

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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VILLAGE OF NEW LOUDON  
624 NEW LOUDON ROAD

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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 July 26, 2016 at 7:37 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 TIMOTHY LANE  
14 SUSAN MILSTEIN  
15 CRAIG SHAMLIAN  
16 BRIAN AUSTIN

14

15 ALSO PRESENT:

16

17 Kathleen Marinelli, Esq. Counsel to the Planning Board  
18 Joseph LaCivita, Planning and Economic Development  
19 Department  
20 Michael Tengeler, Planning and Economic Development  
21 Department  
22 Robert Marini

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1                   CHAIRMAN STUTO: The next item on the agenda is  
2 Village of New Loudon, 624 New Loudon Road. This is a  
3 Board update.

4                   MR. LACIVITA: That's exactly what we are going  
5 to do here tonight, Peter. Bob Marini is here with  
6 his son Justin. The project of Village of New Loudon  
7 started back in 2008 with our DCC and went through  
8 several phases. Phase I was Berkshire Bank. Phase II  
9 was Rumors. In 2012 Phase III came when we approved  
10 59,000 square feet of commercial office and retail in  
11 which Mr. Marini actually occupies one of those  
12 buildings.

13                   At that time we also approved 71 condominiums  
14 and 24 apartment units.

15                   Back in 2014 we made an amendment to that plan  
16 to actually change the retail in those secondary units  
17 which were at the back to apartments and Bob is here  
18 tonight to show what is the final phase of the Village  
19 of New Loudon.

20                   MR. MARINI: Thank you, Joe.

21                   Just to give the Board a re-introduction to the  
22 Village of New Loudon: My office is currently here on  
23 the front and there has been some problem parking  
24 there in the past. There was supposed to be shared  
25 parking easement over all the parking and it didn't

1 quite get executed to the way that this Board had  
2 originally approved it and there currently is an  
3 existing law suit to try to square all that up and out  
4 of the process of all this we came along and tried to  
5 work with the developer here to try to get something  
6 that is agreeable to everybody that is here to put  
7 this shared parking back in place.

8 The large building was originally proposed to  
9 be 15,000 square foot of office space on the first  
10 floor. This Board had amended that plan to allow the  
11 removal of the office space and the addition of the  
12 residential units on the first floor to 12 units. So,  
13 this building was going to be 36 residential units.

14 The there was a discussion about the height of  
15 the building. The developer wanted to go higher than  
16 what the laws required. We are not proposing to  
17 exceed the height allowed by the current zoning for  
18 this building.

19 There was another office building here in this  
20 location. What I gave you is an exact copy of what I  
21 have up here. I just didn't have it prepared in time  
22 for the submittal that I had to make to the Board.  
23 This was designed as a 9,000 square foot office  
24 building, two story. This Board had granted a  
25 re-approval of this site as a three-story residential

1 apartment building four eight-units. In your packet I  
2 prepared an analysis as to what this site was original  
3 approved for and what it was subsequently amended to.

4 In total, between these two units - between  
5 these two buildings, the Board granted approval for 36  
6 units in this building (Indicating) and eight units in  
7 this building for a total of 44 units. That's really  
8 the conversation that I want to have before the Board  
9 tonight when we talk about units because what I'm  
10 proposing when we talk about units and apartments and  
11 doors - I'm proposing something that is more units but  
12 there are less bedrooms because we can put two-bedroom  
13 units/two-bath units in every single one of these that  
14 were approved. What we want to do is have a concept  
15 -- we have a plan and some architectural drawings that  
16 we will show you that creates a diversity of product  
17 type within these buildings. We don't want to build  
18 all two bedrooms.

19 This site doesn't have any garage parking.  
20 It's all surface parking so when you start talking  
21 about large apartment units at two bedrooms and two  
22 baths, you start getting up to 1,200 square foot  
23 units, 1,100 square feet at \$2,200.00 a door. What we  
24 want to do is have a mix of primarily one-bedroom  
25 units and studios and a few two-bedrooms as well. We

1 want to bring the rents down. We want to create a  
2 more diverse product where we can bring more people  
3 into this community - some millennials is a big issue.  
4 A lot of millennials are renting and they are not  
5 buying. That's bad for the home-building side. I  
6 think that this concept that we are presenting here  
7 asked for more units but I think that it creates more  
8 of a parking demand than what we can put in here if we  
9 were to have all two-bedroom units. If we had twos,  
10 then every unit theoretically would have two cars per  
11 unit. That's really not what we're going to end up  
12 with what we are proposing.

