

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

3 *****

4 COLONIE HILLS, PDD
5 179 TROY SCHENECTADY ROAD
6 SKETCH PLAN REVIEW

7 *****

8 THE STENOGRAPHIC MINUTES of the above entitled
9 matter by NANCY L. STRANG, a Shorthand Reporter,
10 commencing on May 23, 2017 at 7:00 p.m. at The
11 Public Operations Center, 347 Old Niskayuna Road,
12 Latham, New York

13 BOARD MEMBERS:
14 PETER STUTO, CHAIRMAN
15 LOU MION
16 BRIAN AUSTIN
17 KATHY DALTON
18 CRAIG SHAMLIAN
19 SUSAN MILSTEIN

20 ALSO PRESENT:
21
22 Katheen Marinelli, Esq. Counsel to the Planning Board
23 Joseph LaCivita, Director, Planning and Economic
24 Development
25 Michael Tengeler, Planning and Economic Development
Pete Setaro, PE, Morris Associates
David Brennan, Esq., Young Sommer

1 CHAIRMAN STUTO: Good evening everyone. Welcome to
2 the Town of Colonie Planning Board. We have four items
3 on the agenda.

4 Before we call them up, Joe LaCivita, do you
5 have any business to discuss?

6 MR. LACIVITA: Nothing at this time, Peter.

7 CHAIRMAN STUTO: We'll go straight to the agenda.
8 Colonie Hills, PDD, 179 Troy Schenectady Road,
9 Sketch Plan Review.

10 Joe, do you have an introduction for this?

11 MR. LACIVITA: We have a new application before us
12 here tonight. It's called Colonie Hills, PDD. It's here
13 before us due to Resolution 440 of 2016 where the Town
14 Board referred to the Planning Board the rezoning
15 request for 179 Troy Schenectady Road from
16 commercial/office/residential to a PDD. For RSS purposes
17 it is a 128 apartment unit.

18 I'll leave all the narrative up to you.

19 CHAIRMAN STUTO: I do want to make a preliminary
20 comment. As I read through the narrative, it discusses a
21 2007 PDD and makes a comparison with that. It confused
22 the daylight out of me, to be honest with you. I don't
23 know anything about that. I did want to ask some
24 questions. There is no PDD now, so I'm not sure why the
25 confusing presentation. The zoning is COR. The PDD which

1 was approved in 2007 or whatever has been rescinded. So,
2 the zoning is now COR. I'm just saying that for future
3 reference that - none of us were around in 2007, too, by
4 the way - just so the applicant knows. I found it to be
5 a very confusing narrative in that respect. This is a
6 COR zone. It's a PDD application. I would suggest just
7 for clarity, just to make your presentation on that
8 basis.

9 MR. BRENNAN: I will make the presentation and I
10 think that we're starting off a little bit,
11 unfortunately, on the wrong foot. This is actually
12 litigation about whether or not that has been rescinded
13 or not. We are here to talk about a PDD application, as
14 Mr. LaCivita mentioned. There was a PDD on that project
15 and that's what we were trying to adhere to. That's not
16 the basis for our presentation. The basis of our
17 presentation is an application for a PDD which we have
18 been working with the Town Attorney's office and Mr.
19 LaCivita to get to this point. By way of comparison
20 purposes, there was formerly a PDD and we were seeking
21 to adhere to the parameters of what was previously
22 approved. In fairness, it still shows up on your zoning
23 map -- other presentations tonight where the picture
24 from the zoning map still shows that as a PDD. That's
25 not the purpose of why we are here tonight. I don't want

1 to delve into that when we've already spent time on and
2 get right into the heart of why we are here which is an
3 application for sketch plan review as part of a new PDD.

4 I guess, Mr. Stuto, I agree with you in part
5 and disagree just slightly. Let's move on from that
6 because like you say, the Planning Board is not
7 interested in that. We have some interest in it
8 because that was the basis of the proposal the first
9 time. Let's get into the heart of why we are here
10 tonight.

11 CHAIRMAN STUTO: Thank you.

12 MR. BRENNAN: Thank you.

13 Good evening, ladies and gentlemen. My name is
14 Dave Brennan with the law firm of Young Sommer here
15 in Albany. I'll introduce the rest of our supporting
16 cast in a moment. We are here on a piece of property
17 located at 179 Troy Schenectady Road, which is best
18 described as behind the former K-mart property which
19 I think is still recent enough in memory that I can
20 refer to it as the former K-mart property. If I
21 refer to it as the former Two Guys property in
22 Menands, we'll get a little too far back. Everybody,
23 I think, knows where we are talking about, behind
24 the former K-Mart property on Route 2.

