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PLANNING BOARD COUNTY OF ALBANY
TOWN OF COLONIE

SIENA HEIGHTS SUBDIVISION
522 LOUDON ROAD
APPLICATION FOR FINAL REVIEW
AND SEQR ENVIRONMENTAL DETERMINATION

THE STENOGRAPHIC MINUTES of the above entitled matter by NANCY L. STRANG, a Shorthand Reporter, commencing on July 25, 2017 at 7:15 p.m. at The Public Operations Center, 347 Old Niskayuna Road, Latham, New York.

BOARD MEMBERS:
PETER STUTO, CHAIRMAN
LOU MION
CRAIG SHAMLIAN
SUSAN MILSTEIN
KATHY DALTON
STEVEN HEIDER

ALSO PRESENT:

Joseph LaCivita, Planning and Economic Development Department
Michael Tengeler, Planning and Economic Development Department
Jason Dell, PE, Lansing Engineering
Frank Barbera, Barbera Homes
Charles Voss, PE, Barton and Loguidice
Suzanne Maloney
Jim Wilson
Wendy Allen

1 CHAIRMAN STUTO: The next item on the agenda is
2 the public hearing, which we gave notice at the last
3 Board meeting.

4 Siena Heights Subdivision, 522 Loudon Road,
5 application for final review and SEQR environmental
6 determination, 21-lot residential subdivision.

7 Joe LaCivita, any preliminary remarks?

8 MR. LACIVITA: Yes. As we do at all our public
9 hearings we read the notice of public hearing that was
10 sent to the Spotlight into the record. That was sent
11 to the Spotlight on June 8. They posted that legal
12 notice.

13 The notice does read: It is hereby given that
14 pursuant to Section 276 of the Town Law, the Town
15 Planning Board of the Town of Colonie, Albany County,
16 New York will meet to conduct a public hearing at the
17 Public Operations Center at 347 Old Niskayuna Road in
18 Latham in said Town of Colonie in the County of
19 Albany, New York on this 25th day of July at 7:00 p.m.
20 for the purpose of hearing all persons upon approval,
21 modification or disapproval of a certain residential
22 subdivision plat for the Town of Colonie, County of
23 Albany known as Siena Heights Subdivision consisting
24 of approximately 15.2 acres of land located at 522
25 Loudon Road to be divided into 21 lots.

1 That's dated July 18, 2017, Peter Stuto,
2 Chairman.

3 CHAIRMAN STUTO: There is a sign-in sheet at
4 the door, to our right and the public's left. If you
5 would like to be heard on this matter, would you
6 please sign in there?

7 MR. LACIVITA: Just to get a couple of dates on
8 the record as well, this project was at the
9 Development Coordination Committee Meeting on October
10 28, 2015. We saw it for sketch plan review on February
11 9, 2016 and then we gave concept for the project May
12 24, 2016 and tonight we are here for final approval.
13 We had SEQR determination.

14 CHAIRMAN STUTO: Do you know who it has taken
15 so long to come back?

16 MR. LACIVITA: I think that it went through the
17 planning process. I will certainly let Jason talk a
18 little bit about some of the issues that we had and
19 some of the reviews that we had going back and forth.

20 CHAIRMAN STUTO: Okay, we'll turn it over to
21 the applicant.

22 MR. DELL: Good evening. My name is Jason Dell.
23 I'm an engineer with Lansing Engineering, here on
24 behalf of the applicant for the Siena Heights
25 Subdivision.

1 As mentioned before, the property is a little
2 over 15 acres. We are proposing 21 new single-family
3 lots. There will also be a lot for the existing home
4 that currently is along Route 9, as well as there will
5 be a separate lot for the stormwater management area
6 as it sits. In actuality it will be a total of 23 lots
7 or 21 new single family lots.

8 Access for the subdivision will come off Campus
9 View Drive. It will terminate in a cul-de-sac over to
10 the west. Each one of the 21 lots adheres to the Town
11 of Colonie zoning requirements. Water will be provided
12 by a connection to the municipal system. Sanitary
13 sewer will also be provided via a connection to the
14 municipal system. Stormwater will be managed in
15 accordance with all requirements. gussy

16 We did submit detailed plans and we did go back
17 and forth with the TDE, Barton and Loguidice as well
18 as the Town Departments. It was a thorough review of
19 all of the items specifically; water, sewer and
20 stormwater. As we all know stormwater has become a
21 very hot topic with respect to managing it properly.

22 At this point we have addressed all of the
23 comments from the TDE and the Town Departments as
24 well. So, we are here tonight to answer any remaining
25 questions that the Board may have as well as any

1 question that the public has in hopes of moving the
2 project forward to approval.

