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PLANNING BOARD COUNTY OF ALBANY
TOWN OF COLONIE

PARK PLACE AT SHAKER WEST APARTMENTS
945-957 WATERVLIET SHAKER ROAD
APPLICATION FOR CONCEPT ACCEPTANCE

THE STENOGRAPHIC MINUTES of the above entitled matter by NANCY L. STRANG, a Shorthand Reporter, commencing on January 24, 2017 at 7:26 p.m. at The Public Operations Center, 347 Old Niskayuna Road, Latham, New York.

BOARD MEMBERS:
PETER STUTO, CHAIRMAN
LOU MION
BRIAN AUSTIN
TIMOTHY LANE
KATHLEEN DALTON
CRAIG SHAMLIAN
SUSAN MILSTEIN

ALSO PRESENT:

Joseph LaCivita, Planning and Economic Development Department
Michael Tengeler, Planning and Economic Development Department

Charles Voss, PE, Barton and Loguidice
Ellen Rosano, Conservation Advisory Council
Dee Awling
Charles J. Gottlieb, Esq., Couch White
Joseph Bianchi, PE, MJ Engineering and Land Surveying

1 CHAIRMAN STUTO: Next on the agenda is Park
2 Place at Shaker West Apartments, 945-957 Watervliet
3 Shaker Road, application for concept acceptance. Joe,
4 did you have any preliminary comments on this project?

5 MR. LACIVITA: I'll just turn it over. We've
6 seen this project a number of times.

7 CHAIRMAN STUTO: Chuck, did you want to give
8 your comments and then we'll keep going?

9 MR. VOSS: Really our comments haven't varied
10 much since the last time that they were before the
11 Board for concept. We have our letter dated December
12 13, 2016. Really, it goes over the last year that we
13 have been looking at this project.

14 Our issues are really basically the same in
15 terms of infrastructure, utilities, access. We have
16 looked at this site for quite a long time now. While
17 the Board was working with the applicant, I kind of
18 just gerrymandered the interior of the site. The main
19 issues haven't changed.

20 There is existing utilities that will be
21 brought from across the street into the site. There
22 will be a sewer extension that goes, obviously,
23 through the Afrim's site and into this site.

24 The Board will remember last year we
25 specifically wanted to negotiate that with the Afrim's

1 site which worked out very well. Their engineers,
2 Sipperly and Associates, looked very closely with Mike
3 and his group to really come up with a plan that
4 worked for the Pure Waters Department. So, we feel
5 that we have the sewer issues certainly well in-hand
6 to cover this site, the Afrim's site as well as future
7 possible connections further to the east of the site.

8 That was another concern for Pure Waters that
9 any sewer extension to these two sites be sufficient
10 in size and location and certainly in depth and in
11 geometry to potentially accept future development in
12 that area. That was a major concern for the Pure
13 Waters Department. Latham Water as well --- both
14 sites worked very closely with Latham Water over the
15 last year to come up with a plan that was acceptable
16 with John Frazer's office. We feel that they have
17 accomplished that as well. So, there will be needed
18 water mains coming in.

19 If you remember initially both applicants were
20 going to have potentially stand-alone sites in terms
21 of water usage. We have come to some agreements on
22 the water issue so both sites will sufficiently
23 watered. Our assumption is that the building will be
24 fully sprinklered, as they go so the capacity is there
25 certainly for that.

1 We talked a little bit about the access but I'm
2 going to just touch on that again. If the Board
3 remembers, when the Afrim site came on for site plan
4 review one of the primary requirements of this Board
5 was to make sure that Afrim's entryway was a shared
6 entryway with this site.

7 So, what the two projects have done, working in
8 conjunction, is come up with a good scheme to improve
9 that intersection. Right now it is a three-way
10 intersection which is relatively new and will now
11 become a full four-way intersection with upgrade to
12 the intersection, pedestrian and -

13 CHAIRMAN STUTO: Who is building first?

14 MR. VOSS: Afrim's is on-line.

15 MR. BIANCHI: My understanding was that they
16 got final approval or close to getting final approval.

17 CHAIRMAN STUTO: When is the intersection going
18 in?

19 MR. VOSS: It will need to be through the
20 construction of this. The only other issues that we
21 had -- they are going to be avoiding wetlands to the
22 rear. The access issues remain pretty much the same
23 as they were. The back six buildings - the layout
24 really hasn't changed a lot internally. Other than
25 that, the internal circulation we feel is sufficient.

