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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

STARLITE OFFICE PARK PHASE I
629 COLUMBIA STREET

APPLICATION FOR CONCEPT ACCEPTANCE

THE STENOGRAPHIC MINUTES of the above entitled matter
by NANCY L. STRANG, a Shorthand Reporter commencing
on January 9, 2018 at 10:13 p.m. at The Public
Operations Center, 347 Old Niskayuna Road, Latham,
New York

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

ALSO PRESENT:

Michael Tengeler, Planning and Economic Development
Department
Michael C. Magguilli, Esq. Town Attorney
Joseph Grasso, PE, CHA
Daniel Hershberg, PE, Hershberg & Hershberg
Denis Rigosu, Syvertsen Architects
Kevin Bette
Susan Weber
Diane Brice
Barbara Numrich
Tom Sorensen
Colin DeMers
Kevin Bette
Tammy Aktin
Jim Fitzgerald
Dave Conroy

1 CHAIRMAN STUTO: The next item on the agenda is
2 Starlite Office Park, Phase I, 629 Columbia Street,
3 application for concept acceptance, five-story 150,000
4 square foot office building with road extension.

5 Mike Tengeler, do you have any remarks before
6 we start?

7 MR. TENGELER: Not right now, Peter.

8 CHAIRMAN STUTO: Okay, we'll turn it over to
9 the applicant.

10 MR. HERSHBERG: Mr. Chairman, Daniel Hershberg
11 of Hershberg and Hershberg. With me are some officials
12 from Starlite Associates, Dave Buicko, Paul Fellati and
13 Tom Owens are representing the group. I'm here
14 representing them.

15 This is the 150,000 square foot Phase I
16 building. We call it that because the tenant proposes
17 perhaps shortly or perhaps in a longer time frame to
18 consider a 150,000 square foot expansion. This is
19 Phase 1 of a two phased area - two-phase proposal
20 will end up with twice as many square feet of office
21 space.

22 These other areas of the site are for future
23 development. We have not determined what they will be
24 developed for, but there is frontage on Old Loudon
25 Road. There is frontage on Columbia Street. This area

1 here is available for development (Indicating). This
2 is an existing building. The proposal includes a new
3 roadway which was identified in the Boght Road GIS
4 area as a necessary traffic improvement. It comes from
5 Auto Park Road through the site and exits down at
6 Columbia Street and Johnson Road. So, we have a new
7 traffic signal to put in there. We have a new traffic
8 signal here (Indicating).

9 This also includes sidewalks. There will be
10 some utilities and a right-of-way. We believe that is
11 a major advantage of this project that the mitigation
12 roadway gets put in. Right now what was identified as
13 a top priority for mitigation in the Boght Road area
14 on a previous study has not been installed. The
15 applicant will undertake working with the Town to have
16 this light.

17 The maps are pretty good, but the pictures
18 are sometimes better. I have been told that this
19 picture is better (Indicating).

20 This is an aerial picture of the site showing
21 it from over the top of the shopping center on the
22 other side of Columbia Street looking into the
23 site(Indicating). That is an existing office building.

24 This is a new office building. These are
25 potential future buildings in there. Nothing is cast

1 in stone. These are just ideas of what we might do
2 there. This might be for services that would benefit
3 the employees from that 150,000 square foot building,
4 which is currently estimated to be about 800
5 employees. Having that audience to take advantage of
6 banks and restaurants and also the traffic coming
7 through the site will give another audience that might
8 want to take advantage of the commercial enterprises
9 there. That's not part of the project. We are just
10 showing it for the future development purposes.

11 This is the project proposed. The key
12 elements of that are obviously the access road and the
13 secondary access to the back which is for service
14 entrances and also for cars coming into the site.

15 There is another entrance/exit on Columbia
16 Street down here. There are approximately 900 parking
17 spaces shown. That includes handicap parking primarily
18 located around the circle.

19 There is a major stormwater facility required
20 for a facility of this size.

21 All the storm water is collected on the site
22 here and runs back into - this is a wet pond system
23 which consists of a four bay - sedimentation basin, if
24 you will; a little stream course in between it and
25 then there is the treatment portion of the system. The

1 blue line indicates the level of water at normal
2 times. That will be a wet system. The blue area shows
3 how high it would build up to after a 100-year storm
4 and then would go back down because it would overflow
5 into the wetlands.

6 These are New York State DEC wetlands. This
7 is a major New York State regulated wetland and we
8 have avoided it to the maximum extent possible. It
9 turns out if we include the roadway - and we are
10 coming in on a joint application process with New York
11 State DEC and the Army Corps of Engineers about
12 wetlands. Even though this is a private portion and
13 this will become a public roadway, we are including
14 the impact on the wetlands here as part of our impact
15 analysis.

16 Our total wetland impact is still something
17 less than 45 hundredths of an acre. So, it is still
18 under the 1/2 acre required for a nationwide permit.
19 We worked very hard to have that happen. They had the
20 site arranged so we missed the maximum amount of
21 wetlands that we could.

22 We do have an impact on what are called
23 wetland buffers - the 100-foot buffer from those
24 wetlands. A lot of this is built within the wetland
25 buffers. We are working on a wetland buffer

1 enhancement project which we intend to present to DEC
2 as a mitigation factor for impacting the wetland
3 buffers. We also would intend to deed restrict a lot
4 of these properties so that they could be maintained
5 in perpetuity as wetlands. We are working with DEC to
6 come up with a mitigation package with perhaps some
7 wetland creation or Phragmites control of the existing
8 wetlands. A lot of the wetlands back there are
9 overgrown with Phragmites and other invasive species.
10 We might take on doing that as a mitigation factor.