3 CHAIRMAN STUTO: Can you describe the
4 stormwater? I know that was an issue that we talked
5 about and how the collection is going to be and how we
6 are going to prevent any stormwater from going onto
7 the adjacent neighbors.

8 MR. DELL: Sure. Starting from the western side
9 of the site we have a stormwater collection system
10 that will be pulling all of the water from the lots
11 down to a single stormwater management basin on the
12 eastern side. This will be an infiltration basin that
13 will depend on the water percolating through and into
14 the ground. There will also be an underdrain installed
15 in that stormwater management basin, should it ever
16 need to be drained out.

17 I know that there was some significant concern
18 that we would be adding additional stormwater over to
19 the Campus View Drive area, however, as we went
20 through the process, the grading plan that we provided
21 pulls all of the stormwater down and into the road. In
22 the middle of some of these lots we are extending
23 culverts out that will collect any water that is
24 coming down and onto the property such that it will
25 see to it that it gets into the stormwater basin.

1 I know that there was a resident, I believe, at
2 17 Campus View Drive that was concerned about their
3 home because a lot of the water was currently coming
4 down and onto their property. However, the grading
5 plans that were submitted - you can see that the
6 treeline has kind of been removed in this area. That's
7 due to grading. That area right here on this property
8 climbs up to a higher point and once it hits the
9 property line on our side, there will be a small flat
10 area and then it will all be graded down and onto our
11 property so that all of the drainage will be
12 back-pitched into our project, onto the road so there
13 will no longer be any drainage coming from this
14 property heading over towards Campus View Drive. As
15 part of the grading plan and the road profiles and
16 part of the detailed plans, it shows all that in very
17 significant detail how those grades work with the road
18 collection system with the sanitary sewer - all of
19 those details are in the plans.

20 CHAIRMAN STUTO: We normally wait for your full
21 presentation before we go to our Town Designated
22 Engineer, but Chuck Voss from Barton and Loguidice
23 reviewed this for us.

24 Can you comment on the stormwater aspect?

25 MR. VOSS: Certainly, Peter.

1 As Jason said, we spent a significant amount of
2 time with the applicant looking at these issues. In
3 particular, the existing conditions on the site - how
4 this project itself could further mitigate those
5 conditions because there was some significant concerns
6 with the neighbors, certainly to the north on Campus
7 View.

8 A better part of a year ago we had some of our
9 stormwater engineers and myself go out and take a look
10 at Campus View. We walked up and down and looked at
11 some of the existing conditions there as well as on
12 the site itself. Basically over the course of probably
13 a year we worked with the applicant to really come up
14 with a much better grading plan. The original grading
15 plan didn't quite envision as much as re-grading and
16 surfacing off the north side of the site as we now
17 have. Our concern was the slope back there behind the
18 Campus View homes, as Jason mentioned earlier. The
19 existing run-off of this parcel was basically
20 encroaching back through there on Campus View and
21 causing some issues. Granted, some of those existing
22 conditions on Campus View were always caused by the
23 site. There are some conditions out there with the
24 road and the wing curves and some of the existing
25 grading with those Campus View homes that does

1 exacerbate some of the flooding issues. Certainly our
2 task was to look at this project in particular and
3 better understand what changes we could make to this
4 plan. We think that in working with Jason and his crew
5 over the last year, the significant changes that he
6 just mentioned are really going to make things a lot
7 better for Campus View. The intent is to not have any
8 additional surface water or groundwater flow off this
9 site. We think that they have done that. We think that
10 they have achieved that. It's taken them some
11 significant engineering to do that. There are some
12 easements on this site that will further allow some of
13 the existing stormwater that we think might mitigate
14 or potentially might migrate off the back side of the
15 site - the north side - to come back into their catch
16 basins. The soils are good out there, so their catch
17 basin system is being proposed down behind the
18 existing home, closer to Route 9.

19 It's certainly an adequate sized facility. From
20 a technical standpoint we are very comfortable with
21 where things are with this site. I think and our
22 engineers certainly think that you'll see very little
23 to no additional water from this site migrating north.

24 CHAIRMAN STUTO: It should reduce the amount.

25 MR. VOSS: It should. The way that it's

1 engineered now, it should certainly do that.

2 MR. LACIVITA: Those culverts are independent
3 and go out to the main system. They are not all
4 connected.

5 MR. DELL: That's correct.

6 CHAIRMAN STUTO: Okay, do you want to do over
7 the rest of your review?

8 MR. VOSS: And now that we are at final, Peter,
9 our review letter that we submitted to the Board which
10 was dated June 5th was basically our fifth review
11 letter of this project. Essentially, as you read it,
12 there are very little comments left. We had a couple
13 of minor technical things in terms of some notations
14 on the plans. For the most part, we are very
15 comfortable now with the water connections, with the
16 sewer connections, the road segment and the road
17 design meets Town specifications. We don't have any
18 concerns with that necessarily.

