

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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POLLOCK ROAD CONSERVATION SUBDIVISION
59 POLLOCK ROAD
SKETCH PLAN REVIEW

5 *****

6 THE STENOGRAPHIC MINUTES of the above entitled
7 matter by NANCY L. STRANG, a Shorthand Reporter,
8 commencing on June 21, 2016 at 7:30 p.m. at The Public
Operations Center, 347 Old Niskayuna Road, Latham, New
York.

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

18 ALSO PRESENT:

- 19 Kathleen Marinelli, Esq. Counsel to the Planning Board
- 20 Michael Tengeler, Planning and Economic Development
- 21 Department
- 22 Joseph LaCivita, Director, Planning and Economic
- 23 Development
- 24 Jason Dell, Lansing Engineering
- 25 Tom Stephan

1 CHAIRMAN STUTO: Next on the agenda is Pollock
2 Road Conservation Subdivision, 59 Pollock Road, sketch
3 plan review, 47 lot conservation subdivision and
4 rezoning.

5 MR. LACIVITA: Peter, this has been before us a
6 couple of times. We're trying to get to at least an
7 approved sketch plan in order to move forward into
8 concept. The applicant has been working with the Town
9 Departments and the Town Designated Engineer. Jason
10 is here tonight to tell you where we are.

11 MR. GRASSO: Peter, before we get going, it's a
12 planning review, like Joe said. Typically we don't
13 have written comments at sketch plan but if you recall
14 at the last sketch plan review meeting we did issue a
15 comment letter and we have prepared one for
16 consideration by the Planning Board. Just so that
17 you've got it before the presentation starts, I'm
18 going to pass out copies of it. I will read from this
19 when we go through our comments later one.

20 CHAIRMAN STUTO: Are we ready to turn it over
21 to the applicant and have them describe what they are
22 proposing?

23 MR. DELL: Good evening. My name is Jason Dell
24 and I'm an enginery with Lansing Engineering here on
25 behalf of the applicant for the Pollock Road

1 subdivision.

2 We've been here multiple times so, I'll briefly
3 go through the basics and get right into the
4 discussion items from the last time that we were
5 before you.

6 We're located at 59 Pollock Road. The project
7 site is a little over 35 acres. As mentioned before,
8 we are looking for the portion that's zoned as part of
9 the office/residential to be rezoned into single
10 family for the project.

11 Water and sewer service will be provided by the
12 connections to the municipal system on Pollock Road
13 and the stormwater will be managed on-site in
14 accordance with all regs.

15 At the last meeting the Board had concerns and
16 asked us to look into the possibility of having one
17 access point into the subdivision. So, what we have
18 done is prepared two maps. We prepared a map that has
19 the one entrance into the subdivision as well as a
20 second map that accommodated your comments last time
21 but has two points of access to Pollock Road.

22 Additionally, since the last time we were
23 before the Board, we did meet with the TDE and some of
24 the Town Departments to discuss the proposed access.
25 So, out of that meeting came the decision to prepare

1 both plans and put it before the Board for decision as
2 to how the Board would like to see us move forward.

3 The single access point plan would be
4 immediately across from Morningside Drive, the
5 westerly portion of the property. There is a very
6 similar configuration with all of the lots and it will
7 wrap around where the road used to continue, we now
8 have this small bulbous cul-de-sac that will wrap
9 around to the single access point. We will still have
10 the proposed park area in the same location as well as
11 the mailbox kiosk. We'll keep this over in this area
12 as it's a safer situation for people to pull in and
13 get out of the flow of traffic when they stop to get
14 their mail.

15 That's the plan.

16 The second plan that we provided has both
17 access points and I should mention too that with the
18 first plan we reduced our amount of driveways down and
19 now they're fronting onto Pollock Road and we now only
20 have one lot furthest to the west that will front onto
21 Pollock Road. That is actually in an area where there
22 is an existing driveway into the existing white barn
23 that's right there. So, it won't technically be any
24 kind of a new situation or a new driveway. There is
25 an access already to the property in that area.

1 Switching back to the double-access: It's the
2 same thing. We removed all of the driveways out onto
3 Pollock Road except for the one furthest to the west
4 which is the existing lot.

5 We present both of these plans this evening to
6 the Board and look for the direction that you would
7 like us to move forward with.

8 CHAIRMAN STUTO: I'd like the Board to get the
9 full picture because I know that we got a sort of
10 late-handed letter to us and Joe Grasso has some
11 comments. If you can integrate the letter from -- the
12 representatives of the property owners below in your
13 presentation and give your comments. I think that it
14 all ties in together.

15 MR. GRASSO: Sure. I'm going to cover that
16 letter at the end. I'm going to go through the
17 comments in our letter.

18 So, as Jason mentioned at the last sketch plan
19 review meeting, they presented plans. It's a 46-lot
20 conservation residential subdivision and the previous
21 plan proposed two new Town road access points onto
22 Pollock Road. It also included eight lots generally
23 along the Pollock Road frontage and three driveways
24 directly onto Pollock Road. That plan was generally
25 supported by our office from an access and lot layout

1 perspective and although the plan proposed less road
2 frontage lots than previous versions that the Board
3 had reviewed, the Planning Board still expressed
4 concern over the number of road frontage lots as well
5 as the number of driveways that were still going out
6 onto Pollock Road.

