to be made, then I'd like  
12 that additional access connection out to Pollock Road  
13 because the traffic isn't forced all the way through  
14 the neighborhood.

15 CHAIRMAN STUTO: Well, we're not going to know  
16 that.

17 MR. GRASSO: Sometimes we'll find out during  
18 the planning process if people provide comment on it.

19 MR. MION: Joe, if you did close the road,  
20 you'd have access to the houses that are exiting onto  
21 Pollock Road; right?

22 MR. GRASSO: If you eliminate it all together?

23 MR. MION: Yes.

24 MR. GRASSO: Then, yes.

25 MR. MION: You could move at least two of them

1 down.

2 MR. GRASSO: You could take advantage of that  
3 right of way and use it for a driveway access; yes.

4 We did also comment on the road frontage lots.  
5 One of the things that we raised is the fact that it  
6 is consistent with the way that the lots on the north  
7 side of Pollock Road are developed. They are older  
8 lots and we talked about a new subdivision here. This  
9 plan fits within the context of the neighborhood.  
10 When we look at that alternative layout plan, we had  
11 concerns regarding that additional 600 feet which  
12 obviously becomes a burden on the Town and doesn't add  
13 anymore development potential to the property. So, if  
14 you're satisfied with the 46 lots, but you're not  
15 satisfied with the road frontage lots, we would  
16 recommend moving forward with this roadway layout in  
17 trying to get those lots accommodated in an  
18 appropriate fashion and whether or not you have to  
19 lose lots, that's up to the Planning Board and the  
20 applicant to work out -- if lots should be lost.

21 CHAIRMAN STUTO: Lou, any comments?

22 MR. MION: No.

23 CHAIRMAN STUTO: Brian?

24 MR. AUSTIN: I agree with Joe's last comment  
25 that you really need to take a look at those lots that

1 are fronting on Pollock. I understand that you can  
2 use the argument that the Morningside or the lots on  
3 that side of the road, on the north side of Pollock  
4 are existing. As Craig said, that's 40 or 50 years  
5 ago. What we are doing right now is for future  
6 planning. So, in my ideal world, it would be to not  
7 even have those lots there fronting on Pollock.  
8 You're losing lots but you're making bigger lots in  
9 the subdivision and kind of opening up things a little  
10 bit more. It's not a financial thing for you guys at  
11 all.

12 MR. OTHER DEVELOPER: If I may, regarding the  
13 lots on Pollock and addressing the driveways that come  
14 in from across the street -- one of the things that we  
15 did and I know that it wasn't as important to you was  
16 look around Town to see what's been done in the last  
17 couple of years. There were a tremendous amount of  
18 homes that were built on roads that are busier than  
19 Pollock. One of the important things for us with  
20 retaining those lots is that it comes down to  
21 affordability and what we are going to be able to  
22 offer. It's not so much our cost. We can still afford  
23 to put the roads in but it's going to drive the cost  
24 of the other homes up significantly. As Jason alluded  
25 to, just 600 foot of road - that cost alone is going

1 to add \$7,800.00 each to these homes just in  
2 development costs. So, my fear is having to pass on  
3 the cost of losing all of these (Indicating) which are  
4 factored into our ratio and driving the cost of the  
5 homes up instead of the initial proposition of  
6 bringing more of an affordable product to this area.

7 MR. AUSTIN: Sir, I'm not in favor of more  
8 roadway. I don't know that any of us are. It's an  
9 option and that's a good way to solve it, but to have  
10 frontage on both sides -

11 MR. PRATT: No, we don't mean additional  
12 roadway, but by losing these houses, it will take the  
13 cost of these roads alone because now we can't spread  
14 it out. So, that is going to drive the cost up  
15 significantly. That's what we are hoping to avoid.