25 We are here tonight for a sketch plan review as

1 part of a PDD application. The project itself
2 involves a proposal for 128 units of supportive
3 housing which is broken down into affordable senior
4 housing, work force housing and supportive housing.
5 It's on essentially a 39-acre piece of property. I
6 don't want to get into too many details, otherwise
7 I'll take up all of Pete's time, our project
8 engineer. There are 32 units set aside for
9 affordable housing for seniors, 46 units for
10 affordable workforce housing and 50 units of housing
11 for people with special needs. It's broken down into
12 88 one-bedroom units, 26 two-bedroom units and 14
13 three-bedroom units. It's approximately 125,000
14 square feet of development in 13 buildings and one
15 community building.

16 The project sponsors are Rehabilitation Support
17 Services which is a local not for profit base with
18 their headquarters based on Western Avenue in the
19 Town of Guilderland. With me tonight on behalf of
20 RSS is Bill DeVita, the Executive Director,
21 Elizabeth Kadatz the Director of Operations, John
22 Paduano the Managing Director and Tim Fogarty the
23 Director of Facilities. This is a joint project
24 with Carney Realty Group of Hudson Valley. With me
25 in the front row, who will speak in just a moment,

1 is Ken Carney to elaborate on the nature of the
2 project. Also with me is Peter Cetera from Morris
3 Associates, the Project Engineer.

4 At that point, I think that the little bit of
5 comparison between the old project, we will take off
6 the table and save that if we need to discuss it at
7 a different date. I would ask for Mr. Carney to take
8 over.

9 MR. CARNEY: Good evening, Mr. Chairman and members
10 of the Board. Thank you for time. My name is Ken Carney.
11 I am the President and Founder of the Carney Group. The
12 focus of our business is multi-family housing. We have
13 focus on affordable and supportive housing. We work in
14 six or seven various counties throughout the Hudson
15 Valley and north of the Hudson Valley. We have developed
16 supportive housing for veterans, for homeless veterans.
17 We have developed supportive housing with RSS in
18 Dutchess County for the special needs population of
19 people with mental illness and we have just finished a
20 new development in Dutchess County where we set aside
21 25% of the units for people with developmental
22 disabilities and autism. We opened that development up
23 about three or four months ago.

24 CHAIRMAN STUTO: You guys don't have a lot of time.
25 I don't know how much resume you want to talk about.

1 This is sketch plan. We only have you on for 10 minutes.
2 You'll probably get more but -

3 MR. CARNEY: What we're here to talk about tonight
4 is Colonie Hills. It's intergenerational which means it
5 has a senior component.

6 The first building here, B1 is 32 units,
7 one-bedrooms and senior housing. It has its own
8 community room and its own management office.

9 We have 13 other buildings that are eight units
10 in each building. Again, the original design was to
11 try to match the previous PDD. It doesn't have to.
12 The intent at the time when this was originally
13 unveiled two and a half years ago was to try to stay
14 as close to the original PDD.

15 CHAIRMAN STUTO: How many are in B1?

16 MR. CARNEY: Thirty-two one bedroom apartments.

17 CHAIRMAN STUTO: And that's senior?

18 MR. CARNEY: Senior; 55 and older. Again, there is
19 also one community building which will have the on-site
20 management office, community room and library and so
21 forth.

22 CHAIRMAN STUTO: Which one is the community room?

23 MR. CARNEY: That's B14.

24 It will be developed, as Dave said, as a joint
25 venture between my company and RSS. So, this is an

1 intergenerational supportive housing development.

2 I am here for any other questions that you may
3 have. Thank you.

4 CHAIRMAN STUTO: I'll ask, if the Board doesn't
5 mind.

6 You throw around a few words like affordable
7 housing. Is there a definition of that or what does
8 that really mean?

9 MR. CARNEY: In this case, for example, the senior
10 housing will be targeted to the seniors who make less
11 than 60% of the area median income. So, your senior
12 units will rent for approximately \$645.00 a month.

13 CHAIRMAN STUTO: Are you handing out any literature
14 on that and also the components of the project? I don't
15 think that we have them.

16 MR. LACIVITA: No, we don't have any of that right
17 now.

18 CHAIRMAN STUTO: We are interested in that stuff.

19 MR. CARNEY: Of course - and I can. The 25
20 two-bedrooms are up to 60% of median income with rents
21 at approximately \$895.00. Then, the 14 three-bedrooms
22 are approximately \$995.00.

23 CHAIRMAN STUTO: Is this driven by federal tax law
24 or whatever - both the terminology affordable housing
25 and also the rents and the income limits that you're

1 talking about.

2 MR. CARNEY: The various funding sources, yes. We
3 use tax credits. Some tax credits limit you to 60% or
4 lower. The state tax credits bring you up to 90%. So,
5 some of these incomes can go up higher and the state has
6 a new program called the middle income program which
7 allows you to go up to 100%. The tax credit program
8 allows you to do that.