7 Also at the last meeting, the Planning Board
8 asked for clarification from CHA regarding the
9 desirability of each of the proposed Town road access
10 points onto Pollock Road; specifically asking if one
11 location was more desirable than the other and
12 question us if one access point in the middle of the
13 project site's frontage would be more desirable.

14 So, since the last Planning Board meeting,
15 staff from our office reviewed the proposed access
16 points in the field and determined that the
17 development of one access point along the middle of
18 the site's frontage was less desirable than either of
19 the two access points that lined up with either end of
20 Morningside Drive.

21 Concerns that we had included potential
22 conflicts due to off-setting intersections, marginal
23 site lines and potential headlight impacts on the
24 residents on the northside of Pollock Road. In
25 summary, the two most viable access points appear to

1 be those that would align with each end of Morningside
2 Drive.

3 Because the subdivision proposed 46 lots which
4 is a significantly high number for a parcel of this
5 size and there is a likelihood that the stub street
6 connection to the south, which we have asked them to
7 incorporate into the project, which could provide a
8 additional access point in the future to the
9 subdivision - our office believes that one new Town
10 road access onto Pollock Road generally can adequately
11 serve the development.

12 It's important to know that the Town of Colonie
13 does not currently have a requirement for the maximum
14 number of lots that could be served off of one single
15 means of access. There are many other developments
16 within the Town of Colonie that have greater than this
17 number of lots currently served by one access point.

18 Since the last Planning Board meeting, we did
19 meet with representatives from the Town's Department
20 of Fire Services and the Town's Department of Public
21 Works. The Department of Fire Services did express a
22 concern over access via only one Town road into the
23 development due to the potential blockage during an
24 emergency and when we discuss various mitigation
25 measures to that, the Department of Public Works was

1 not in favor of an emergency only connection - that
2 second connection because of a concern for maintenance
3 responsibilities being burdened on the Town. Although
4 the easterly proposed Town road access could provide a
5 second means of access to the development, we believe
6 that the clearing necessary to satisfy the minimum
7 site distance requirements is going to cause a loss of
8 privacy impact to the first two homes on Morningside
9 Drive. As such, we are more in favor of only the
10 western most access onto Pollock Road being developed.
11 It should be noted that the proposed clearing required
12 to provide that acceptable sight distance at the
13 eastern most access would also improve the sight
14 distance for vehicles exiting Morningside Drive,
15 looking left down the hill. So, although it could be
16 a benefit for that development, we do think that there
17 is going to be concerns regarding the clearing
18 necessary on that side of the road.

19 Both of the new plans propose a reduction in
20 the number of lots along Pollock Road from eight to
21 five, as well a reduction in the number of driveways
22 onto Pollock Road from three down to one. Like Jason
23 said, the one driveway onto Pollock Road is in the
24 location of the existing barn. As such, in our view,
25 it's not expected to create a significant impact over

1 the existing conditions. So, we see both proposed
2 plans as a substantial improvement over the previously
3 proposed versions regarding the road frontage lots and
4 driveways onto Pollock Road.

5 So, just in summary, the Planning Board should
6 indicate its preference over either the two proposed
7 plans. Obviously, in our view, both the plans are
8 acceptable from a layout and access perspective.
9 Obviously, like I said in my comments, we are in favor
10 of the plan that only has the one access onto
11 Morningside Drive. If one of these plans has
12 progressed to concept design -- as we get through the
13 process with additional public comment and additional
14 feedback from the departments, the alternative plan
15 that we are looking at tonight should be retained for
16 future consideration.

17 Again, we are only at sketch plan review, but I
18 think that the applicant has worked hard to try to
19 make some early modifications to the project to get it
20 more in-line with what the Planning Board has been
21 seeking as well as the comments that our office has
22 raised as well as the Town departments.

23 We are in receipt of a letter just tonight that
24 we received from the property owner to the south. You
25 may recall during earlier sketch plan review that we

1 asked the applicant to look at that property in terms
2 of the viability of access to that property; both from
3 this project site as well as additional lands that
4 front onto Sparrowbush Road. Although it was unclear
5 whether or not the property immediately adjacent to
6 the south actually has frontage on Sparrowbush Road.
7 We do think that when that project site is planned for
8 development, it is logical to assume that there is
9 going to be an access point developed off of
10 Sparrowbush Road. Obviously, this project is
11 providing a stub street that we would think would
12 provide another acceptable means of access so that
13 development would have two means of access and then
14 this project site would have two means of access, as
15 well.