16 MR. AUSTIN: I will say that driving on Pollock  
17 on a regular basis, that is a very fast traveled road.  
18 They come over that road going pretty fast sometimes.  
19 When pulling out on Pollock, those existing residents  
20 are taking their lives into their own hands many  
21 times. Add more people taking their lives into their  
22 own hands on the other side -- it's a fast road.

23 MR. PRATT: The sight distance obviously we've  
24 been able to address for you but it does get down to  
25 affordability and that's the point that I wanted to

1 share with you. We do want to bring a product in  
2 that's affordable and is in keeping with the Town and  
3 what has been going on in the last couple of years  
4 with the examples that we did bring to you in your  
5 packets.

6 MR. LACIVITA: What is the price point for  
7 these?

8 MR. DELL: We haven't set them yet. There is  
9 too much disparity at play right now.

10 MS. MILSTEIN: What is the square footage of  
11 the homes?

12 MR. PRATT: When we were initially in, the hope  
13 was to bring stuff in -- starting in that lower to mid  
14 threes and up. That will change and obviously the  
15 amount of homes that we are able to develop here. If  
16 we were to lose a half dozen lots, yes, the price  
17 points will start in the \$400,000.00 range.

18 MR. MION: When you start talking about the  
19 affordability end of it, like you said before, if you  
20 took that Road C there and close that off and made it  
21 like a single driveway emergency entrance - move your  
22 houses down and you still have the same number of  
23 lots. You've got access not on Pollock Road but off  
24 of Road B, going to your front lots.

25 MR. PRATT: I think that more to Joe's point,

1 this eventually being developed, would drive all  
2 traffic and you wouldn't have two outlets for all the  
3 cars that would be generated from the project.

4 CHAIRMAN STUTO: If you develop office down  
5 there - because that is office residential, I'm not  
6 sure if we are going to have a connection there.

7 MR. GRASSO: Or it could be a gated emergency  
8 access only connection. Where this development can  
9 kind of be its own neighborhood. You have that  
10 secondary point.

11 MR. SHAMLIAN: That could also be rezoned. It  
12 is adjacent to a residential zone.

13 CHAIRMAN STUTO: This is sketch. I'll tell you  
14 the vision I see. I don't favor the driveways on  
15 Pollock Road. In citing examples that may or may not  
16 be the best development, I don't find that persuasive.  
17 Your last argument is interesting and maybe it's so,  
18 but to me, the market drives what people are willing  
19 to pay and not what your costs are. If you're saying  
20 that you're going to put a bigger or fancier house to  
21 attract the dollars, maybe that is so to attack a  
22 bigger price point. If you're going to build the same  
23 house on a comparable lot, just because you have fewer  
24 lots is not going to be passed onto the ultimate  
25 purchaser, in my humble opinion.

1 MR. PRATT: No, it's just a hard cost.

2 CHAIRMAN STUTO: And it's one of your costs and  
3 I'm sympathetic to that.

4 MR. PRATT: And that's what helps us to lower  
5 that cost.

6 CHAIRMAN STUTO: But you're going to charge  
7 what the market will bear.

8 MR. PRATT: Not necessarily because there is  
9 only so much that we can have into a building lot.

10 CHAIRMAN STUTO: Understood. I think that you  
11 have the right number of lots. I'm not quibbling with  
12 that. I like the conservation part. I like the land  
13 that's never going to be built on. I'm still willing  
14 to listen to arguments about whether there should be  
15 two roadways going to Pollock or whether one should be  
16 emergency that Joe brought up in his letter and  
17 discussion. I think that you could figure out a way  
18 to bring key-hole lots or driveways in. Maybe you'd  
19 lose one lot or two.

20 MR. PRATT: One would not be an issue. We did  
21 look at key-hole lots. They are very undesirable. We  
22 had to lay them out with driveways coming in between  
23 two properties. That's why we eliminated those. We  
24 felt that those were less desirable since people have  
25 been buying new homes on road comparable to Pollock.

1           That would be preferable to the public, as opposed to  
2           these key-hole lots which we find are very  
3           undesirable.