11 We are well along with DEC and the Army Corps
12 of Engineers since they are involved agencies and
13 sometimes they are the critical agencies to deal with
14 projects like this. They have already given us a very
15 good feel that we are on the right track. They are
16 doing a walk around of the site on the 18th, weather
17 permitting. We think essentially at that time we will
18 be able to point out the areas that we intend to
19 mitigate.

20 The length of this total trail is about a
21 mile. Although you could break off and if you use this
22 portion of the trail, it is 1/2 mile. The portion that
23 goes to the other side is a National Grid right-of-way
24 that makes a mile worth of trail available for walking
25 for the tenants of the building. We think essentially

1 it is a nice amenity for the site. It doesn't do much
2 damage to the wetlands. We tried to stay out of the
3 wetlands. You can see how we ran it around the
4 wetlands. DEC appreciated that, but we still have to
5 do something where we are crossing the wetland. On
6 some crossings of the wetlands we will probably use
7 boardwalks to keep it above the water so it won't
8 impact the wetland level at all.

9 The building elevation view -- Denis, do you
10 want to talk briefly about the building?

11 MR. RIGOSU: Hello, I'm Denis Rigosu with
12 Syvertsen Architects.

13 We have two elevations. This is the front
14 elevation (Indicating). This is what you see as you
15 drive into the main site. There is a rotunda here.
16 There is the parking here that Dan described
17 (Indicating). This is the front elevation and it's
18 going to be glass and metal panels. The side
19 elevation, as you enter the site from this access
20 road, you will be looking at this building. It is a
21 four-story building with the basement. It will be as
22 I mentioned before; glass curtain wall and metal
23 panels.

24 MR. HERSHBERG: We didn't do a fairly detailed
25 landscaping plan, which we had shown as part of our

1 package. We had about 11 sheets but for concept really
2 submitted three sheets.

3 We do intend on doing a significant
4 landscaping package on the site. It is a tenant's
5 requirement and the applicant wants to do a nice job
6 landscaping.

7 We picked shrubs and trees for the site. We
8 are trying to be as Leed-like as we can. That means
9 essentially trying to avoid having to water trees
10 where you don't have to. We try to have things that
11 will survive drought. Some of the areas will have to
12 be irrigated just due to the presence of materials
13 that just won't survive that and are up close to the
14 building. Irrigation will be required on some of these
15 areas.

16 The outlying areas here - we intend to plant
17 trees that will be able to survive a drought pretty
18 well. As a matter fact, I think we show some White Fir
19 along as a screen from the adjoining property to us.

20 I'm not sure what else to tell you.

21 The sewer comes down and comes from Old
22 Loudon Road, comes down into here and into the
23 building (Indicating). The water main is a loop that
24 comes from an existing main on Old Loudon Road. It
25 comes to the site and joins into the existing main on

1 Johnson Road. That will be a new 8-inch pipe to make a
2 continuous loop between a 20-inch pipe on Old Loudon
3 Road and an 8-inch pipe down on Columbia Street.

4 Any questions by the Board, I will try to
5 answer them.

6 CHAIRMAN STUTO: We've had this reviewed by our
7 Town Designated Engineer, CHA.

8 Joe, can you give us your comments on this
9 project?

10 MR. GRASSO: Sure. Dan, could you just speak to
11 the different types of environmental studies that you
12 have already completed and the ones that are in
13 progress? Can you just touch on the parking a little bit
14 more from a tenant's perspective?

15 MR. HERSHBERG: Okay. We have done an
16 archaeological study of the site. We actually did find
17 some remnants of an old farmhouse at this point here
18 (Indicating) and one out-building. We have agreed to
19 avoid it for now. If during Phase II we have to disturb
20 it, we will do a Phase III on it and collect the
21 materials and categorize them. It seems to have been a
22 late 1800's farm that had burnt down and had existed
23 there. We didn't even know it was there. The
24 archaeologist found a remnant. Apparently, there was
25 another significant out-building there.

1 The other studies that we have done - we have
2 done a wetlands delineation. We have a jurisdictional
3 determination by the Army Corps and signed off by New
4 York State DEC and the limits of the wetlands. We had
5 an endangered threatened species study done by Norbert
6 Quenzar.

7 We did not find any threatened species, but
8 he did say that there is a potential for some of these
9 trees to become roosts for bats during the season. We
10 will be probably prohibited from clearing from March
11 to November. Either will have to get the clearing done
12 in March, or wait until November to clear some of
13 those trees.

14 An Environmental Assessment was done for the
15 applicant which found no material requiring any
16 mitigation on the site. We've got Creighton Manning
17 who was the same traffic engineer who did the GIS
18 study that designed the roadway and they will be
19 producing a traffic study design report for you by the
20 Town and New York State DEC.

21 New York State DEC is an involved agency in
22 this because this intersection and this intersection
23 are both under control of New York State DEC
24 (Indicating).

25 MR. GRASSO: DOT.

1 MR. HERSHBERG: I'm sorry, DOT. DOT controls
2 both of those intersections and DEC obviously has
3 control over the wetlands.

4 The parking requirements here -- the employee
5 count for the building is approximately 800. We do
6 have to provide some additional parking spaces. Those
7 are for people would be invited from other offices or
8 other places to be at the building - members of the
9 same firm are invited in and we have to provide
10 parking for those and a certain number of parking for
11 customers.

12 We indicated and I think it is correct
13 although Joe may have found it out for us that we will
14 be exceeding the required number of parking by more
15 than 25% by some 70 cars or so. We will ask you to
16 grant the waiver. What I read in Joe's letter that I
17 just received today was that there might be an out in
18 the regulations that says you don't have to grant a
19 waiver because it's based upon a number of employees.
20 We do have 800 employees that come into the site.
21 There are 900 parking places that are legitimate
22 because of the number of people that will be visiting
23 the site.