1 We were actually in support of that right-in/right-out
2 second entryway along with the fire department for
3 emergency access, in addition to the third access
4 point way in the back with Afrim's parking lot. We
5 feel that the three points of access will give them
6 maximum protection if there is ever a fire issue.
7 Other than that, we look forward to seeing them
8 advance their plans.

9 We look forward to getting into their
10 landscaping plan which we really haven't seen much of
11 and other issues like that. From our standpoint, we
12 think that they are in pretty good shape.

13 CHAIRMAN STUTO: We have a representative of
14 the Conservation Advisory Council. Did you want to
15 comment on this?

16 MS. ROSANO: On the access road going in there
17 is a line of trees. Are they going to remain?

18 MR. BIANCHI: We will save any trees that are
19 outside that layout. We will certainly do whatever we
20 can to save them.

21 MS. ROSANO: And there is a stand of trees near
22 the barn.

23 MR. BIANCHI: Yes.

24 MS. ROSANO: They are remaining?

25 MR. BIANCHI: Yes, the barn is staying so

1 anything that is in close proximity to the barn will
2 stay.

3 MS. ROSANO: And the wetlands aren't going to
4 be disturbed but there is also going to be a nature
5 trail through the wetlands, according to the plan.

6 MR. BIANCHI: It's not actually in the
7 wetlands, but it's in the back of the site where the
8 wetlands are. I think that we are staying probably 10
9 feet from the actual wetland line.

10 MS. ROSANO: Thank you.

11 MR. BIANCHI: Thank you.

12 CHAIRMAN STUTO: Any other members of the
13 public want to speak on this?

14 MS. AWLING: I'm Dee Awling. I would just like
15 to know what type of apartments they are going to be.
16 Are they senior, or family or -

17 MR. ROSEN: They are market rate apartments.
18 They are not age restricted.

19 MS. AWLING: So, a family could move in there
20 with kids and everything, right?

21 MR. ROSEN: Sure.

22 MS. AWLING: I'm just wondering about the noise
23 factor being close to Memory Gardens. I guess that
24 you can't answer my question.

25 MR. BIANCHI: I think that the noise from our

1 site will be pretty limited as compared to the use
2 that it next door.

3 CHAIRMAN STUTO: Do you want to put the
4 rendition up?

5 MR. ROSEN: Sure.

6 MR. GOTTLIEB: I'm Charlie Gottlieb of Couch
7 White in Albany on behalf of Patrick Coleman whose
8 property is right here. I have just a few things
9 about Patrick and his land.

10 I feel like I'm coming in here at the 11th
11 hour.

12 This is agricultural land. He lives right
13 there is a single family house. Just to put on the
14 record, he's not opposed to this project. He's happy
15 to see this all going on - and also realizing the
16 future development of his parcel is tied into this.

17 One thing that I was happy to hear tonight and
18 I can report back is that water, sewer and utilities
19 like that seem to be in the foresight of everyone's
20 minds and there will be connections available for when
21 that time comes. A few things just to clarify tonight
22 because I had some questions -- procedurally where we
23 are with the application, especially in regard to
24 SEQRA and the negative declaration that was done back
25 in the spring.

1 Also, I realize that we are here for the
2 concept review and there is kind of a pendulum here.
3 Are there ways where we can be sensitive to the future
4 development needs as well as the current situation on
5 Patrick's land, because he is going to live there,
6 because he is going to continue to farm there for the
7 time being and necessarily doesn't have a clear
8 picture as to when he might develop his property. I
9 see landscaping and I don't know if there is any
10 fencing there. When I was speaking with Patrick, he
11 was worried about these two buildings in particular
12 because they will be putting some shade on his crops.
13 He's also worried about the pool area and the
14 clubhouse and was kind of hoping for some protective
15 fencing or some sort of landscaped screening. Maybe
16 we could work together on that. Another kind of
17 safety measure that we were worried about was
18 realizing that this is wooded area back here in case
19 people inadvertently -- we're talking about people
20 jumping the wall there -- but inadvertently coming
21 onto his property. Maybe there is a way to put a
22 protective fence there. I don't know if that was in
23 your minds or not.

24 Then, specifically where we are with SEQRA -
25 just so that I can report back -- it appears that in

1 May there was a negative declaration issued for the
2 special use permit. In June the special use permit
3 was granted. I don't know if we are doing a
4 coordinated or uncoordinated review.