9 On some of the senior units what we would like
10 to do is keep some of the rents - we can actually
11 get some of the rents lower than \$645.00. I find
12 that most of the seniors - the biggest demand is
13 somewhere between 30% and 40% of median income with
14 the rents somewhere around \$450.00 to \$500.00. That
15 has been my experience.

16 CHAIRMAN STUTO: Do you have any more to the
17 presentation?

18 MR. CARNEY: No, just here for questions.

19 CHAIRMAN STUTO: Does your engineer have any more?

20 MR. CARNEY: Yes.

21 CHAIRMAN STUTO: I'm sure that we'll have
22 questions. Thank you.

23 MR. SETARO: My name is Pete Setaro and I'm an
24 engineer with Morris Associates in Poughkeepsie, New
25 York. We have done several projects with the Carney

1 Group and we look forward to working on this one.

2 Back in January we had a very productive
3 meeting with the DCC. We got a lot of good comments
4 from all of the departments and we will be
5 incorporating those as we proceed through the
6 process.

7 As has been said before, this plan basically
8 follows the former Swatling Acres. We do have a copy
9 of those plans.

10 The road network was laid out in a very good
11 manner to take advantage of quite substantial slopes
12 on the property. We've got a substantial hill. This
13 is the high point of the site. It slopes all the way
14 down here (Indicating). You can see a hatching over
15 here which are areas which are identified as some
16 steep slope areas. So, we obviously have to stay out
17 of them.

18 The roadway is approximately 3,000 feet. We are
19 tying it to Swatling Road here. We come through the
20 site and meander around to New York State Route 2.

21 As part of the meeting that we had with DCC, it
22 was brought up about the possibility of only having
23 one primary access. At the time the primary access
24 was thought to be over here on Route 2 (Indicating).

25 There was some discussion with the Fire

1 Department in regard to if that is going to happen.
2 Obviously any of the remaining portion would have to
3 be emergency access road because obviously they want
4 to have two ways in and out. There is going to be a
5 sidewalk proposed here. It's in green here
6 (Indicating) via the sidewalk. We've got, as far as
7 a number of parking spaces - we are required to
8 have, based upon the buildings, 270 parking spaces.
9 We are currently showing about 280 so we are a
10 little bit over parked. That's a change that we can
11 make, again, as we proceed.

12 I talked a little bit about the slopes.

13 We also think that we are going to look at
14 taking a couple of these eight-unit buildings and
15 look to try to make them into a 16-unit building. We
16 think that could help improve some of the impact as
17 far as slopes and we think that it could actually
18 make it a little bit better project. That's
19 something that we just talked about last week with
20 the applicants. Everything else would stay the same.
21 With the road network, there would be some changes
22 as far as the parking area.

23 Water and sewer are fairly straightforward. We
24 would be tying into the Latham Water District and
25 tying into either end of Swatling Road and U.S.

1 Route 2 running on a loop all through the site.

2 Sanitary sewer is available on our site. On the
3 plan that I handed out, there is a line that runs
4 down through our site and down the back near the
5 short piece over here (Indicating). So, we will be
6 tying in all these buildings into the line in the
7 back. We've got some lines that run from these
8 buildings into the back. These buildings would be
9 served by a sewer line within the other roadway and
10 then come down into the back.

11 CHAIRMAN STUTO: That's all good stuff and it
12 sounds like you know your project. I think that you'll
13 want to talk more thematically about what is going on. I
14 think that I'm going to ask questions now. This is for
15 whoever wants to answer it. I'll start with the
16 questions and the rest of the Board can jump in.

17 PDDs are a special creature of New York State
18 Law and also of our Land Use Law. There is a certain
19 creativity that we call give-back in the community.
20 I'll just read you a couple of them out of our law
21 which is that the objective is to provide adequate
22 and integrated system of open space and recreation
23 area designed to tie PDD together internally and
24 link it to the larger community.

25 Do we have features that meet that criteria in

1 this project? A PDD is a rezoning. Part of its
2 justification is creative features that give back to
3 the community and that being one of them. They are
4 all laid out in 190-66. So, this Board is very
5 focused, I think it's fair to say -- I won't speak
6 for the rest of the Board. I'm making sure that
7 those items are taken care of. Can you address those
8 objectives?

9 MR. BRENNAN: I can pull my copy of the Code up,
10 but on the public benefit aspect -

11 CHAIRMAN STUTO: Yes, public benefits.

12 MR. BRENNAN: A large part of the public benefit of
13 this project entails the fact that we are providing a
14 quality and a type of housing stock that is not already
15 available in the community. Right now, Colonie being one
16 of the largest communities in the area and in the
17 surrounding area -

18 CHAIRMAN STUTO: Just so you know, this Board - the
19 argument that the market wants this is not one of the
20 arguments -

21 MR. BRENNAN: I'm not saying actually the market.
22 I'm saying that there is an underserved population of
23 people with disabilities that will benefit from having
24 this sort of integrated housing that doesn't exist
25 anywhere in the area let alone the Town of Colonie.