13 We're also proposing on this site right now to  
14 eliminate some greenspace in this area here and add 10  
15 units exclusively for parking for this building. What  
16 that does is this section of the site over here  
17 (Indicating) is very densely parked because of Rumors  
18 and Bellini's and a lot of these patrons that come  
19 here end up flowing over to this side. So, if I were  
20 to try to alleviate that parking congestion on this  
21 side of the site by creating a gate access I still  
22 have to go talk to the folks at Rumors because I want  
23 to relocate their dumpster that's here and bring a  
24 gate down here and create 10 spots just for this  
25 building which would then leave all of this parking

1 free for all of the employees that normally park back  
2 here. There wouldn't be 10 other residents that are  
3 living in this building consuming these parking  
4 spaces. That's the reason to consume a little bit of  
5 greenspace to add some parking in that location.

6 The architecture of the building - this shows a  
7 three-story building. The two-story building will have  
8 very similar architecture. But if you look at the  
9 site plan you will see a portion of a long building  
10 that has a jog that comes out to the roundabout. What  
11 we are trying to do is create a sense of arrival into  
12 the boulevard, pull this architectural element from  
13 the building out towards the roundabout to try to draw  
14 you into the community and it's going to take on the  
15 appearance of almost like a lodge kind of feeling.  
16 We're missing textures on the building. We're going  
17 to have horizontal siding that would be not vinyl. It  
18 would be a fiber cement siding. We're going to use  
19 stone. We're going to vary the heights of the stone  
20 to give you different elements and different depths in  
21 terms of what the architecture of the building has.  
22 There will be metal roofs mixed in with shingled  
23 roofs. All will be within the compliance of the  
24 height restriction that we have. I think that it's 75  
25 feet.

1           One small change to the site plan that we are  
2 proposing is this residential building right here was  
3 supposed to, on the plan that was approved, go through  
4 the guard shack that is currently there. If anybody  
5 has been in there, you'll see that there is a gate  
6 that comes down.

7           The developer of the townhouses, Viscusi,  
8 really doesn't want the apartment traffic going down  
9 through the apartments. So, we have come up with a  
10 plan -- you'll see this dark shaded area here to build  
11 an entrance off the boulevard to bring it directly  
12 into this parking lot and eliminate the access from  
13 the parking for the apartments to get into the  
14 townhome parking and have any of these residents  
15 consume that parking that the townhome residents would  
16 have and visa versa.

17           With that, I'd like to open it up to any  
18 questions that the Board might have.

19           CHAIRMAN STUTO: I have a couple, but I'll  
20 defer to the other Board Members before I go.

21           MR. LANE: What is the difference between the  
22 two-bedroom and the number of parking spaces that it  
23 requires according to the new plan?

24           MR. MARINI: I guess if you look at the  
25 two-bedroom units I think that the ratio that the

1 Board requires or the Town requires is two parking  
2 spaces per door. Theoretically, I think that if you  
3 have a two-bedroom unit you can have two occupants in  
4 a two bedroom unit, each with a car and that kind of  
5 makes sense. On a studio which just has a bedroom  
6 shared with an open living room and a kitchen, you're  
7 going to have one occupant there. So, you're not  
8 going to have a need for two cars in that situation.  
9 That decreases the amount of parking. The site with  
10 the 10 that we are adding still has plenty of parking  
11 on the site to encompass everything. So, it's not  
12 that we are getting into an underparked situation. I'm  
13 trying to discern the difference between the fact that  
14 a two-bedroom, a studio and a one-bedroom. I think  
15 that a one-bedroom - not everybody is going to have  
16 two cars. There is not going to be two occupants in a  
17 one-bedroom apartment.

18 MR. LANE: So, it's not going to be a huge  
19 reduction, though.

20 MR. MARINI: I think that you'll have quite a  
21 bit of reduction in terms of -- I think that we have  
22 in terms of the mix we have 32 one-bedroom apartments,  
23 eight studios. So, 40 of the units out of the 57 that  
24 are proposed are going to be studios and one-bedrooms  
25 and now there is only going to be 17 two-bedrooms.

1           I think that there is more of a need for  
2 one-bedrooms. I just think that this site the way  
3 that it is, there is no covered parking and there is  
4 no garage parking. I think that the diversity of the  
5 type of housing in this part of town will be good. We  
6 almost have the need for the larger units covered back  
7 here.