19 The one thing that I will mention for the Board
20 that you discussed earlier in this process during
21 concept was the fact of the second means of ingress or
22 egress to the site. Way at the back - when I say back,
23 I mean the west side of the site where the cul-de-sac
24 is - there was an easement that was proposed early on
25 for utilities to connect to the back of Campus View.

1 Initially the Town's Fire Services had asked for an
2 interconnect road to there or some way to get,
3 potentially, equipment in if Siena Heights Drive were
4 to be locked or closed off for something. After
5 looking at that with the Fire Services folks for
6 probably the better part of six months and in working
7 with the applicant, we basically came to the
8 conclusion that you really can't put a well-defined
9 access road through there without really disrupting
10 the residents at the end of Campus View or the
11 adjacent residents to the west. There simply wasn't
12 enough room. There are slope issues in there. To get a
13 full-sized fire truck through there, you almost have
14 to build a Town road and plus there was some
15 elevational issues that really made it difficult.

16 MR. DELL: The water line, too, was one of the
17 big issues. There is an existing 12-inch as well as a
18 24-inch waterline that would - specifically the
19 12-inch waterline would have been disrupted by that
20 road and would have needed to be moved for the entire
21 length of it which would have been very prohibitive.

22 CHAIRMAN STUTO: So, Fire Safety is okay with
23 that?

24 MR. VOSS: Yes, at the end of that discussion
25 we felt that it really wasn't practical to require an

1 additional road. They were comfortable with what is
2 proposed.

3 Other than that, we are satisfied with where
4 things are at this point, from a technical standpoint.

5 CHAIRMAN STUTO: Would the Board like to hear
6 from the public?

7 MS. DALTON: Yes.

8 CHAIRMAN STUTO: Suzanne Maloney.

9 MS. MALONEY: It's more questions than
10 anything.

11 I am the 17 Campus View Drive, so that's me
12 right here (Indicating). So, what is the tree-line in
13 here now? What is the depth of the tree-line? It was
14 proposed, last I heard as a 25-foot -

15 CHAIRMAN STUTO: Can you direct your questions
16 to the Board? We'll keep track of all your questions
17 and make sure that they are answered.

18 MS. MALONEY: This is my house right here and
19 the tree-line here is proposed to be more
20 (Indicating). I'm just curious as to how big a
21 tree-line - how wide is the tree-line and how much am
22 I going to see of this house at this point?

23 CHAIRMAN STUTO: Okay, what other questions do
24 you have?

25 MS. MALONEY: The other questions that I had

1 were more to do with the pressure that this
2 development is now going to put on an area that has
3 just had two water main breaks and flooding down in
4 this section throughout this very wet season. How is
5 that going to be addressed?

6 CHAIRMAN STUTO: Are you asking about
7 stormwater or -

8 MS. MALONEY: No, water pressure and access.
9 Are they going to be connecting up to the water main
10 that has just broken in two places right next to this
11 street? This street is Springwood Manor (Indicating).
12 The main break happened right on the other side of
13 that and the other one happened down near Tala which
14 is not very far. So, you're getting bursts in a
15 40-year old water pipe and now we're going to have 21
16 more houses. I am wondering if that's been addressed.

17 CHAIRMAN STUTO: Okay, we'll talk about that.

18 MS. MALONEY: That's really all I had.

19 CHAIRMAN STUTO: Okay, thank you.

20 We'll ask the applicant to go back up. She
21 asked about the tree-line and I think that she was
22 asking about screening. Can you address that?

23 MR. DELL: Sure.

24 CHAIRMAN STUTO: You have met directly with
25 this neighbor?

1 MR. DELL: I haven't spoken directly with her
2 however we were presented with their email and did
3 look at this area.

4 This is the lot that we are talking about right
5 here (Indicating). You can see here with these tight
6 lines, these are proposed grade lines. So, these
7 dashed lines are the existing grade lines. The
8 existing topo does direct water, currently, off of
9 this property and down onto her lot. However, this
10 slope is proposed to be cut down and all of this
11 drainage now towards this property. So, yes, there was
12 originally the rendering that we had presented to the
13 Board which was a proposed tree-line along the back
14 here. But in order to alleviate that drainage
15 condition, those trees are going to be removed in
16 order to grade down now and pull all that drainage
17 back and into our collection system. So, it's kind of
18 a trade off; a tree-line for a drainage condition.