24 MR. GRASSO: So, there is a comment letter that
25 we issued. It is a seven-page comment letter so I'm not

1 going to read through it all. I am going to try to touch
2 on the highlights. There are a lot of comments that I
3 would like to get all the information out there so I am
4 going to read some of my comments.

5 The first few comments really give some
6 background about the type of development that we are
7 looking at.

8 Similarly as last project, this is a
9 redevelopment project so I commend the applicant for
10 bringing forth this sizable redevelopment project to
11 the Town.

12 From a site plan perspective, given the scale
13 of the Phase I development which is the 150,000 square
14 feet office building and the connector road
15 continuously to the project site from Route 9 to 9R,
16 the plan does a great job of respecting the on-site
17 wetlands in the drainage corridors.

18 In general, from a site design standpoint, we
19 support the location and orientation of the proposed
20 building, the distributed access arrangement and that
21 the location of the various parking areas around the
22 building.

23 As Dan mentioned, the project is going to
24 involve what we consider a minimal amount of wetland
25 disturbance which is estimated at less than 1/2 acre

1 primarily which would be required for the construction
2 of the proposed connector road which needs to go
3 through the site. There is a substantial amount of
4 wetland buffer impacts which are estimated at
5 approximately 8 1/2 acres which is within the New York
6 State DEC 100 foot regulated adjacent area commonly
7 referred to as the wetland buffer. We believe that
8 level of impact is commensurate with the scale of the
9 development and where the wetlands and the buffer
10 areas are scattered throughout the site.

11 This is something that we spoke to early on
12 during the sketch plan review process and we wanted to
13 make sure we had a joint review meeting with the
14 different agencies regarding the scale of the project
15 and the level of wetlands and wetland buffer impacts.
16 So, we did have a joint project to review in a
17 coordinated meeting which obviously the applicant and
18 the consultants were in attendance, myself, Town
19 planning staff, the New York State DEC and the Army
20 Corps of Engineers. So, based on the discussions at
21 that meeting, it appears that the project is going to
22 be permitable by both DEC and the Army Corps of
23 Engineers without substantial changes to the layout.
24 So, I think that's something that we are really
25 interested in understanding whether or not this

1 project was expected to change drastically from what
2 we are looking at tonight in order to address concerns
3 from those agencies. That is not expected to be the
4 case.

5 Deed restricting portions of the site for
6 future development and building and some wetland
7 mitigation areas and wetland enhancement areas are
8 expected to be required by those agencies; DEC and
9 Army Corps, as well as to comply with the Town's
10 conservation development design requirements, which
11 covers only a portion of the site. The whole site is
12 not within that area, but a portion of it is. We would
13 request that the draft language of any deed
14 restrictions and the locations of those deed
15 restricted open space areas be depicted on the
16 preliminary plans.

17 So, based on the current layout it looks like
18 there's going to be three waivers from the land use
19 guidelines.

20 So, one is to allow the front yard building
21 setback to exceed 25 feet from the Town Road. They are
22 proposing a setback of approximately 165 feet. They
23 are asking for a waiver to allow parking in the front
24 yard which obviously we're talking about pushing the
25 building back 165 feet. We are expecting parking to be

1 located in front of the site.

2 The third is to allow the construction of
3 greater than 125% of the required parking per the land
4 use regulations. When you take what the minimum
5 required by Code which is 667 and multiply that times
6 125% you come up with 833 spaces. So, that is the
7 maximum permitted.

8 Like Dan had mentioned, they are proposing to
9 build 901 spaces. So, they would need a waiver of that
10 requirement.

11 We are supportive of the first two waivers.
12 We do think that some additional analysis should be
13 provided regarding the third waiver. That is the extra
14 parking one. It looks like the 901 proposed spaces is
15 taken from the expected number of 800 employees with
16 additional spaces reserved for visitors. Based on our
17 knowledge and published literature regarding how
18 parking gets shared when you get to this level of
19 parking, it's likely that not all of the employees
20 spots would be filled at one time and the required
21 number of visitor spots would vary considerably.

22 We do request consideration be given to land
23 banking some of the parking so that it is designed as
24 part of the final site plans, but not built at this
25 time. That said, to move down that path we would still

1 recommend that the Planning Board consider granting a
2 waiver of that requirement so that the plans are able
3 to be fully designed based on that number of parking
4 spaces being built.

5 If you have any questions, we can talk about
6 that.

7 Regarding the traffic, it's probably the most
8 significant issue regarding the project. It is located
9 within the Boght Road/Columbia Street GIS study area.
10 In compliance with the findings statement, although
11 not always required, it is something that is highly
12 encouraged and should eliminate the need for this
13 project to go through a site-specific Environmental
14 Impact Statement process.

15 The GIS was updated in 2011. That's when the
16 study was updated with the findings being adopted
17 after the public review process 2013. These findings
18 outlined several transportation improvements necessary
19 to mitigate the impacts associated with development
20 across the whole study area. Because of the scale of
21 this project and where it is located, it is likely
22 that a number of these traffic improvements are going
23 to be required to address the impacts of the proposed
24 project. As Dan mentioned, the project plans show this
25 regional connector road which would be a new Town Road

1 that would be built to Town road standards. It would
2 extend from Route 9 across from Auto Park Drive to the
3 site and then intersect at Route 9R across from
4 Johnson Road.

5 Further on in our additional comments I get
6 into some additional transportation improvements that
7 would be necessary in order to support the project.

8 The development of the site with a connector
9 road is going to require a commercial subdivision of
10 the project site. Right now all we are looking at is
11 really the site plan portion. As the plans get further
12 developed, it's really going to come back with a
13 preliminary site plan application of just a portion of
14 the project site. That is the site that's just going
15 to accommodate the 150,000 square feet office
16 building.