8           CHAIRMAN STUTO: I'll speak. I'm going to have  
9 to digest this a little bit more. You're increasing  
10 the number of households, if you will or you refer to  
11 it as doors or however you want to phrase it. That's  
12 the part -- we thought that we had a well-balanced mix  
13 as well as density in terms of that. So, I really want  
14 to think about it hard. I also look forward to the  
15 review by the Town Designated Engineer to see what  
16 their comments are. I'm not saying that I'm opposed to  
17 it but -

18          MR. MARINI: That's why we are here. We are  
19 here to have that conversation. I wasn't looking for  
20 any approvals this evening or anything along those  
21 lines.

22          CHAIRMAN STUTO: I don't love adding more  
23 parking spaces. It's almost a contradiction in the  
24 sense -- and I'll let you respond. I'm sure that  
25 you're going to have an answer for it. There is a

1 parking problem up front with the commercial. That's  
2 admitted.

3 MR. MARINI: Well, I'm here every day so really  
4 where the parking get constrained during peak usage  
5 which is Wednesday, Thursday, Friday and Saturday  
6 evening when Rumors is operating is all in this area  
7 right here. At about 9:00 at night it all dissipates  
8 but you have that peak period between 5:00 and about  
9 8:00 at night. When Rumors is still operating -- they  
10 don't close on those nights until 9:00 and you have  
11 the restaurant going -- some of the offices are still  
12 working at 5:00 at night so you just have a heavy  
13 concentration there. There is a ton of parking here  
14 (Indicating) that is underutilized and this parking  
15 lot hasn't even been installed yet (Indicating). This  
16 parking lot is a parking improvement that goes here.

17 Also, I want to point out that we are not  
18 changing any footprints of what was approved. We are  
19 staying within the confines of the building size of  
20 what was originally approved.

21 CHAIRMAN STUTO: But you are taking away  
22 greenspace right there and I don't know if that is  
23 critical greenspace or not. It may work out; I don't  
24 know.

25 MR. LANE: What is the square foot area?

1           MR. MARINI: It's roughly half of that  
2           greenspace. If you went out there and looked at that  
3           greenspace right now, it's behind a dumpster and it's  
4           where everybody goes to smoke and put their cigarettes  
5           out. It's not quality greenspace, but we can talk  
6           further about that.

7           CHAIRMAN STUTO: I'm just saying these are  
8           issues in my mind and I would like the Town Designated  
9           Engineer to look at it.

10           This is the first time that I recall studio  
11           apartments being proposed here. That's another thing  
12           to digest in terms of - how many square feet is it  
13           going to be? What are your finishes going to be  
14           inside? What is your price point going to be on the  
15           rent?

16           MR. MARINI: I can answer those questions for  
17           you. Your studios are generally about 550 square feet  
18           to 600 square feet. You're talking about up-scale  
19           type units with crown moldings.

20           CHAIRMAN STUTO: Are one-bedrooms that size?

21           MR. MARINI: Studios?

22           CHAIRMAN STUTO: I'm just saying, in general.  
23           You can do a one-bedroom in that.

24           MR. MARINI: One bed-rooms are 750 or 800  
25           square feet and two-bedroom is up around 1,100 to

1 1,200 square feet.

2 CHAIRMAN STUTO: Continue, if you don't mind on  
3 the studios.

4 MR. MARINI: So, you're talking about  
5 apartments here that are going to be geared toward  
6 high-end renters. You're going to have crown  
7 moldings, granite countertops, luxury kitchens, well  
8 appointed with ceramic tiles, hard surface flooring  
9 and no carpet; those types of things. You're talking  
10 high-end.

11 For studios you're going to be looking at  
12 roughly \$950.00 a month. One-bedrooms somewhere in  
13 the area of \$1,250.00 to \$1,300.00 a month and  
14 two-bedrooms up around \$1,800.00 a month.

15 CHAIRMAN STUTO: Do you know of any other  
16 studios going in a suburban setting?

17 MR. MARINI: Just about every apartment  
18 community that's built has a mix of studios in them.

19 CHAIRMAN STUTO: Have you seen them, Joe?

20 MR. LACIVITA: Not off-hand, Peter. I would  
21 have to look at some of the stuff that we have.

22 I think that you have some off of Sand Creek.

23 MR. MARINI: No, we don't have any studios  
24 there.

25 CHAIRMAN STUTO: I'm just trying to figure this

1 out. I just asked if we had done any. I didn't recall  
2 seeing them.