4                     As far as traffic and the two roads, I think  
5           that Wendy can answer that for you best as far as DOT  
6           planning standards. We have had that traffic study  
7           done.

8                     CHAIRMAN STUTO: Okay, and we'll let her talk.  
9           Any of the Board members want to make comments?

10                    MR. AUSTIN: I know that you're looking at the  
11           entrances to aligns it with Morningside which makes a  
12           lot of sense but maybe have a single entrance in the  
13           center between those two roadways and then coming in  
14           and doing a loop around, rather than two separate  
15           entrance points, like a cul-de-sac.

16                    MR. SHAMLIAN: To piggyback on Brian,  
17           especially if the properties adjacent to it get  
18           developed as residential where you are then going to  
19           have traffic through this development. Yes, we want to  
20           line up streets but Morningside is not in an ideal  
21           spot on either end, quite frankly. Is it better off  
22           with one entrance in the middle with extended sight  
23           lines in both directions?

24                    MR. GRASSO: I don't remember how that stretch  
25           looked.

1                   I'm going to put you on the spot. Is that a  
2 more desirable location?

3                   MS. HOLSBERGER: I don't know that we did a  
4 measurement from that center spot but essentially some  
5 of what has already been said of realigning the  
6 roadway across from an existing roadway is desirable.  
7 That eastern exit driveway, we've done a lot of sight  
8 distance calculations and we can meet those standards  
9 by doing the clearing which the applicant has already  
10 gone to the neighbors and asked for that ability to be  
11 able to clear which will, in turn, actually improve  
12 the sight lines at Morningside Drive, existing. There  
13 will be a benefit to that clearing there. I think  
14 that a lot of it started with some of what has already  
15 been talked about; the future, the connectivity and  
16 the potential and if the adjacent lands are developed  
17 and there is a connection not having all of the  
18 vehicles meander through that neighborhood. At one  
19 point I think that there was discussion on limiting  
20 access of Road C of right-in and right-out which we  
21 wouldn't really recommend having a full access on one  
22 side and then a limited access that it an awkward  
23 configuration and can be somewhat confusing. So, I  
24 think that a lot of it has already been said by  
25 everyone else but our analysis shows that it works. We

1 can meet the guidelines and it is consistent with  
2 access management and not having offset intersections  
3 which is a benefit.

4 CHAIRMAN STUTO: Did that answer your question,  
5 Craig?

6 MR. SHAMLIAN: Well, yes and no. You didn't  
7 really look at a single entrance in between the two  
8 entrances on Morningside.

9 MS. HOLSBERGER: Correct. We haven't done that  
10 measurement to see, but I can tell you that what we  
11 have proposed - we can have it meet the guidelines.  
12 So, if it's in the center and it meets the  
13 guidelines -

14 CHAIRMAN STUTO: Well, it meets it better. The  
15 one in the middle will meet them better.

16 MR. GRASSO: We assume so, yes.

17 CHAIRMAN STUTO: But I don't know if there is a  
18 conflict with Morningside and the other.

19 MR. GRASSO: No, there won't be. Normally, you  
20 look for offsets for 150 feet and that's probably  
21 about what you've got. I think that the offset could  
22 be substantial enough that we're not creating a weird  
23 offset intersection.

24 CHAIRMAN STUTO: Do you think that it's a  
25 better design?

1                   MR. GRASSO: I'm trying to look at the homes on  
2 the other side. Obviously we look at impacts on the  
3 adjacent homes and the headlight swing. It looks like  
4 there is a spot here that it would be okay. It would  
5 be in between lots 41 and 43.