17 So, we have some comments regarding how that
18 should be - just to provide clarity for the Planning
19 Board when they entertain a final site plan
20 application.

21 Like I had said, a portion of the site is
22 within the conservation development overlay district.
23 You may recall that one of the primary requirements of
24 that is that 40% of the unconstrained lands within the
25 conservation development overlay district area which

1 needs to be permanently protected. That's something
2 that looks to be accommodated on this plan in areas
3 that Dan talked about, but it is something that we
4 would want to quantify as part of these final site
5 plans.

6 Just to get back to the GIS and the traffic
7 impacts -- the traffic update that was done for the
8 GIS evaluated this project site with being developed
9 with 400,000 square feet of office space and 50,000
10 square feet of additional commercial development. Like
11 I mentioned at the sketch plan review, the study at
12 the request of the Planning Board also did a
13 sensitivity analysis to understand the level of
14 improvements that would be required to accommodate
15 500,000 square feet of mixed-use commercial
16 development on the site because we want to understand
17 whether or not the list of transportation improvements
18 changed based on a different development scenario. The
19 reason why I bring this up is tonight all we are
20 looking at -- we won't say all because it is still
21 significant - we are looking at 150,000 square feet of
22 office space development. So, we are well within the
23 thresholds that were established in that last traffic
24 update.

25 There are a significant number of comments

1 that are between the traffic engineers from our office
2 and the traffic engineers that work on the applicant's
3 team - that is for them to consider as they put their
4 detailed traffic study together.

5 They did a pretty comprehensive traffic memo
6 for us so that we could understand the level of
7 improvements that we thought would be required to
8 support this initial level of development. So, I'm
9 just going to go through what those are because I
10 think those are important.

11 We are talking about the new Town connector
12 road from Auto Park Drive to Johnson Road through the
13 project site. We are talking about realigning Old
14 Loudon Road. Instead of connecting out to Route 9, it
15 would tie into the connector road. We would install a
16 traffic signal at the Auto Park Drive/Route 9
17 intersection and then we would be making improvements
18 at the US Route 9 and Johnson Road intersection and
19 changing that traffic signal configuration.

20 CHAIRMAN STUTO: What was the last one that you
21 said?

22 MR. GRASSO: Making intersection improvements
23 at the Route 9/Johnson Road/connector road intersection.
24 That intersection would be realigned to allow the
25 connector road to T into Route 9R and the traffic signal

1 operation would change. There would be some turn lanes
2 added there.

3 The other thing is that there was additional
4 eastbound through-lane when you come off of I87 and
5 you hit to Route 9 to go to continue on through the
6 intersection into Route 9R. Based on information that
7 has been provided, we have not been able to determine
8 whether or not the through-lane is going to be
9 required. Based on 150,000 square feet - our early
10 indication is that it is not going to be, but it is
11 something that we will need some additional analysis
12 to prove that it would not be required as part of the
13 first phase of development. So, we talk about that in
14 our traffic assessment.

15 The Capital District Transportation Committee
16 - they had a regional transportation model. What they
17 do is we give them the data of new developments that
18 are proposed in the study area. They actually run
19 those trips through their model and come up with the
20 fair share mitigation fees for the project. So, that
21 is something that we recommend be done early on in the
22 process.

23 The applicant should provide a commitment
24 letter to the Town indicating how the transportation
25 improvements identified are going to be funded

1 including the breakdown of both the public share and
2 the project share. Based on the GIS' traffic update,
3 the private share of the cost of the improvements is
4 78% with the public share being 23%. We expect that
5 the cost of the improvements that we have identified
6 that need to get built at this time is going to exceed
7 the project's fair share contribution for the
8 mitigation fees. Our recommendation is that the
9 applicants thoroughly review the GIS' findings
10 statement regarding the application of the project's
11 fair share mitigation fee and the different
12 reimbursement options. We would recommend a concept
13 acceptance of this application be conditioned on the
14 applicant's acceptance of the specific language
15 included in the findings statement.

16 The project site includes frontage on Delta
17 Boulevard which is a residential cul-de-sac that
18 serves the residential neighborhood east of the
19 project site. There are no current plans to show any
20 connection to Delta Boulevard and that is something
21 that we concur with.

22 The closest site work components of the
23 project are greater than 250 feet from the residences
24 on Delta Boulevard. So, we don't expect that this
25 project is going to result in any impacts to the

1 neighborhood.

2 They are proposing a side walk on the concept
3 plans on the west side of the connector road. We
4 recommend that that sidewalk be constructed on the
5 east side of the connector road so that it is more
6 easily accessible to the employees of the office
7 building. For most commercial development projects in
8 the Town, construction of the sidewalk across the
9 project site's frontage is typically the
10 responsibility of the project whereas construction of
11 the sidewalk along other sections of the roadway could
12 be credited against the project's mitigation fees.

13 Given the scale of the proposed office
14 building and the fact that the building is intended to
15 house one tenant and the amount of traffic that the
16 office building could generate during peak hours if
17 Phase II of the project is constructed which would be
18 330,000 square feet of office - basically 324 trips
19 during the p.m. peak hour - consideration should be
20 given to the operation of programs like travel demand
21 management programs to reduce the amount of traffic
22 generated by the project. This could be a tool that
23 reduces the project's required mitigation fees. These
24 include improved transit accommodations, ridesharing,
25 off-peak work hour programs and things of that nature.

1 All of those types of things fall within the
2 umbrella of travel demand management options. I think
3 you heard a resident speak of it as part of the first
4 application tonight.

5 In terms of the SEQR review, obviously we
6 talked about it being in the GIS study area which I
7 think is a great feature that the Town has these
8 studies to look at and how cumulative impacts are
9 going to occur. The project does have to go through
10 its own SEQR review. Because it's development is
11 greater than 10 acres of commercial space in a
12 building of over 100,000 square feet, it does trigger
13 the need for a coordinated review.