19 In addition to that this house (Indicating)
20 will now have a berm that heads up to a higher area
21 right here and then right back down to this house. In
22 effect, there will be a berm of about 10 to 12 feet
23 between these two homes.

24 CHAIRMAN STUTO: High?

25 MR. DELL: So, there will be a substantial berm

1 between the two.

2 CHAIRMAN STUTO: So, that will cause a visual
3 buffer - that's your argument.

4 MR. DELL: Yes.

5 CHAIRMAN STUTO: Okay, water?

6 MR. DELL: The waterline connection - we will
7 be connecting to Campus View as well as looping the
8 line up to those aforementioned 12-inch line at the
9 end of Campus. So, we will be providing a loop to this
10 area of two different point sources to the water. So,
11 as far as the breakages in other areas of the Town, I
12 can't really talk to that.

13 CHAIRMAN STUTO: I have my own opinion on
14 breakages. A lot of it has to do with in the winter
15 when it was freezing and so forth. Will that cause
16 more breakage?

17 MR. DELL: No, it will not cause more breakage.

18 CHAIRMAN STUTO: Do you agree with that, Chuck?

19 MR. VOSS: Yes. That was at the recommendation
20 of John Frazer from the Water Department - that the
21 interconnect be made. I'm sure that Latham Water is
22 aware of the fragile state of some of the
23 infrastructure in that area. According to them, this
24 project was not exacerbating. If anything, it will
25 actually help the pressure systems out there with the

1 new mains going in. Providing a new loop system now
2 for Campus View - which it doesn't currently have -

3 CHAIRMAN STUTO: So, the water will flow
4 instead of getting backed-up.

5 MR. VOSS: Instead of flowing in one direction
6 as it does now, it can flow in multiple directions
7 through that looping which should help, if there is a
8 break further out.

9 CHAIRMAN STUTO: Did you have a follow-up
10 question?

11 MS. MALONEY: No, thank you.

12 CHAIRMAN STUTO: Jim Wilson?

13 MR. WILSON: Thank you. I want to know if the
14 Board considered some of what I think are the overly
15 optimistic statements in the applicant's on-line
16 narrative, particularly about the issue we have with
17 school overcrowding and who these houses seem to be
18 more geared toward. The proposal is for three to four
19 bedroom houses and my opinion is that is going to
20 attract people with more families with children of
21 school age, as the Town is already about 24% kids
22 under 18. The school has already asked for almost
23 \$200 million dollars to address an existing
24 over-crowding condition. I don't think that the
25 average of 2.6 residents per residence in the Town

1 would fit for this particular area. I think that we
2 are rather unique, especially as told to us by the
3 consultants that the State Education people brought in
4 to pitch the bond issue - that we are an area that
5 attracts people when in a large part of the state,
6 people are leaving. So, we tend to attract people with
7 families. I think that is going to add some additional
8 burden of the school as well as the anticipated 16
9 trips from this proposal during rush-hour - I think
10 that is unrealistically low. I think that a three to
11 four-bedroom house, brand new, built in Loudonville
12 would command a price tag that would require the
13 occupants to have probably two incomes, which would
14 likely give the rush-hour trips number closer to 42 or
15 possibly higher. I wonder if anybody reviewed that
16 because the projections seem a bit unrealistic for the
17 reality that is the area. Traffic this time of year
18 without Siena being in session is very congested and
19 this seems to make it that much worse.

20 CHAIRMAN STUTO: Okay, we'll talk about those
21 things.

22 Do you want to talk about traffic first? Do
23 want to take it, Chuck or do you want to the applicant
24 to address that?

25 MR. VOSS: Either way.

1 CHAIRMAN STUTO: The validity of the
2 projections.

3 MR. DELL: A traffic study was provided early
4 on in the process which did outline the 16 trips
5 generated in the a.m. peak and that number was
6 generated based upon the ITE Manual which is the
7 standard for traffic engineers.

8 CHAIRMAN STUTO: What does ITE stand for?

9 MR. DELL: International Traffic Engineer's
10 Manual. It is a solid number based on that manual. It
11 is found that the traffic studies are generated - they
12 came up with a 16-trip peak in the a.m. and a 21-trip
13 peak in the p.m. That's where that number is coming
14 from.

15 CHAIRMAN STUTO: So, even if there are a couple
16 that both work or two people that work, they may not
17 leave at the same hour on average.