6                   CHAIRMAN STUTO: But they'll probably still not  
7 going to love it, right?

8                   MS. HOLSBERGER: You're definitely going to be  
9 putting a road across from two houses.

10                  CHAIRMAN STUTO: That's another reason not to  
11 put driveways out onto a main road.

12                  MR. GRASSO: And that looks like you'd be able  
13 to split those two lots.

14                  Can you point to the location of 41 and 43?  
15 You can't really see it there.

16                  MR. SHAMLIAN: And there is an elevation change  
17 when you go across the street.

18                  The other thing is that I wonder if by doing  
19 that -- obviously it's not something that you can just  
20 look at but does it give you some other options to  
21 eliminate the driveways all together on Pollock?

22                  MR. DELL: Again, we'd have to take a look at  
23 that. Then, we'd be putting 46 houses through one  
24 intersection. Then, we're back to that.

25                  MR. AUSTIN: But you'd be doing that too if you

1 put it through C. I think that Road A is closer to  
2 the top of that ridge, which has a very limited sight  
3 distance over there.

4 MR. GRASSO: You heard me say it before with  
5 other projects. There is no maximum number of lots on  
6 a single point of access. Some towns limit as few as  
7 18 lots. In Colonie we know that there is existing  
8 developments over 100. I would say that if we get  
9 over the 50 lots here, we have to start really  
10 considering the need for the second. The advantage  
11 here is that we are creating a stub street in a  
12 logical spot that could provide that secondary  
13 emergency access or full access point in the future.

14 MR. SHAMLIAN: The other thing is that it would  
15 seem like if there was just a single point of access  
16 in the middle somewhere, that if and when the property  
17 adjacent is developed, you're not going to be pushing  
18 as many cars by as many houses as this layout is right  
19 now, especially if Road C is closed off, then all  
20 those cars are going in and doing a meander through  
21 the neighborhood. It may not work.

22 MS. HOLSBERGER: Right, and it just depends on  
23 the level of that development and how many vehicles  
24 and what the options are for that site and additional  
25 access.

1           MR. SHAMLIAN: I understand that this project  
2 needs to be itself. It is landlocked from the other  
3 parcels.

4           MR. AUSTIN: Is there a possibility to see a  
5 sketch of a center entrance? Would that be a workable  
6 thing where you could give us an alternate plan?

7           MR. DELL: We can put the additional road --  
8 based upon the tightness of the lot, you have to keep  
9 in mind too that we need to have area for the  
10 conservation calculation to work as well. So, if we  
11 try to get all those 46 lots on a single loop, I don't  
12 know if that would work. I don't believe that it  
13 would to be honest with you.

14          MR. AUSTIN: Could it work with 45 lots?

15          CHAIRMAN STUTO: Can you just look at it with  
16 Joe?

17          MS. MILSTEIN: Maybe something simpler. Could  
18 Road C and Road A - can they just be brought in  
19 closer?

20          MR. GRASSO: Yes, we're going to get into that.  
21 If we're going to go with a different access point,  
22 I'd rather see it one single one right in the center.  
23 This is just sketch plan so there is no formal  
24 decision. The Planning Board could always submit the  
25 same plan for concept review and then the Planning

1 Board would have to make a decision at that point.

2 I'm just going to try to summarize some of the  
3 comments that I heard from the Board. It seems like  
4 there is consensus here.

5 You generally support the stub street location  
6 and how it would serve the project and the analysis of  
7 the adjacent property. You're comfortable with the  
8 proposed density of 46 lots and feel that it would  
9 meet the conservation development standards. You  
10 would support some key-hole lots if they can work it  
11 into the plan. You don't have a preference that there  
12 should be two roads into the project from Pollock Road  
13 as opposed to one.

14 CHAIRMAN STUTO: I think that we want to think  
15 about that more but not necessarily today. Once we  
16 put it on for concept approval, we're going to get  
17 feedback from the neighbors. We may get feedback from  
18 the neighbor who owns the empty lot. That's what I  
19 thought I heard you say.

20 MR. GRASSO: I'm not speaking for Frank, but I  
21 assume that he's going to want to walk away here  
22 tonight with some sense as to what he should do to  
23 make the plan acceptable.