1 MS. DALTON: I'm just going to stop you there
2 because you used the term I'm not sure about and that is
3 integrated housing. So, can you talk a little bit about
4 that and you probably have supporting numbers. I think
5 that going towards the public benefit component is
6 possible with some of the supports and services that you
7 would be providing to residents within the PDD could
8 conceivably be considered a public benefit.

9 MR. BRENNAN: It could. My familiarity with other
10 recent PDD projects is that the public benefit wasn't
11 necessarily at the project site either. So, if we need
12 to come up with something creative -- we were under the
13 impression that the sketch plan was to talk about the
14 layout and details of the sketch plan as compared to the
15 PDD requirements.

16 CHAIRMAN STUTO: Well, that's a misimpression.
17 We're interested in that. That's one of the things that
18 we always ask about. A PDD is a special creature that
19 has been subject to a lot of criticism and scrutiny and
20 the public benefit is a critical component that this
21 Board is interested in.

22 MR. BRENNAN: And what I'm suggesting is that the
23 primary public benefit is the integrated housing aspect
24 that exists nowhere.

25 CHAIRMAN STUTO: Have you thought about what the

1 public benefit is?

2 MR. BRENNAN: Yes.

3 CHAIRMAN STUTO: Because you seemed a little
4 stumped by the question.

5 MR. BRENNAN: If I'm stumped by the question in
6 going through the DCC project, it was to go through it
7 with the TDE to go through the layout and the attributes
8 of the project. My experience with, say, with the
9 Colonie Elks project is that there was a public benefit
10 provided at Town Hall. So, we have not yet had that
11 discussion with the Town if there was something off-site
12 to provide besides the quality and nature of the
13 housing.

14 CHAIRMAN STUTO: My preference is not off-site. My
15 preference is integration with the community, the
16 trails, the recreation space and so forth. That's just
17 me speaking. I don't know how the rest of the Board
18 feels.

19 MS. DALTON: No, I agree especially if you're
20 talking about the supportive housing project where you
21 have people with physical and mental disabilities, then
22 for me, the community building that you proposed, I
23 don't think that it looks too large. I'd like to see
24 activities there. I don't know if you're planning on
25 having space there for therapy or rehabilitation but I'm

1 sure that you folks are familiar with programs where
2 people can actually get services right where they live.

3 I'm not sure how far the bus stops are from
4 where your layout of the houses are but considering
5 that many of the people that you're talking about
6 will not be able to have drivers licenses -- so, all
7 those considerations with regard to public
8 transportation, integrating the folks with each
9 other so that there is actually a support system and
10 also with the aging people and having the benefit of
11 the younger folks integrated with them and when you
12 have them this far away from everybody else, it kind
13 of brings that possibility of -

14 MR. BRENNAN: I'm sorry, you said this far away
15 from everybody else?

16 MS. DALTON: Yes. You have the older people in B1
17 and then everybody else is kind of up a hill.

18 MR. BRENNAN: I was just trying to understand if
19 you meant away from the rest of the community or away
20 from the site.

21 MS. DALTON: Away from the rest of the residents in
22 this particular community you kind of lose the potential
23 to have some of those younger folks being just popping
24 into the building to check on all the neighbors which is
25 one of those components of a supportive living

1 integrated environment that I would expect.

2 MR. BRENNAN: I think that Ken wants to answer that
3 but the senior housing is put together for a particular
4 service reason and then the work force housing and the
5 supportive housing are all integrated within the
6 buildings.

7 MR. CARNEY: I agree with you. However, in order to
8 have mixed senior housing with non-senior housing - in
9 order to dedicate that building just for people over the
10 age of 55, there has to be some type of separation. For
11 example, we have our own community room - the little
12 bump out in the back is a community room just for the
13 seniors. We have our own on-site management office which
14 will be in that building just for the seniors. When you
15 have intergenerational and you have one building that is
16 just seniors and the others that are non-seniors, in
17 order to qualify under fair housing, you have to show
18 some separation. I agree that once we get by that with
19 the sidewalks and trails and so forth, they will
20 integrate. I have done this in three other places and
21 it's worked. I have done 24 units of seniors and 48
22 non-seniors and it works. Some places have more
23 interaction than others but some of the separation is be
24 design. Thank you.

25 CHAIRMAN STUTO: Can you point to those sidewalks

1 and trails both internally and -

2 MR. CARNEY: As this evolves, it's my understanding
3 that we are here for sketch plan and as this process
4 evolves - from what I'm hearing there will be a series
5 of trails and sidewalks.