5 CHAIRMAN STUTO: Well, if a neg dec was issued,
6 it's over.

7 MR. GOTTLIEB: If you look at the neg dec --
8 and there might be some wording that we could look at,
9 it says that it was for the special use permit. So, I
10 didn't know if there was coordination or not
11 coordination.

12 CHAIRMAN STUTO: We're not planning on doing
13 anymore environmental review, correct?

14 MR. LACIVITA: It has been completed, yes.

15 CHAIRMAN STUTO: I mean, you can call them
16 after the meeting if you have something else to
17 discuss, but we are not planning on doing anymore.

18 MR. GOTTLIEB: That's fine. I just want to
19 clarify that. Like I said, just ways that we can
20 mitigate the impacts to his current uses -

21 CHAIRMAN STUTO: Okay, we'll let the applicant
22 respond to what you said.

23 MR. BIANCHI: So, you were lead agency and that
24 was a coordinated review and that's why you had to do
25 it before we could go to the ZBA. So, we are done

1 with that. We'll certainly look at the sensitivity if
2 there is something that we can do with some
3 landscaping.

4 In general, I know that our clients were
5 talking to his client previously when we got started
6 and that was for sale and they couldn't come to terms
7 on a number so I would expect in the not too distant
8 future that would be redeveloped and we have provided
9 the connection as we are required to do for future
10 development. We could certainly look at some kind of
11 a landscaped buffer in the area where his house is.

12 CHAIRMAN STUTO: Okay, so you're an attorney
13 and you can call the attorney or the engineer to
14 discuss those things.

15 MR. BIANCHI: We actually have actually tried
16 to keep the apartments as far from his house as we
17 could. This area here (Indicating) which is the
18 closest to his house is pretty distant from the
19 apartments. I understand his concern with his crops.

20 MR. GOTTLIEB: One last question. The special
21 use permit -- had the plans changed since then? We
22 were talking and he mentioned that the plans -- I
23 didn't look at the plans. I don't know if there were
24 any changes.

25 MR. BIANCHI: No, but we can talk later.

1 MR. ROSEN: These plans changed to satisfy the
2 Planning Board and then we took them to the ZBA.

3 MR. GOTTLIEB: Okay, thanks.

4 CHAIRMAN STUTO: Any other members of the
5 public?

6 (There was no response.)

7 Any Board Members - any other comments or
8 questions?

9 MR. MION: I have a question. Do we have
10 shutters on the windows?

11 MR. BIANCHI: There are shutters, yes.

12 MR. MION: Are they operating shutters?

13 MR. BIANCHI: No, I don't believe they are
14 operating shutters.

15 MR. MION: Usually when you see a window with
16 shutters, they have them on both sides. I noticed here
17 that they are not all both sides of some of these
18 windows. Is there a reason for that?

19 MR. BIANCHI: I don't think that they put them
20 on the windows that are closer together just because
21 the shutters would be almost abutting up against each
22 other.

23 MR. AUSTIN: Maybe we shouldn't have shutters
24 on the windows.

25 MR. VOSS: Joe, did Starlyn ask for those?

1 MR. BIANCHI: She did. That was one of the
2 things that we worked through with the Shaker Heritage
3 Society, as well.

4 MR. AUSTIN: They went with one shutter? If
5 they were real, they wouldn't work.

6 MR. VOSS: Brian, in some early architectural
7 design elements you'll see windows on some of the
8 older buildings that are close together and they only
9 have one set of shutters on either side really for
10 decorative purposes. It's a common element that we
11 see in a lot of spots and types of architecture. I
12 understand your comment about looking a little off.
13 If you could make them fit on both sides, why not?

14 MR. LACIVITA: If this was actually Shaker
15 shutters, they would be internal and they wouldn't be
16 on the exterior.

17 MR. AUSTIN: That's true.

18 CHAIRMAN STUTO: Are we ready for a motion for
19 concept acceptance?

20 MR. MION: I'll make that motion.

21 MR. AUSTIN: I'll second it.

22 CHAIRMAN STUTO: Any discussion?

23 (There was no response.)

24 All those in favor say aye.

25 (Ayes were recited.)

1 All those opposed, nay.

2 (There was none opposed.)

3 The ayes have it. Thank you.

4 MR. BIANCHI: Thank you.

5 MR. ROSEN: Thanks everybody. We hope to be
6 back here soon addressing these comments.

7

8 (Whereas the above entitled matter was concluded at
9 7:45 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 _____