3 MR. MARINI: I can find a list of apartment  
4 communities that have studios. They are a little bit  
5 different in the sense that this in-town kind of  
6 housing. We're not going out into some of the places  
7 where other apartment communities are built. This is  
8 all going to be what we call the center of Town.

9 CHAIRMAN STUTO: This is a unique setting that  
10 we tried to create with the developer. It was the  
11 developer's idea and not ours. That was the whole  
12 concept.

13 I guess that's the extent of my questions and  
14 comments.

15 MR. MARINI: We are trying to create space for  
16 someone like a lawyer that just gets out of college,  
17 passes the bar and gets a job and wants to live in  
18 Town, maybe can't afford a one-bedroom and wants to  
19 live by themselves. This kind of studio apartment  
20 lifestyle - they can afford that. It's affordable and  
21 it's attainable and they're living in a great area.

22 CHAIRMAN STUTO: The building that flipped from  
23 east to west to north to south - am I right about  
24 that?

25 MR. MARINI: No, the long building was always

1 this way; north/south.

2 CHAIRMAN STUTO: Can you point to where it was?

3 MR. MARINI: It was always right there.

4 CHAIRMAN STUTO: I thought that it was inside  
5 the gate.

6 MR. MARINI: The gate to get into the  
7 townhouses is back here. What we are doing is we want  
8 to break this curve right here and go directly into  
9 this parking lot directly adjacent to the drive lane  
10 that you come down here (Indicating) that's already  
11 built and go across the break in the median to that  
12 parking lot. That's the only thing that we are  
13 changing.

14 CHAIRMAN STUTO: So, you didn't move the  
15 footprint.

16 MR. MARINI: We didn't move anything and we  
17 didn't change any footprints, didn't change anything.

18 CHAIRMAN STUTO: You didn't change the heights  
19 of the buildings?

20 MR. MARINI: No.

21 MR. LACIVITA: Originally the access had to  
22 come through the gate and then back into and around -

23 CHAIRMAN STUTO: It had to loop around; is that  
24 what you're saying?

25 MR. MARINI: Correct.

1           MR. LACIVITA: And what you questioned on the  
2 height of the building, if you remember Mr. Fazzone  
3 came back and asked to raise it to put garages  
4 underneath it. We did not like that idea.

5           CHAIRMAN STUTO: I was thinking about the  
6 garages too.

7           MR. MARINI: This building here is going to  
8 remain a two-story building. We're not going to make  
9 this a three-story building. That's what the Board  
10 approved, so that's going to remain what it originally  
11 was; a two-story building.

12          MR. LACIVITA: I think that we got positive  
13 feedback in the approval of the 14th. I know that  
14 Brian and Lou commented on that secondary retail  
15 component back there.

16          MR. MARINI: There is zero market for office  
17 and retail back here in these spots; zero. As a  
18 matter of fact Tony Fazzone has half of the second  
19 floor of this building is still vacant for office. He  
20 hasn't leased it yet.

21          CHAIRMAN STUTO: Any other questions?

22                   (There was no response.)

23           I don't know if that was enough feedback.

24           Should he apply for concept and let the TDEs  
25 review it? There is some money to be spent there.

1                   MR. MARINI: I thought that this was more of a  
2 site plan review because this already was approved.  
3 I'm not really changing any of the infrastructure or  
4 the buildings.

5                   MR. LACIVITA: We would amend the approval.

6                   MR. MARINI: We are having a conversation over  
7 the difference between the number of bedrooms and  
8 units, so to speak.

9                   CHAIRMAN STUTO: Well, we are entitled to a  
10 Town Designated Engineer review. You do have to apply  
11 to make that happen, right?

12                   MR. MARINI: I'm not sure.

13                   MR. LACIVITA: It's an amended site plan that  
14 we have to do.

15                   MR. MARINI: I'll do whatever I have to do;  
16 sure.

17                   MR. LACIVITA: So, we are going to amend the  
18 approval of the 2014 -

19                   CHAIRMAN STUTO: When I say concept, I guess  
20 that's a mistake.

21                   MR. LANE: Can we see the parking - what was  
22 proposed and what it was?

23                   CHAIRMAN STUTO: Sure. I mean, so that you  
24 don't get too deep into it, I think that a few hours  
25 with the TDE to come back and do another one like

1           tonight would be good. I'd like to have an engineer  
2           look at it, not on a detailed design level so that you  
3           don't have to spend a lot more money.