6 CHAIRMAN STUTO: So, there is nothing contemplated
7 now.

8 MR. BRENNAN: The sidewalk is here (Indicating).

9 CHAIRMAN STUTO: Can you show us the sidewalks? It
10 runs along the side of the road?

11 MR. CARNEY: Yes, right here (Indicating). The
12 green is shown on your handout. So, we have a sidewalk
13 all down this one side.

14 Where is the greenspace now?

15 MR. CARNEY: Which ever area -- we haven't gotten
16 to the point where we have done grading detailed on the
17 site. So, the open areas are going to be the areas that
18 are obviously not going to be developed. These are
19 areas, as we said, as we get through the process we're
20 going to have to work on those. We have to meet a 35%
21 open space requirement.

22 MR. BRENNAN: We are way above that.

23 MR. CARNEY: Yes, we are way above that.

24 CHAIRMAN STUTO: But the PDD calls for more of
25 that. They want integration and use of that land, use

1 land efficiently resulting in smaller networks of
2 streets and utilities and thereby lower development and
3 developmental costs, preserve and integrate historically
4 significant structures and sites with viable adaptable
5 uses, preserve significant topography and geological
6 features, use creative design and site planning with a
7 functional relationship between buildings and uses. * I
8 expected to see more of that, to be honest with you.
9 That's what we are looking for.

10 MR. CARNEY: Again, we are at the sketch plan phase
11 and all these comments that we are receiving tonight are
12 very, very helpful and will be used as we develop the
13 rest of the plans. We developed the plans to the level
14 that we are required for sketch plan. So, to get into a
15 lot more details - and we figured that would start to
16 come - after we start having discussions with the Board.

17 CHAIRMAN STUTO: This is zoned COR which is
18 commercial/office/residential. Do we have a density
19 comparison with this?

20 MR. CARNEY: No, not at this time.

21 MR. LACIVITA: We would want to see a density
22 comparison as we would typically - for the next time
23 that we bring it in.

24 CHAIRMAN STUTO: You might want to come back for
25 another sketch.

1 MR. LACIVITA: They have to familiarize themselves
2 with 190-65, Article 13 of the Planned Development
3 District. We talked about it during the DCC - that they
4 have to familiarize themselves with the intent and the
5 objectives. They have to go through the finding
6 requirements identified in 190-70. It was discussed at
7 that time.

8 MR. BRENNAN: I actually believe, if I were to pull
9 out of my file that was in the initial application to
10 the Town Board - a discussion of those factors. So, it's
11 not that we need to familiarize ourselves with them. We
12 did actually cover them in the PDD application to the
13 Town Board which was then was referred to this Board.
14 Maybe on a more productive note, could you give us some
15 examples? Peter is not a local engineer. What are some
16 of the examples that the Board has seen recently as to
17 the public benefit on other PDDs that you are looking so
18 we can get some ideas of some other things that the
19 Board has viewed favorable at sub-concepts.

20 CHAIRMAN STUTO: Pedestrian accommodations,
21 including trails and sidewalks, tie-ins to the greater
22 community, parks.

23 Anybody else have some other ideas?

24 MS. DALTON: The golf course and the restrooms?

25 CHAIRMAN STUTO: Those were off-site ones, yes.

1 Dave mentioned that they were talking about off-site
2 ones to work out with the Town.

3 MR. BRENNAN: Yes. I am familiar with some in the
4 Town from what I do hear, but I'm not familiar with
5 others. I am asking because this is our time to hear
6 from the Board what it is that you expect us to come
7 back with. If you have seen some things that were viewed
8 favorably in the past PDDs, I'm sure that the Board sees
9 these regularly enough that you have some idea of what
10 it is that has passed muster in the past - the trails,
11 the park, the outdoor amenity makes sense.

12 CHAIRMAN STUTO: Down at the river they had a
13 launching spot and parking for the community to use.

14 MR. SHAMLIAN: We have not approved that may PDDs.
15 I think that if there is anything to take away, it's
16 that the hurdle on PDDs is relatively high. Personally,
17 I look at the project and the project seems like a nice
18 project in terms of how it's laid out. Does it meet the
19 requirements of the PDD right now? No. I don't think
20 that you have proved that yet.

21 MR. LACIVITA: Not only that, when it comes to the
22 public benefits that go from the project, this Board is
23 not the one that adopts them. It's the Town Board. Even
24 though they may cite something that we want to see like
25 X, Y and Z, you may get to the Town Board and they may

1 not think that it equates to what they feel is given
2 with the underlying zoning. They might want to see
3 something in addition to that.

4 CHAIRMAN STUTO: I think that you should look at
5 what surrounds it and how it benefits them. Why don't
6 you tell us what is around there? I think that we know
7 what is in front of it.

8 MR. BRENNAN: I don't have my fancy pointer with
9 me, but this is the old K-mart building. This is the new
10 funeral home and the last time I drove by it was under
11 construction but it may be built by now (Indicating).
12 This parcel here, I think, is before the Board right
13 now. I want to say that it's Luizi but I may have the
14 wrong developer.