16 This property has an easement on the west side
17 of the National Grid right of way. I think that's a
18 60-foot wide easement that is to benefit the property
19 to the south and it's reserved for private access
20 purposes. We do not think that easement location and
21 configuration would allow a Town road to be developed
22 in that -

23 CHAIRMAN STUTO: Where is that?

24 MR. GRASSO: Jason will highlight it.

25 So, based on our initial review, we do not

1 think that's the best location to develop a new Town
2 road. It's something that could be looked at in the
3 future, obviously, if property is developed as such.
4 That area, I think, is preserved to be conserved lands
5 and it was always our desire to try to keep that
6 Pollock Road corridor as undeveloped as possible.
7 Obviously adding another Town road would impact that.

8 So, at this time, we don't think that plan is
9 needed to be considered at this time during the
10 project. The comment letter that we received says
11 that it should be considered. But without knowing
12 what the plans for development of the property to the
13 south are, it's hard to say.

14 CHAIRMAN STUTO: There is reference here to a
15 paper street. It's actually going to be a constructed
16 street; right?

17 MR. GRASSO: I refer to it as a stub street,
18 yes. One of the questions that we always wrestle with
19 is: Is it reserved as a paper street or do we have the
20 applicant actually construct the road into that area
21 right up to the property line. I think that is the
22 Town's preference and I think that's acceptable to us
23 and I think that it would be acceptable to the
24 applicant as well. It's something that if it's
25 constructed as a road now, it's something that the

1 Town would be required to maintain. Based on some
2 preliminary discussions with the Town, it is something
3 that the Town would like to have built so that the
4 owners within this development know that it's set up
5 for a road connection in the future.

6 CHAIRMAN STUTO: Okay, thank you.

7 I have my opinion. Does anyone else want to
8 give their opinion?

9 MR. SHAMLIAN: I have a question. So, the
10 property to the south - that does not currently have
11 access to Sparrowbush, correct?

12 MR. GRASSO: I think that the Tebbits property
13 does. It's whether or not it's all one parcel. From
14 the letter, it sounds like there are multiple
15 properties between this project site and Sparrowbush
16 Road.

17 MR. STEPHAN: My name is Tom Stephan and I
18 represent the property owner of 1476 Route 9 LLC and
19 686 Route 7, LLC. There is not access to the
20 Sparrowbush area now. It is a separate parcel that is
21 contiguous to the subdivision and there is no access
22 that way. We do agree with your assessment that there
23 are difficulties with the easement and having access
24 to the subdivision.

25 MR. GRASSO: So, I think that in the big

1 picture, there are multiple properties that would be
2 involved in the planning and I think that will all
3 come into play when if plans on that adjacent property
4 to the south are presented to the Town. It's tough to
5 speculate as to how it affects this project site but I
6 think that providing a stub street connection is
7 prudent at this time.

8 CHAIRMAN STUTO: Any other questions.

9 MR. MION: I like the one way in. I'm glad to
10 see that we got all the driveways off of Pollock Road,
11 except for one. I would really like to see that one
12 disappear also.

13 MR. SHAMLIAN: Not to interrupt, but is there
14 any reason why that -- you did a great job with Lot 10
15 with the one access point. Couldn't you do something
16 similar with that lot? Maybe sneak the driveway in
17 between Lots 2 and 32. That's really difficult. I
18 understand that there is a barn in there, but that is
19 right below the crest of the hill. Coming out of
20 there and taking a left hand turn is going to be very
21 difficult.

22 MR. DELL: We did take a look at it. It does
23 severely impact the value of these three lots - having
24 a driveway coming between the two of them. So, we
25 feel that it's a compromise with all of the other

1 revisions that we've made up to this point per the
2 Board's direction. The applicant would really like to
3 maintain that driveway out onto Pollock.

4 CHAIRMAN STUTO: I agree with Lou. I'd like to
5 see that driveway -- I'd rather see a keyhole lot or
6 have that lot eliminated or something. That's my
7 opinion but I like the one entrance better than the
8 two.

9 MR. LANE: I agree with Lou.

10 CHAIRMAN STUTO: That's a fair amount of
11 feedback.

12 Do you want to chime in, Kathy?

13 MS. DALTON: My thought was if we go with one
14 entrance, then I really would like to see the
15 applicant develop the real street right down to the
16 property line so that's taken care of. I do believe
17 that sooner or later we'll be looking for another
18 access point.

19 MR. STEPHAN: I know that we're only at a
20 concept stage -

21 CHAIRMAN STUTO: It's not even concept.

22 MR. STEPHAN: The stormwater and the
23 configuration of the stuff in the stormwater area - is
24 an integral part of how this subdivision is going to
25 be developed. I know that you don't have that

1 engineering done at this point but it is very likely
2 at this point to affect the ultimate design - how you
3 handle that and how the stormwater runs because it
4 looks like it will run directly onto my client's land.

5 CHAIRMAN STUTO: And I'm sure that Joe Grasso
6 will meet with you to talk about that.

7 MR. GRASSO: Again, we're not even at concept,
8 we're just at sketch but we appreciate you bringing
9 those to our attention.

10 CHAIRMAN STUTO: Thank you.

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13 (Whereas the above entitled proceeding was
14 concluded at 7:45 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 _____