4           MR. MARINI: On the design, we have gone as far  
5           as we can go right now until we get something  
6           solidified. We wanted to come in here and let you  
7           guys look at something that was concrete.

8           CHAIRMAN STUTO: I don't know what the rest of  
9           the Board wants but I would suggest having a Town  
10          Designated Engineer. I don't know how many hours of  
11          review it would take - and come back and have another  
12          evening like tonight.

13          MR. MARINI: We're certainly willing to do  
14          that.

15          MR. LACIVITA: So, the next time that they come  
16          in, we'll do an amended site plan, as we typically  
17          would do.

18          CHAIRMAN STUTO: No, we want another one where  
19          we don't vote.

20          MR. LACIVITA: Okay.

21          CHAIRMAN STUTO: Without putting a lot of work  
22          into it.

23          MR. LACIVITA: Okay, we'll try to do that real  
24          quick then.

25          MS. MILSTEIN: There might not only one person

1 in those one-bedroom apartments. Two people could be  
2 sharing the one-bedroom. So, some of your assumptions  
3 I would think -

4 MR. MARINI: The assumptions were pretty much  
5 based in fact, based on what we have experienced in  
6 other apartment projects that we built. We take a  
7 look at those units.

8 MS. MILSTEIN: Are they comparable?

9 MR. MARINI: Yes, absolutely. More than what I  
10 projected - more than 50% only have one occupant in  
11 the one-bedroom units.

12 MS. MILSTEIN: Comparable rent?

13 MR. MARINI: Comparable rent, yes.

14 MS. MILSTEIN: It sounds very speculative to  
15 me. I'd like to see more hardcore facts to support  
16 it. I would like to see that.

17 MR. MARINI: Sure; we can do that.

18 CHAIRMAN STUTO: I don't know if you can react  
19 to this. As a general market question: The Business  
20 Review printed a thing over the years of the mix of  
21 single family versus apartments. I think that they  
22 said that the number approved of multiple families --  
23 did anyone see that chart? All you have to do is look  
24 around. It's not just the ones under construction but  
25 under approval - it's a record number. I was

1           wondering if you think that the market is ever going  
2           to -

3                   MR. MARINI: I mean the pendulum always swings  
4           both ways. My thought is that there is a shift going  
5           on currently and it will continue for some time, based  
6           upon how people view housing. The last recession put  
7           a lot of people under water - especially the  
8           millenials - the younger generation, who aren't  
9           settled and who aren't tied down. They don't want to  
10          get into a piece of real estate that is ill liquid  
11          because you have transaction costs on the way in and  
12          the way out and it's those transaction costs -- maybe  
13          you can sell the house what you paid for it and maybe  
14          you can't. When you add those transaction costs on,  
15          their underwater \$40,000.00 or \$50,000.00 to live in a  
16          place for two or three years and then move onto  
17          another part of the country.

18                   Having said that, that's not always the case in  
19          other parts of the country where there is supply and  
20          demand. There is a greater demand than there is  
21          supply. Those markets still tend to go up, but those  
22          markets also see more multifamily homes being built  
23          than traditional single family detached homes. It's a  
24          trend not only here but it's trend all over the  
25          country. I think that continues for awhile.

1           Even baby boomers - we see people that are  
2           scaling out of large homes and moving into either  
3           smaller condos for rent or smaller condos to own.

4           A perfect example, I think, is you can go up to  
5           Canterbury Crossing and look how quickly those  
6           condominiums were built out. Up until that project  
7           was built, there was no product type like that in this  
8           Town, that I know of.

9           So, I think that those things are good for this  
10          Town to have that kind of diversity of housing that  
11          allows people to go into that product that they want.  
12          I don't think that the market for - especially in  
13          upstate New York, single family detached homes has  
14          been changed for good, I think. I built enough of  
15          them and I do it every day and I see the buyers that  
16          are out there and I see the decisions that are made.  
17          Don't get me wrong, there are still houses being sold  
18          in the right communities. You don't have a problem in  
19          this Town approving subdivisions and having people buy  
20          them, but it's not the same in other Towns around the  
21          area. This is just a very well-demanded Town to live  
22          in.

23                   CHAIRMAN STUTO: Thank you, very much.

24                   MR. MARINI: Thank you.

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(Whereas the above entitled proceeding was  
concluded at 8:04 p.m.)

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 \_\_\_\_\_