15 MR. LACIVITA: That's already been approved.

16 MR. BRENNAN: The new Cumberland Farms and then
17 there is a bank -- Stewarts, which I believe it moving
18 to another corner. You guys and ladies have seen a lot
19 of this recently. There is a dental office.

20 CHAIRMAN STUTO: What about behind it?

21 MR. BRENNAN: Behind it - these are existing
22 apartment complexes. Further down Swatling and across
23 Swatling are single family homes. This is a rather
24 treacherous or steep ravine area that follows the
25 property line within which is a Town of Colonie trunk

1 sewer which - I'm not sure it's the best public benefit
2 but there is some public benefit as far as the sewer
3 department wanted to make sure that they had access and
4 easements to get back to where they could not actually
5 get back and service their sewers.

6 Further down Swatling is residential and behind
7 it to the north is Archmont Knolls and separated on
8 the other side of the ravine.

9 Further to the east is roughly some sort of
10 commercial up and down Route 2 and then you get down
11 to -- I've forgotten the other development that is
12 down there.

13 CHAIRMAN STUTO: What is directly east there? Is
14 that undeveloped?

15 MR. BRENNAN: That is part of the Phase V or VI of
16 Archmont Knolls. That's back in here (Indicating).

17 CHAIRMAN STUTO: Has that been built yet or is it
18 built?

19 MR. BRENNAN: I'm not sure.

20 The extension of Verdun Street, Fort Vaux
21 Lane -

22 CHAIRMAN STUTO: Is that zoned residential?

23 MR. BRENNAN: That is residential.

24 MR. LACIVITA: He's talking Fort Vaux and Champagne
25 has been built with only one lot there. All that area

1 that you see over that way is undeveloped. It goes
2 behind Grossman's - it's all undeveloped. There was a
3 development that was planned there years ago.
4 Unfortunately, there had to be a bridge to go over the
5 dry river which has been insurmountable to do.

6 MR. BRENNAN: I should add that there is a little
7 strip on the zoning map of green which I think is
8 actually zoned park land, but I don't know if it's
9 necessarily any sort of park.

10 MR. LACIVITA: It's conservation land because as
11 you come through the dry river and come back up into
12 Archmont Knolls, there is actually a trunk line sewer
13 back in that area. The lands are conservation.

14 MR. BRENNAN: It's Town of Colonie. The land around
15 here is zoned conservation so there is a fairly robust
16 buffer of Town of Colonie owned land on the other side
17 of that ravine or through the ravine.

18 CHAIRMAN STUTO: Okay, any other questions from the
19 Board?

20 MR. MION: Ridgewood out on Swatling - is that
21 right behind the Cumberland Farms?

22 MR. BRENNAN: Yes, it is. We own a strip of land.
23 Cumberland Farms was subdivided out of this larger
24 parcel by the same owner. It is right directly behind
25 the Cumberland Farms and there is another parcel next to

1 Cumberland Farms and then there is the bank, as I
2 recall.

3 MR. AUSTIN: So, would that be a shared access or
4 will there be two curb cuts there?

5 MR. LACIVITA: It's actually shared, Brian. Where
6 this comes off of Swatling, it was intentionally made
7 where Cumberland Farms shares it. The eye doctor that we
8 just recently approved as well - that is actually built
9 up to his property line it would meet over where we did
10 the funeral home. It's just one continuous area. It's
11 all shared.

12 MR. AUSTIN: It's shared, okay.

13 MR. BRENNAN: As Peter was mentioning, there was a
14 discussion at the DCC about how to handle - whether we
15 would need two access points and whether one should be a
16 back-up emergency only with some sort of gate or
17 otherwise to force all the traffic either onto Swatling
18 or onto Route 2. I think that was a point that was
19 subject to some debate within the room as to the various
20 members of the DCC. I think that the Highway Department
21 liked it going onto Route 2 and the Fire Department
22 liked it going onto Swatling, or visa versa. It doesn't
23 much matter, but there was not a unanimous opinion
24 within the departments as to which way to go. Obviously,
25 next to the funeral home is not a signalized

1 intersection at this point so you're putting traffic
2 onto Route 2 where there is no signal. If you were to
3 come out here (Indicating) I would suspect that the
4 majority of the folks would be taking a left out of the
5 driveway coming up say, several hundred feet to a light
6 at Swatling and being able to turn at a signalized
7 intersection which was my preference to say that it puts
8 traffic onto a short stretch of Swatling and then onto
9 Route 2 rather than adding more from the funeral home -
10 the commercial development onto a spot that is between
11 -- well, maybe not between signals but east of signals.
12 That is more accurate.