14 It is a Type I action so a full EAF is
15 required and it has been provided as part of the
16 initial application materials.

17 Just for clarity in terms of the SEQR review,
18 the applicant has advised that 150,000 square feet of
19 office building could be expanded up to 300,000 square
20 feet as a second phase of development. In order to
21 avoid SEQR segmentation, the full EAF that we have has
22 been based on 300,000 square feet of office
23 development.

24 The other involved agencies are going to
25 include the ZBA, Albany County Planning, SEAMAB, the

1 IDA, New York State DOT and New York State DEC. So,
2 it is our understanding that the Town Attorney's
3 office already initiated coordinated review with the
4 request that the Planning Board be lead agent. We
5 concur with that determination. Once the 30-day lead
6 agency request period has expired, assuming that no
7 other involved agencies request to be lead agent, we
8 would recommend that the Planning Board except lead
9 agency status and then work towards this to make a
10 determination of significance.

11 Because of the large amount of information
12 that was included in the concept application materials
13 and the fact that the site is within the Boght
14 Road/Columbia Street GIS study area, we would expect
15 that the Planning Board may have sufficient
16 information to render a determination of significance
17 and advanced to the final site plans. That is
18 important because it would allow the other involved
19 agencies to continue on with their review and final
20 determinations of the plans as those final details are
21 getting worked out.

22 Regarding Part I of the full EAF, although
23 Part I is completed by the applicants and it is up to
24 the Planning Board or the lead agent to complete the
25 Part II and Part III, we did have some comments and

1 our letter regarding some responses to the Part I part
2 that we would recommend get changed just so that it is
3 a better evaluation of the project and its impacts.
4 So, that's where we are at with our review.

5 CHAIRMAN STUTO: Is there anything that the
6 applicant disagrees with or thinks worthy of comment
7 based upon the comments that were just made?

8 MR. HERSHBERG: We are fine with them. I had a
9 lot of opportunity to read that letter and am very
10 pleased with it.

11 CHAIRMAN STUTO: Is that on the record?

12 THE STENOGRAPHER: It is.

13 CHAIRMAN STUTO: I just want to make sure.

14 Any Board comments now, before we take
15 questions or comments?

16 MS. DALTON: I only have one question with the
17 spacing of the work hours and other options to mitigate
18 some traffic concerns.

19 One of the things that the state, I know,
20 does is they have off-site parking and they bus folks
21 in from the outside parking bases. I just wondered if
22 you think that would work, or that it would be
23 necessary.

24 MR. HERSHBERG: We don't think the tenant for
25 the applicants would be willing to bus in from another

1 site. We will take a look at some of the other issues
2 regarding the timing of parking and whether or not some
3 of that could be banked initially and see whether or not
4 that works.

5 This company is an international company, so
6 they have operations going around-the-clock.
7 Obviously, there are some smaller overnight shifts,
8 but they do have operations that go around the world.
9 They do need certain people on-site. We will look and
10 see whether or not we can evaluate that and they need
11 to make it a little tighter.

12 There was quite a long period between the
13 applicant and the proposed tenant where we were going
14 through the site and they were holding pretty tight
15 for the need for 900 parking spots. We will see what
16 we can work out.

17 CHAIRMAN STUTO: We have some who put their
18 names down.

19 Susan Weber, would you like to speak?

20 MS. WEBER: No, I pass.

21 CHAIRMAN STUTO: Diane Brice.

22 MS. BRICE: Hi I am Diane Brice. Actually, this
23 is my building right here (Indicating). So, I do have a
24 couple of quick questions.

25 CHAIRMAN STUTO: Is it a residence?

1 MS. BRICE: No, we are a business.

2 CHAIRMAN STUTO: What business?

3 MS. BRICE: Brice Appraisal Service.

4 I do have a couple of questions about the
5 roads here. Actually, my mailbox is right here in the
6 dark gray area in the new access road (Indicating). I
7 want to know what is going to happen with this road
8 here. Is that going to be closed?

9 CHAIRMAN STUTO: Okay, we are going to answer
10 that.

11 MS. BRICE: I want to know what the access of
12 this is.

13 Also, down on Route 9R and Old Loudon Road at
14 that intersection it is very, very bad in the evening.
15 You try to leave any time after 4 o'clock and it gets
16 gridlocked. The other night I sat through two red
17 lights to get out onto Old Loudon Road because nobody
18 moves. There is a very big traffic problem right
19 there.

20 I think those are my questions.

21 CHAIRMAN STUTO: Okay. What happens to the
22 connected section of Old Loudon Road?

23 MR. HERSHBERG: Right now there is an awful
24 arrangement that comes in at a very sharp angle there.
25 This is necessary. Obviously, one of Creighton Manning's

1 plans will be to see how much of this has to be
2 maintained to bring ingress/egress to the corner site.
3 This will be closed. Traffic will not be able to come in
4 from this end (Indicating).

5 CHAIRMAN STUTO: It will end at the access to
6 that last property, is that what you're saying?

7 MR. HERSHBERG: Yes.

8 MR. GRASSO: So, the intent is to bring that
9 Old Loudon Road and key it into the connector road. It
10 would not be expected to be a signalized intersection.
11 We want to make sure that intersection is further enough
12 away from the Route 9 intersection so that those
13 movements don't conflict there.

14 CHAIRMAN STUTO: Can you talk in general terms
15 how this helps the intersection between 9 and 9R? I know
16 that we did a GEIS analysis.