18 MR. PALLESHI: Exactly, it is the peak
19 measurement.

20 CHAIRMAN STUTO: How many peak hours are there?

21 MR. DELL: There is a peak hour in the a.m. and
22 a peak hour in the p.m.

23 CHAIRMAN STUTO: There is only one hour or is
24 there more than one hour?

25 MR. DELL: There are multiple hours obviously

1 in the commute time, however, it is whatever comes out
2 as the peak one hour. It could be 7:15 two 8:15 or it
3 could be some variation thereof.

4 CHAIRMAN STUTO: Before that hour and after
5 that hour, there will be traffic as well.

6 MR. DELL: Exactly.

7 CHAIRMAN STUTO: I'm half-tempted to ask Paul
8 Rosano if you want to speak about this - school
9 populations?

10 MR. ROSANO: I will, Peter, just for a second.

11 CHAIRMAN STUTO: I know that you have studied
12 it a little bit.

13 MR. ROSANO: Every day for the last six months.

14 I have a paper here and it's from the New York
15 State Board of Education. This is a 21-year study of
16 all school districts in Albany, Schenectady and Troy.
17 I will give you South Colonie first. This is to prove
18 a point which I did at the Comp Plan.

19 From 1994/1995 to 2016/2017 South Colonie is
20 down over 1,000 students. We aren't going to talk
21 about Boght. That happens all the time.

22 North Colonie for the same time period,
23 including the consolidation with Maplewood which was
24 over 150 kids is only up - including this school year
25 and full-time kindergarten - is only up 134 children.

1 CHAIRMAN STUTO: Over what period of time?

2 MR. ROSANO: Over 21 years. We know that there
3 is development going on. We know that students are
4 going to be coming in, but we also know - those of us
5 who have been around awhile - that in our neighborhood
6 we had 41 children at one time getting on school
7 busses. Now we're down to nine.

8 CHAIRMAN STUTO: Is the average age of the
9 homeowners getting older, would you say?

10 MR. ROSANO: Having less children. Joe Corr did
11 a great presentation at one of his board meetings. He
12 went through the birth rates. As we all know, people
13 are not having large families like our parents did.
14 So, they are having less children. Sometimes those
15 children are even spread out a little bit - maybe a
16 couple of years. So, when you get to the numbers on
17 school districts - I will make copies of this at some
18 point in time but this is from the Board of Education
19 and these are the real numbers. They are not fake
20 numbers. These are the real numbers and it proves that
21 really and truly -- and we shouldn't really be talking
22 about development causing what happens -- we don't
23 know what's going to happen in each house. It's all
24 done by speculation.

25 Jason did a nice job. I think that his numbers

1 are very accurate.

2 These are the real numbers. These are what is
3 on file. So, whatever everyone else is telling you -
4 here are the numbers. If you go to South Colonie any
5 given day and the school busses pull out of the
6 parking lot, there are three or four kids on some of
7 those busses. North Colonie has a bubble right now.

8 When my daughter was in South Colonie years
9 ago, she was a senior and she had to take classes at
10 the grammar school because they had such a large
11 senior class. They are all gone now.

12 South Colonie has gone down. Basically, North
13 Colonie including the Maplewood consolidation, has
14 come straight across. So, wherever this is coming
15 from, I don't know but these are the real numbers.

16 I had to add in 2016/2017 on the end because
17 they didn't have it up to that point in time. I added
18 it in.

19 If anyone wants to come up later and see them,
20 I have them.

21 MR. WILSON: Has Joe Corr seen those numbers
22 because he told us that he's predicting 900 -

23 MR. ROSANO: I don't disagree with him. I'm
24 talking about right now. You don't know what school
25 they are going to go to. You don't know if they are

1 going to go to private school.

2 MR. WILSON: But they are going to come.

3 MR. ROSANO: They are going to come, but here
4 is the bottom line. They're going to go. It's not like
5 Siena where they come every year.

6 CHAIRMAN STUTO: We were just trying to get
7 some background from your perspective. I know Paul has
8 studied this for the Comp Plan Committee - just add a
9 little bit of context. Will there be more children?
10 Yes. I'm not sure what the applicant projected.

11 Did you make a projection in some of your
12 materials on that? I assume there will be children
13 living there. We don't deny that.

14 MR. BARBERA: Hi. I'm Frank Barbera with
15 Barbera Homes.

16 We did do some projections. Right now we
17 estimate one-third of the people that in there. In
18 addition, based on the people who contacted and the
19 names and numbers that we have been collecting, really
20 two-thirds of the people are empty-nesters looking at
21 this project. Those are the people that we are really
22 targeting. That's really what we expect for our
23 customer base.