13 MR. LACIVITA: Kathy, to your point on the CDTA, as
14 you come out between the funeral home and the Valente
15 mixed-use, you come up to the corner of Delatour and
16 Route 2. There is a stop there. As you come out
17 Swatling Road to where Cumberland is, there is a stop
18 right there. We put that one there, if you remember
19 that development.

20 MR. BRENNAN: I was going to mention that there
21 were already a couple of CDTA stops. Part of the benefit
22 of this particular location is -- I was asking about
23 whether you were saying as far as integrated housing
24 being separated was from the larger community or within
25 the project was the fact that it's on a major road with

1 a bus line actually providing good integration into the
2 larger community as compared to other locations that
3 don't have availability and public transportation.

4 MR. MION: How many of the residents do you feel
5 will have cars?

6 MR. BRENNAN: So, let me just look back in my
7 notes. I had the break down. There are 32 units of
8 senior housing, 46 units of workforce housing and 50
9 units of supportive housing and 88 are one bedroom. I
10 suppose you could have up to two cars with those one
11 bedrooms. I would think that the senior housing and the
12 workforce housing would have traditional or typical car
13 usage. Then, the supportive housing would be less likely
14 but not entirely - folks that would be driving
15 themselves at this point.

16 To Peter's point earlier, we probably have more
17 parking than we need with respect to the breakdown
18 of one bedrooms and two bedrooms and in that nature.
19 Certainly, not everyone will have a driver's
20 license.

21 MR. AUSTIN: Speaking to the supportive housing,
22 are you talking about people that will be living there
23 with a support staff or support help in the residence or
24 is this coming into their home -

25 MR. BRENNAN: I'm going to turn it over to Ken who

1 has more experience in answering that question.

2 MR. CARNEY: This is independent living with
3 supportive services. So, what we envision here is that
4 RSS will have offices on-site. They will have case
5 managers on-site. Those case managers give the support
6 that the tenants need to live independently. Also in
7 their office we provide a full bathroom and an office
8 big enough, God forbid there is a power outage or
9 natural disaster, case workers can stay there overnight
10 or over a weekend and so forth in case of an emergency.
11 That's what we have done in our other facilities. This
12 will be manned by RSS during the day. Case managers and
13 somebody from RSS is on call all the time, 24/7. We also
14 have an on-site superintendent who when our on-site
15 manager is not there, in addition to RSS we will have
16 our own on-site property manager. Then, we have an
17 on-site superintendent. So, after hours there are eyes
18 and ears in case of an emergency. So, to answer your
19 question, yes, there are supportive services on-site
20 however, everyone lives independently in an apartment.
21 The case managers and the support services are just on
22 the property.

23 MR. MION: Is there a staff person there 24 hours a
24 day or after hours on call?

25 MR. CARNEY: On call. We do not envision 24/7 here.

1 Most of the people who will be living there are living
2 independently now in other facilities and homes
3 throughout the county.

4 MS. DALTON: The two and three bedrooms - are you
5 envisioning those to be for families or are they more
6 likely to be joint living situations?

7 MR. CARNEY: Well, we cut down on the three
8 bedrooms to try to cut down on the impacts. So, the 14
9 three bedrooms, yes. I would expect those to be
10 families. What we found at the last two developments
11 that we just did - we found a tremendous demand for the
12 senior apartments. Now, the senior building is only one
13 bedrooms. The two bedrooms - the ones that are on the
14 ground floor were attracting a lot of seniors to those
15 ground floor units for the two bedrooms. There will be
16 some families but small families. The last two
17 developments that we have done now we have found that
18 the seniors who needed a two bedroom - there are no two
19 bedrooms in B1 - will go on the first floor.

20 MR. AUSTIN: Are there any local examples of this
21 within a driving radius that we can go see?

22 MR. CARNEY: Not that I am aware of. The
23 development that we just did - I would love to take you
24 on a tour. It's down in the Town of East Fishkill. It's
25 right across from Town Hall. It's 89 units - 25% of the

1 units were set aside for people with developmental
2 disabilities. The same model - we built an office in one
3 of the buildings. We have caseworkers who interact with
4 them during the course of the day. In another building I
5 have my on-site managers living there. Then, in one of
6 the town homes - we build 36 town homes - in one of the
7 town homes I have a superintendent with his wife and
8 family who are there 24/7. That's probably the closest
9 one.

10 MR. AUSTIN: Is there a website that we can go look
11 at some of the examples of the construction? I am very
12 intrigued by your price point. With some parents that
13 are getting up in age and are looking for affordable
14 senior housing - that's an oxymoron, if you want to put
15 it bluntly. Affordable senior housing really doesn't
16 exist. The ones that I have found that are affordable in
17 that price range, I wouldn't want to put anybody there.