17 MR. HERSHBERG: The actual traffic analysis
18 says essentially that a significant number of cars
19 traveling 9 come down to 9R. They make a left-hand turn
20 onto 9R and that leads to queues and delay times to make
21 that turn. By diverting traffic from this direction a
22 significant amount of traffic which would be going east
23 towards Cohoes would still use this roadway and
24 eliminate the amount of traffic coming down from 9 to
25 9R.

1 The original Boght GIS traffic study did
2 analyze that. Creighton Manning will be updating that
3 as part of their operation with Starlite Associates,
4 but it will probably show a significant decrease in
5 the back-ups that occur at 9R and 9.

6 MR. AUSTIN: Mr. Hershberg, don't you foresee
7 any such traffic issues with people leaving work and
8 getting onto the Northway in the afternoon and
9 potentially going either north or south - that
10 intersection of 9 and 9R - would impede the amount of
11 people going to or from work.

12 MR. HERSHBERG: Providing this access to the
13 north means people that are close enough that they would
14 normally go north on Route 9 rather than going directly
15 to I87 would go that direction and go up Route 9. So,
16 somebody leaving the site that lives on Route 9 -
17 reasonably close to this area, may be across the Mohawk
18 River in Halfmoon or Clifton Park might choose not to
19 get on the Northway. They have very easy access to Route
20 9 now and they would go in that direction.

21 I believe the traffic study will address the
22 split of traffic. The additional traffic - when you
23 take the additional traffic added here -- I think the
24 figure was that we build out to 300,000 square feet
25 and the p.m. peak power goes up by 324 vehicles. That

1 sounds like a significant amount of vehicles, but when
2 you talk about one direction and you split them on
3 three different directions that people are going out
4 of the site, some people will be coming here and going
5 south on Route 9; a lot of people will be going here
6 onto I87 straight -- I think the issue here is the
7 total impact on traffic. I think it is clear that this
8 is identified as a major mitigation for the
9 Boght/Columbia Street GIS area for the reason that it
10 gives it the most bang for the buck. It gives the
11 capability of diverting the most amount of traffic,
12 reducing the impact on Route 9 and 9R and Route 9 and
13 Auto Park Road, also.

14 CHAIRMAN STUTO: Thank you.

15 MR. GRASSO: Pete, if I could just speak to the
16 traffic issues?

17 What the GIS basically did was it outlines a
18 series of transportation improvements. This goes back
19 almost 30 years now of development that has been
20 tracked in the area and planned for. The results of
21 the study say if we build all of these transportation
22 improvements and there is a list of transportation
23 improvements that total about \$15 million worth, this
24 project would trigger the need for about half of that.
25 So, about \$7 million worth of transportation

1 improvements. What this study showed is that with
2 full build-out of all of these areas and including the
3 whole GIS study area, we are going to get traffic
4 conditions back to today's current condition with no
5 degradation in the levels of service.

6 What is important to understand is that we
7 are only going to look at improving one small part of
8 that full-build out scenario. So, this one development
9 is going to unfortunately have to build a significant
10 number of transportation improvements that are going
11 to serve the Town far into the future - probably five
12 or 10 years before any additional development is going
13 to trigger the need for any additional improvements.
14 So, what we would expect is that there is going to be
15 an improvement in the levels of service.

16 It was a specific comment about how Old
17 Loudon Road operates. That is a key area where it's
18 going to directly benefit from this new connector road
19 and the diversions that are going to occur. It's
20 difficult for us to ever see a level of transportation
21 improvements -- this is going back about 20 years in
22 the Town -

23 MR. MAGGILLI: Back in 1991.

24 MR. GRASSO: These are significant regional
25 transportation improvements that are being made that

1 would drastically change how traffic circulates through
2 the area.

3 MR. AUSTIN: I know that we have had meetings
4 and you have even given us updates on the Boght GIS and
5 improvements on Old Loudon Road that are part of those
6 traffic improvements like over by the church and Cobbe
7 Road which will obviously be affected by this.

8 MR. GRASSO: True. You bring up a good point. A
9 lot of the analysis was looking at whether or not we are
10 going to be diverting traffic to the residential
11 neighborhoods. That was determined not to be the case.

12 There were some things that were considered
13 that we dismissed because of the diversions - the
14 unwanted diversions that would occur.

15 I know that Kevin Bette is here and he has
16 property down on Auto Park Drive and knows properties
17 over there on Auto Park Drive will benefit from this
18 connector road and the installation of a traffic
19 signal on Route 9. There hasn't been a project
20 significant enough to be able to put these
21 transportation improvements on the backs of those
22 projects. Finally, we have one.

23 CHAIRMAN STUTO: John Fahey?

24 (There was no response.)

25 Barbara Numrich.

1 MS. NUMRICH: I'm going to bring up the traffic
2 issue again. I live on Old Loudon Road. I came before
3 the Board when Walmart was trying to go in on Auto Park
4 Drive.

5 Again, the traffic issue - they said the
6 intersection of Old Loudon Road and Columbia Street
7 was at a failing level and any development at that
8 point was going to make it a failing level at that
9 intersection. So, if we are going to put 900 or 800
10 employees in this spot - 800 employees coming out,
11 when they come out -- and the majority of them are
12 going to head for the Northway or Alternate Route 7,
13 or they're going to be going to Troy - the majority of
14 them are not going to be going north on Route 9.

15 I live here. I work at the eye surgery
16 center. When we come out of work, we take the little
17 alleyway behind Golden Crust because we can't get out
18 onto Columbia Street Extension at rush hour. We can't
19 come out and make a left at rush hour on Columbia
20 Street. We take the alley to get out onto Old Loudon
21 Road. The people who need to make a right to get out
22 to the Northway take the alley way. That is a small
23 number of people coming out of Albany Regional to go
24 home.