24 CHAIRMAN STUTO: What is your summary on that?

25 MR. GRASSO: There isn't a strong preference

1           that there needs to be two roads into that site and  
2           that the Board would consider a single point of  
3           access, assuming that it's supported by Town  
4           departments and CHA from an engineering standpoint.

5                     CHAIRMAN STUTO:  Yes, that summarizes how I  
6           feel.

7                     MR. GRASSO:  There is no strong preference  
8           regarding that location of that access point.  It  
9           should make sense from the road across Morningside  
10          Drive.  It should make sense from how it would impact  
11          those homes and it should make sense from an  
12          engineering standpoint in terms of sight distance.

13                    MR. AUSTIN:  I have a strong preference to the  
14          one in the center.  I would love to see a plan, even  
15          if it's just a hand-drawn --

16                    MR. GRASSO:  Because they've done a lot of work  
17          trying to -- they've been in front of the Board a  
18          couple of times for sketch plan.  I would recommend  
19          that they come back and see if they can work up an  
20          alterative sketch plan and then submit it rather  
21          informally.

22                    CHAIRMAN STUTO:  I'm not saying that I prefer  
23          the single one in the center.  I look to you guys to  
24          give us advise on that.

25                    MR. GRASSO:  We'll work through that.  I'm just

1           trying to summarize with the comments. We won't have  
2           a chance to get the minutes and stuff by the time that  
3           Frank is going to want to come back.

4                   CHAIRMAN STUTO: That is still in play, as far  
5           as I'm concerned.

6                   MS. HOLSBERGER: Just the impact of the  
7           neighbors across the street -- I know you said that  
8           there is an elevation change but obviously if you have  
9           a road aligned with a road, the headlights and  
10          everything -

11                   CHAIRMAN STUTO: And they're going to be going  
12          both ways.

13                   MS. HOLSBERGER: Yes, less of an impact and  
14          something that is already there. Transportation  
15          guidelines - we always try to align roadways, instead  
16          of having offsets or centering the road in between. I  
17          understand what your points are but from a  
18          transportation point of view -

19                   CHAIRMAN STUTO: Sticking with that principal,  
20          which is the best one to connect; Morningside or the  
21          other one?

22                   MR. GRASSO: I would have initially thought the  
23          west. I would want to take another close look at the  
24          data and make sure. I know that Morningside, when you  
25          come out of the development from the eastern side and

1           you're looking left, it's restricted. The clearing  
2           that is going to occur is going to get impacted on the  
3           corner lot but it's also going to make it what we  
4           would consider a safer intersection to come out.  
5           Again, I just want to take another close look at it  
6           with the field conditions and decide if we're going to  
7           choose between Road A or C - just which one is more  
8           preferable.

9                     CHAIRMAN STUTO: Or still consider the center.

10                    MR. GRASSO: Right.

11                    MR. SHAMLIAN: How deep is that area of  
12           clearing that is being proposed on the corner?

13                    MR. GRASSO: I would say 40 or 50 feet.

14                    CHAIRMAN STUTO: What is the vegetation like  
15           there?

16                    MR. GRASSO: It's deciduous. It's pretty  
17           significant trees.

18                    MR. DELL: I drove by there tonight and there  
19           is trees and brush through there and you can clearly  
20           see out and you would improve it by clearing out the  
21           understory as well as the trees.

22                    CHAIRMAN STUTO: I think that we're talking  
23           about the impact on the neighbors.

24                    MR. SHAMLIAN: Is there some elevation there as  
25           well?

1 MR. DELL: Yes, it goes down.

2 CHAIRMAN STUTO: Okay, you have a lot of work  
3 to do but I think that we have some consensus.

4 Anything else from the applicant?

5 MR. PRATT: No, not at this time.

6 CHAIRMAN STUTO: Okay, thank you.

7

8 (Whereas the above entitled proceeding was  
9 concluded at 7:35 p.m.)

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CERTIFICATION

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 \_\_\_\_\_