24 CHAIRMAN STUTO: Does anybody else have a
25 different opinion?

1 MR. LACIVITA: No, one of the things that I
2 wanted to add to it - because it's always been said
3 that the Town needs to do a better job working with
4 the school districts -- we work with them on all of
5 our projects that come into the Town, commercially and
6 residentially. We meet with them, the Superintendent,
7 the Transportation Director and their Treasurer. We go
8 over all the projects and we give them a best guess
9 estimate as to when these will come towards approval.
10 We give them the information as to the sizes of the
11 homes and they do their projections at that point from
12 a transportation standpoint and what they think that
13 rate will be coming into the school system.

14 So, there is a planning process we do here in
15 the community. People think that we are not doing it.
16 We meet with them on an annual basis and whenever they
17 call just to update this information so that they have
18 it.

19 CHAIRMAN STUTO: Do you know what size school
20 bond that just got passed?

21 MR. LACIVITA: I thought it was less than the
22 200 that was mentioned. I think that it was in the
23 120's.

24 CHAIRMAN STUTO: Okay, thank you.

25 Sarkis Goolisnan.

1 MR. GOOLISNAN: My name is Sarkis and I live on
2 27 Campus View. I love my street and I love my house.
3 It's a beautiful street. The only problem that we have
4 is water drainage for stormwater. Right at my house on
5 the end of my driveway we have water.

6 CHAIRMAN STUTO: Where is 27? Is that more
7 toward the end near the cul-de-sac?

8 MR. GOOLISNAN: No, it's in the center on the
9 bottom. All the rainwater comes in and fills up here
10 and goes to the pond. It goes in the back of the City
11 Hall. We used to get a lot of floods. It used to flood
12 up on the street and on my driveway and all the way to
13 the garage. It floods right up. They came over - the
14 Town and they dig it, they put extra pipe - 15-foot
15 pipe inside and they put a storm drain ditch. It's
16 supposed to drain all the water. What it did is washed
17 underneath our driveway. It washed away. I went out
18 and I talked to people. That's what I'm supposed to do
19 here. I put a concrete driveway on my house. They said
20 you can dig it and fill it up with concrete. I said
21 okay. I went and hired a contractor. They put a hole
22 in my driveway. They thought that they were only going
23 to put like one truck load of concrete. It took 36
24 yards of concrete. We did this about two years ago.
25 After we did that, this year when we had heavy storms

1 and we start getting the drainage, it clogged again
2 because I fill in with the concrete. The water
3 doesn't have anywhere to go. So, a little while ago he
4 mentioned -- he said we're going to put in a 24-inch
5 pipe. That pipe that is going on the end of this
6 street way up here -- that is going to affect our
7 street again. That water is going to come down the
8 street. If the plan is that you're going to get that
9 drain water to come to our street and from us to go to
10 the pond again, that pond is not big enough to handle
11 this drainage. Either you guys have to make that pond
12 bigger so all the water goes there, or you have to
13 come up with a different idea.

14 I spent my money to do this. I spent almost
15 \$9,000 to do this operation. This year it started to
16 do the same thing again. It's not as bad as it used
17 to be, but it's bad and getting filled up again.

18 MR. LACIVITA: Can I get one clarification? Are
19 you talking about the pond that is behind Town Hall?

20 MR. GOOLISNAN: Yes.

21 MR. LACIVITA: I think that the issue you might
22 have is from a Town perspective. It wouldn't be on the
23 developer because this is on the opposite side of the
24 road. We have to get someone over from DPW over to
25 your house to look at this. It's really a Town issue,

1 if that's the case. I just wanted to get some clarity
2 here.

3 FROM THE FLOOR: He just wants to make sure
4 that there is nothing coming for the stormwater that's
5 coming up this way. I think you may have already
6 answered it before.

7 CHAIRMAN STUTO: Can you point to this
8 gentleman's house?

9 MR. GOOLISNAN: It's right here (Indicating).

10 FROM THE FLOOR: It wasn't very clear from what
11 we read on-line. We weren't sure if it was going to
12 collect and come back up.

13 CHAIRMAN STUTO: We'll answer that.

14 MR. LACIVITA: Jason, is that one of the points
15 where your catch basin is on the other side of the two
16 that we are putting in?

17 MR. DELL: Yes.

18 MR. LACIVITA: So, the mediation of any water
19 is there as well.

20 MR. DELL: That's correct.

21 MR. GOOLISNAN: I didn't get that.

22 MR. LACIVITA: There is actually a catch basin
23 behind your house to bring in any water and bring it
24 into this new system but everything that I think
25 you're talking about is actually across the street and

1 behind Town Hall.

2 MR. GOOLISNAN: I'm talking about my street. I
3 love my street and I'm going to mention it again. I
4 love my house. I'm going to say it again. I'm not here
5 to complain. I'm here to say somebody has to fix this.
6 If this gentleman is doing his job, he better do
7 something very good to not have that problem.