18 MR. KEN**: I understand. I would invite anybody on the
19 Board -- there is a Town in Westchester County - the
20 Town of Somers. I showed up there 12 years ago and - you
21 want to do what where? They thought it was applaudable
22 but once we built the first phase - the first phase I
23 joked took me six years to get approved. The second
24 phase took six minutes after the ribbon cutting. Please
25 call the Town of Somers. Call anybody in the Town of

1 Somers. It's in Westchester County. Speak to the
2 Supervisor or speak to anybody in Town and ask them
3 about the product. As a note, a high-end rental
4 community Avalon Bay Community - they only go into
5 high-end areas - they are building 170 units across the
6 street from us. They did not feel impacted by this. That
7 is all affordable seniors.

8 What the Chairman asked before - what drives
9 this are the tax credits. The tax credits allow you
10 to keep the rents low and keep the debt service low.
11 That's what drives this.

12 MR. MION: Based on what you said before about
13 seniors and two bedrooms - have you considered senior
14 housing with the bedrooms - as well as one bedroom.

15 MR. CARNEY: We absolutely could. When this was
16 first proposed back in late 2014, that is how we
17 envisioned this. But absolutely - we could include some
18 two bedrooms in B1. That building does have an elevator,
19 even though it's only two story it does have an elevator
20 so everybody can access the second floor.

21 MR. MION: Based on that history that you related
22 to before, is it possible to have a building with two
23 bedrooms?

24 MR. CARNEY: The demand for seniors is in one
25 bedrooms. It's somewhere around 85% ones and maybe 15%

1 twos. We found in East Fishkill - that's the development
2 that I'm talking about - all ground floor two bedrooms -
3 the demand went to seniors who couldn't find one
4 bedrooms.

5 MS. MILSTEIN: What are the names and locations of
6 these supportive housing? The one in Fishkill - what's
7 the name of that one?

8 MR. CARNEY: It's called the Mews; M-E-W-S at
9 Hopewell Junction.

10 MS. MILSTEIN: I work for OPWDD and I had that
11 project.

12 MR. CARNEY: We worked with Tricia Downs and Henry
13 Hamil.

14 MS. MILSTEIN: He retired.

15 MR. CARNEY: I know that he did. Tricia is very
16 happy with the way that it turned out and so forth.

17 The other ones are the Mews at Baldwin Place
18 and that's in Somers - the one that I talked about.
19 We have Poughkeepsie Commons and then we have
20 Highridge Gardens as well. We have a couple more in
21 the pipeline. I apologize that I don't have anything
22 probably within what would be considered driving
23 distance. Please pick up the phone and call. I'd
24 love to get you down Somers for a tour. I'm very
25 proud of it.

1 MS. MILSTEIN: My next question is: What special
2 needs population would be in this development?

3 MR. CARNEY: The special needs population would be
4 those served by RSS. RSS serves people with mental
5 illness. They are living independently and will continue
6 to live independently with supportive services.

7 CHAIRMAN STUTO: Any other questions?

8 (There was no response.)

9 Thank you. We look forward to seeing you next
10 time.

11 MR. CARNEY: Thank you so much.

12 MR. BRENNAN: Can I ask one last question? I
13 appreciate your indulgence.

14 We've been taking good notes and I'm sure our
15 audience members have, as well. We will put together
16 a submission to the Planning Department to respond
17 and we'll include the names and everything so that
18 we can get those in front of you.

19 One thing that occurred to me is that we were
20 put a little bit on a track with the Planning
21 Department as far as site plan review in conjunction
22 with the PDD. Could we just talk very quickly about
23 what you envision you want as far as the next steps
24 besides a response to the comments just so that we
25 leave exactly knowing what our homework is from

1 either Mr. LaCivita or Mr. Stuto?

2 CHAIRMAN STUTO: I will leave that to Joe and our
3 TDE.

4 MR. LACIVITA: We can put it all in an email to you
5 as to what the steps are and make it easier. Again, I
6 haven't seen the thing that you sent to the Town Board,
7 but we want to make sure that we focus on the PDD
8 requirements. That's what this Board is going to be
9 looking into and focusing on. That's one of the major
10 components. There will be multiple meetings before we
11 get to the recommendation to Town Board.

12 MR. BRENNAN: Again, I apologize. At one point in
13 talking with staff it was - put this on a site plan
14 track rather than focusing on the PDD. So, we are
15 focusing on that.

16 MR. LACIVITA: I don't think we ever talked like
17 that. I highly disagree with that.

18 CHAIRMAN STUTO: It's my understanding from having
19 been through it that it's a parallel track.

20 MR. BRENNAN: That's fine. This is our first
21 appearance. There have been many good questions and many
22 comments and some information exchanged. We will round
23 out everything. We'll get your email, we'll respond and
24 we'll put it back in and we'll be back on the agenda in
25 due course.

1 We appreciate your indulgence. You have spent a
2 lot of time with us and we thank you for that.

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(Whereas the above entitled proceeding was
concluded at 7:47 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 _____