25 You want 800 people across the street to come

1 out. I just can't believe that we're going to have
2 that much traffic coming out and you expect them to
3 just kind of merge. I can't believe it.

4 This is a beautiful building. It is a
5 beautiful development, but it doesn't belong on
6 Columbia Street Extension. It doesn't belong on Old
7 Loudon Road.

8 The connector Road is a good idea, but it
9 cannot handle that traffic. You know on a busy day the
10 traffic coming up Route 9 is incredible. It cannot
11 handle this traffic. We need another bridge going
12 across the river to take care of the traffic at rush
13 hour. I don't know what else to say.

14 Look at Corporate Woods and the problems they
15 have on Albany Shaker Road. We are trying to address
16 them. We have the meetings right now that they are
17 trying to handle it.

18 We are starting another problem right here in
19 the northern part of Colonie.

20 This is a beautiful, beautiful project for
21 Colonie, but it does not belong here right now. Can we
22 find another place in Colonie to put this?

23 Mr. Hershberg, put your car dealership here.
24 This is a beautiful place for your car dealership.
25 This is a perfect spot for your car dealership. We

1 cannot handle the traffic.

2 You know they're going to be taking the side
3 road. Old Loudon Road is already so busy. I beg of
4 you, please look at the traffic. We are only going to
5 be starting a new problem. We need mass
6 transportation. We have such a problem. We are
7 developing another big problem with transportation.

8 Before you put something like this in this
9 area of Town, look at the mass transportation problem
10 first before you put another big problem here. This is
11 only going to cause another big mass transportation
12 problem.

13 CHAIRMAN STUTO: Tom Sorensen.

14 MR. SORENSEN: Thank you. I would like to speak
15 about traffic also. I live on Old Loudon Road just down
16 the road from Barbara.

17 The presentation that was made talks about
18 Old Loudon Road as if this was the only portion of Old
19 Loudon Road that is important. I live down here on Old
20 Loudon Road (Indicating). The intersection of 9R and
21 Loudon Road is roughly about here (Indicating) and
22 that's where the problem point is.

23 I did my own traffic study when the Holiday
24 Inn was being built. I made a presentation before the
25 Board. I don't see any faces on this Board that were

1 present at the time, so I will give you a run-through
2 as to what I found.

3 What I looked at is the intersection of 9R
4 and Old Loudon Road at the time for three days;
5 morning, rush hour and evening rush hour.

6 At that time in 2006 -- that packet of
7 information was provided to the Board at the time so,
8 you guys have it somewhere.

9 At that time what I found was - the traffic
10 pattern showed that the heavy traffic was in the
11 morning going east to west. In the evening it was from
12 west to east. In the morning west to east traffic was
13 not that significant. In the morning traffic coming
14 into that intersection - that Latham Ford - the
15 intersection of Old Loudon Road and 9R - 1,000 cars an
16 hour. In the evening coming back it was roughly the
17 same. The traffic coming up Old Loudon Road north into
18 that intersection in the morning was about 250 cars an
19 hour. In the evening it is 500 cars an hour. So, you
20 have 1,000 cars coming into the intersection on 9R and
21 you've got 500 cars an hour coming up from Old Loudon
22 Road. That's 1,500 cars that our coming into that
23 intersection. That was in 2006. What are the
24 consequences of that? I don't hear anybody talking
25 about the consequences.

1 In your presentation, sir, I didn't hear you
2 talk about that intersection at all.

3 The consequences of this traffic is that cars
4 in the evening trying to come back and turn right
5 trying to go to Cohoes on 9R get tied up at that
6 intersection. The consequence does not show on old
7 Loudon Road because cars want to turn right to go to
8 Cohoes. The real consequences are back on Route 9
9 because traffic backs up sometimes all the way to
10 Latham Farms, backs to Sparrowbush Road, back to
11 Latham Farms and back to that red light at Latham
12 Farms - the entrance to the Price Chopper Plaza. In
13 the morning the cars back up because the distance
14 between 9R and 9 - both intersections are controlled
15 by red lights and they can only accommodate about 25
16 cars. There are three lanes. There are two lanes that
17 turn left to go south on Route 9 and one lane that
18 goes straight across to accommodate cars go into the
19 Northway or the shortcut over to Troy Schenectady Road
20 where they can go north on 9, but very few cars do
21 that. If they were going to do that, they would have
22 turned right on Loudon Road. When I made the counts,
23 the count was so insignificant that I didn't even
24 bother to count. They were 25 cars that turned right
25 on the section of Old Loudon Road to go to Route 9. It

1 was insignificant and I didn't bother to count.

2 What is the real consequence at this
3 intersection? In the morning - there is a traffic
4 light here and it cycles red, green, yellow, red. So,
5 cars come up and they have a red light. They stop at
6 Latham Ford because they have a red light. They can go
7 through until the light turns green. When the light
8 turns green, they can't move forward because the
9 traffic is piled up Route 9 back to that intersection
10 because there is only one lane that goes to the
11 Northway. How many times is traffic blocked? What
12 would be an acceptable rate of blocking? Would it be
13 2% of the time? Would it be 3% of the time that people
14 can move forward? What I found and I did my study for
15 three days was then 25% of the time in the first two
16 days - 25% of the time - 25% of the cycles of that red
17 light at 9R and Loudon Road cars cannot move. They
18 simply sat there and waited for the next cycle. On the
19 third day there was 40%. On 40% of the cycles, cars
20 cannot move because cars had gone through the red
21 light, stopped and at the intersection everything
22 stopped. That was in 2006.

23 If you put 800 cars into that same scenario,
24 you're going to have chaos. That's the situation with
25 traffic down there.