8 CHAIRMAN STUTO: Okay, let me let the applicant
9 address what you're saying. I think what Joe is saying
10 is that this projet is not going to impact you.
11 Whatever problems you have are not going to be
12 increased by this. In fact, they may be decreased a
13 little. The applicant is going to explain that. Your
14 problem is, in this sense, a Town problem of the
15 existing conditions that are there on your street. I
16 will let that the applicant speak to that.

17 Can you give us some clarification from your
18 perspective.

19 MR. GOOLISNAN: He did say earlier that it was
20 going to meet the Campus View water drain ditch. I
21 believe that's what I understood.

22 MR. DELL: There is an existing 24-inch water
23 line -

24 CHAIRMAN STUTO: He's talking about drinking
25 water.

1 MR. GOOLISNAN: Okay.

2 CHAIRMAN STUTO: Why don't you just go over it.

3 MR. DELL: Here is his house (Indicating),
4 here's the drainage structures that Joe is just
5 alluding to (Indicating) that we worked with Barton
6 and Loguidice on as well as the Town. We provided
7 easements as well as piping and end sections to
8 collect any water that may come down and I will be
9 directed down into these pipes. If it misses here it
10 will get into here (Indicating). There is redundancy
11 as we move down the line to get all of that water into
12 the system. As far as on the other side of campus
13 view, we certainly will not be impacting that.

14 CHAIRMAN STUTO: Does that answer your
15 question?

16 MR. GOOLISNAN: It did, but you're still not
17 look up drainage water on our side - the Campus View.

18 CHAIRMAN STUTO: Show him the other picture of
19 where your water is going.

20 MR. DELL: Is all the water -- it all will be
21 heading down the road and into this pond - the new
22 road. So, your drainage will still go where it is
23 going now. All of the drainage off of our property
24 will be collected and managed in our pond down here
25 (Indicating).

1 CHAIRMAN STUTO: It's not going to make it down
2 to the Town Hall side - the pond at Town Hall.

3 Does anyone else have any questions. That was
4 the only person signed up for this.

5 MS. ALLEN: There is a new grading plan
6 obviously to recirculate the water and address that
7 problem. What impact is that having on the tree
8 situation? How many more trees are being taken out? It
9 almost looks a little bit like a clear-cut situation
10 like Maxwell Village. I don't know if anyone has seen
11 that lately, that it is a big mass. So, I am just
12 wondering what is happening with the trees subsequent
13 to this new grading plan.

14 CHAIRMAN STUTO: Okay, we will have that
15 answer.

16 Joe, what do you know about -- I don't want to
17 get into a different project, but what do you know
18 about the planting that's going on at Maxwell. Do you
19 know with the schedule is for that?

20 MR. LACIVITA: I know that there is a
21 supplemental planting that's coming up in the latter
22 part of August or the early part of September. As the
23 houses start to get built, each one carries their own
24 landscaping plan and up to two trees that are required
25 by our Land Use Law. We will be looking at other

1 supplementary plantings.

2 In fact, Brad Grant from Barton and Loguidice
3 looked at it. We have a special notation to come back
4 and look at that during the course of the
5 construction.

6 CHAIRMAN STUTO: Thank you.

7 MR. DELL: A rendering shows it a little more
8 with green and I can explain to you how we made every
9 attempt possible to save as many trees as possible in
10 providing a proper drainage collection system and the
11 proper grading system for the homes to drain
12 themselves properly. We had to grade between the
13 lots. We had to grade behind lots. So, we tightened
14 upper limits of clearing and grading here to only what
15 is absolutely necessary and order to construct a house
16 as well as provide proper drainage for any drainage
17 that would be going off to the north as well as to the
18 South. So, the tree line that we are showing here is
19 what is proposed and what is required -

20 CHAIRMAN STUTO: Can you trace that?

21 MR. DELL: Sure.

22 CHAIRMAN STUTO: So, the dark green is what
23 remains.

24 MR. DELL: The dark green is what remains. When
25 we come closer to hear, this is what was required in

1 order to pull all that water back onto our property.
2 The same thing here, here and here. We employed some
3 retaining walls so that way we could maintain a small
4 little treat area, even though it is heavily wooded
5 further to the south. So, we made every attempt to
6 retain as much vegetation as possible.

7 CHAIRMAN STUTO: Who is to the south? Is that
8 the old State Police building?

9 MR. LACIVITA: Yes.

10 CHAIRMAN STUTO: Other comments or questions?
11 (There was no response.)

12 Okay, we will close the public hearing and we
13 would hear from the Board.

14 Kathy, did you have anything to say.

15 MS. DALTON: No. Actually, all of my questions
16 were answered.

17 CHAIRMAN STUTO: Lou?

18 MR. MION: I think you did a great job on the
19 water situation.

20 CHAIRMAN STUTO: Sue?

21 MS. MILSTEIN: No.

22 CHAIRMAN STUTO: Craig?

23 MR. SHAMLIAN: No.

24 CHAIRMAN STUTO: Chief?

25 MR. HEIDER: No.

1 CHAIRMAN STUTO: Can you walk us through the
2 environmental?

3 MR. VOSS: You should all have in your packets
4 the SEQR recommendation from the Town Attorney's
5 office. Part one of the environmental assessment form
6 - this was designated an a listed action so it does
7 require SEQR review.

8 Part two is filled out of the EAF the Town
9 Attorney's office. I'll just go through that with you.
10 There are the 11 questions of the impact statement.
11 I'll go through those individually.

12 Will the proposed action create a material
13 conflict with an adopted land-use plan or zoning
14 regulation? The answer is no or small impact.

15 Number two: Will the proposed action result in
16 a change of the use or intensity of land-use? Again,
17 the answer is no or small impact.

18 Number three: Will the proposed action impair
19 the character or quality of the existing community?
20 Again, the answer was no or small impact.

21 Number four: Will the proposed action have an
22 impact on the environmental characteristics that cause
23 the establishment of a critical environmental area?
24 There is no CEA or critical environmental area in this
25 area so, the answer is no.

1 Number five: Will the proposed action result
2 in an adverse change to the existing level of traffic
3 or effect existing infrastructure for mass transit,
4 biking or walkway? Again, the answer was no.

5 Six: Will the proposed action cause an
6 increase of the use of energy and fail to incorporate
7 reasonably available energy conservation or renewable
8 energy opportunities? Again, the answer is no or
9 small impact.

10 Number seven: The proposed action impact
11 existing public/private water supply or public/private
12 wastewater treatment facilities? Again, the answer was
13 no to both of those.

14 Number eight: Will the proposed action and
15 compare the character or quality of important historic
16 archaeological, architectural or aesthetic resources?
17 Again, the answer was no.

18 Number nine: Will the proposed action result
19 in an adverse change to natural resources? For
20 example, wetlands, water bodies, groundwater, air
21 quality, flora or fauna? Again, the answer was no.

22 Number 10: Will the proposed action result in
23 an increase of the potential for erosion, flooding or
24 drainage problems? Again, the answer is no or small
25 impact.

1 Lastly, number 11: Will the proposed action
2 create a hazard to environmental resources or human
3 health? The answer was no.

4 Based on an assessment of parts one and two,
5 part three the determination of the significance was
6 little. Basically, it states that the existing
7 project will cause a change in the density of
8 land-use. Because of the low intensity of use, no
9 significant impact is expected. the project will
10 create a demand for emergency services. Property taxes
11 are expected to offset any additional increases in
12 costs associated with community services. The project
13 is expected to create construction related jobs which
14 can be considered a positive impact. Because of the
15 intensity of use and direct access onto a local road,
16 no significant impact of transportation systems is
17 expected.

18 Although the project will result in a physical
19 change to the site, given the size of the project
20 there will be no significant impact on land resources
21 to be expected.

22 Therefore, based on this assessment, the
23 information and analysis above and any supporting
24 documentation, the proposed action will not result in
25 any significant environmental impact.

1 CHAIRMAN STUTO: Any discussion?

2 (There was no response.)

3 To have a motion on the final statement that
4 Chuck just made?

5 MR. MION: I'll make a motion.

6 MR. SHAMLIAN: I will second.

7 CHAIRMAN STUTO: Any discussion?

8 (There was no response.)

9 All those in favor on the negative declaration,
10 say aye.

11 (Ayes were recited.)

12 All those opposed say nay.

13 (There were none opposed.)

14 The ayes have it.

15 On the question before the Board which is for
16 final subdivision review, is there any discussion?

17 (There was no response.)

18 Based upon the plans presented, the comments of
19 the TDE, the departmental comments and comments
20 tonight do we have a motion for final approval?

21 MR. MION: Make a motion.

22 MS. DALTON: I will second.

23 CHAIRMAN STUTO: Any discussion?

24 (There was no response.)

25 All those in favor on the negative declaration,

1 say aye.

2 (Ayes were recited.)

3 All those opposed say nay.

4 (There were none opposed.)

5 The ayes have it.

6 Thank you.

7 MR. DELL: Thank you.

8

9 (Whereas the above referenced proceeding was concluded
10 at 8:12 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.

Dated: _____

Nancy L. Strang