1 If I have to do another personal traffic
2 study of my own, I will do it. I think that it's
3 probably going to show the same because I don't see
4 any significant changes to traffic patterns or
5 population around this area. If you put this into that
6 area, you're going to have serious problems. This road
7 isn't going to do anything because people right now
8 could take Old Loudon Road and go up there and they
9 don't do it. There's not enough traffic in the morning
10 going up north. It is all coming south. That's why you
11 have two left turn lanes here at the bottom of 9R that
12 goes to Route 9. There are two left turn lanes and
13 only one lane that goes across one lane that can go
14 right. So, the traffic is going south or over to the
15 Northway. It's not going north of Route 9 in the
16 morning.

17 My recommendation is that if you are going to
18 put this in, you had better make some serious
19 improvements to the traffic situation - to the roadway
20 in this area because this will accommodate these
21 people, but it's not going to do anything to
22 accommodate this problem. When you start throwing
23 people out of here into this scenario, it's going to
24 be a disaster.

25 In addition, it seems to me that I remember

1 they are actually putting housing and up here. So,
2 you're even adding more people to the scenario. I
3 don't think it's a good idea.

4 CHAIRMAN STUTO: Thank you.

5 We have one person signed up and then let's
6 come back to traffic and talk about it - the
7 particulars.

8 Colin DeMers.

9 MR. DEMERS: Good evening, ladies and
10 gentlemen. It's a little tough to follow that up. It is
11 such a passionate plea. I would just like to thank you
12 very much.

13 My name is Colin DeMers and my family and
14 myself own and operate the Century House on Route 9 in
15 Latham for the last 69 years. You are my guests and we
16 love being in the Town of Colonie and we have for
17 almost 70 years.

18 I came tonight from what I learned online and
19 talking to a couple of people. I came tonight in favor
20 of the developments because we have been here a long
21 time in the Town and to see a development and growth -
22 I was absolutely in favor of that.

23 Another thing that I am particularly in favor
24 of is the nature trail that was overlooked a little
25 bit. The nature trail connects to our nature trail,

1 too. In my mind, the idea that workers could go on a
2 nature trail to our facility - restaurant/hotel where
3 neighborhoods where people from Delta -- all of that
4 connected up to Amedore's development and Marini's
5 development -- I thought wow, we're doing something
6 really great.

7 I can't speak to traffic. That is totally out
8 of my league. I leave it to all the professionals. I
9 just thought that some business should be here
10 representing other businesses and saying we like the
11 idea of growth.

12 Thank you for all your service and I hope you
13 can remedy whatever situations people have. I don't
14 take a side. I just say that this looks good to me if
15 you can figure it out.

16 CHAIRMAN STUTO: Thank you.

17 Kevin Bette.

18 MR. BETTE: Thank you. I will be brief.

19 There are a lot of new faces on the Planning
20 Board.

21 Joe and I been here for a long time and have
22 been through a lot of the studies.

23 I am a professional traffic engineer from way
24 back when. I also live here and our office park is on
25 the other side of Auto Park Drive.

1 The problem that you face is - this is a
2 great project. We have a great tenant and a great
3 developer. Your Board is faced with a problem. Can
4 this piece of property support this kind of
5 development? I have one question for you. Where does
6 Phase II go?

7 MR. HERSHBERG: Right next to it.

8 MR. BETTE: So, is that all the parking?

9 MR. HERSHBERG: Phase II sits here and we have
10 decked parking back here.

11 MR. BETTE: Where are you decking the parking?

12 MR. HERSHBERG: Back in here (Indicating).

13 MR. BETTE: Back in the wetlands?

14 MR. HERSHBERG: No, these are not the wetlands.
15 This is the buffer.

16 MR. BETTE: Any other project that we do - this
17 is a Class 2 DEC wetland. You're talking about filling
18 into the buffer areas of a DEC Type II wetland. It is
19 the third largest wetland in the Town of Colonie.
20 Wetlands are significant when you have large land
21 masses. So, you have very sensitive environmental areas.

22 If you go onto your Town website and he put
23 the mapping on it, the entire piece of property is
24 restricted by either wetlands or buffer. So,
25 everything that is going on this property is sensitive

1 environmentally.

2 The problem I want to talk about is traffic.
3 The traffic problem exists larger than the scale here.
4 Just like people before talking about people cutting
5 through the neighborhood, the traffic on Columbia
6 Street is 787 traffic seeking the two ways across the
7 Mohawk River.

8 Now we have a company that is moving here
9 that is from Saratoga County. So, their most recent
10 office is in the City of Saratoga. They move every 10
11 years. They were in Clifton Park. They got a better
12 tax deal and went to Saratoga. Apparently they are
13 getting a better deal moving here. All those cars are
14 from Saratoga County because their offices are up on
15 Broadway in Saratoga.

16 I would like to re-do the whole traffic study
17 in cooperation with everybody. We have traffic and
18 Dave has traffic that he has to handle. We should sit
19 down and do a new study.

20 The study that you are relying on, Joe, was
21 done when Walmart came and before the Board and this
22 connector was deemed good for Walmart because when
23 they were in here on Auto Park, they needed to get
24 their traffic out. We don't want the connector. We
25 don't feel anybody from our office park is going to

1 benefit by this connector road. The left turns at
2 Route 9 are not the problem. The problem is the
3 traffic in the evening coming across from Cohoes -
4 from 787 backs all the way up the hill. They are never
5 going to be able to get out, just like you are saying.
6 You live there. I live there. They will never be able
7 to get out onto Columbia Street. I would love to see
8 your numbers. That's what I would recommend, rather
9 than us going through all of this. Let's all of us get
10 together traffic wise and try to come up with a
11 solution. You need the solution down here - this extra
12 through-lane onto the Northway. We have to get rid of
13 the traffic onto the Northway.

14 If you take a look at the population in this
15 building, the 800 folks are all driving up to Saratoga
16 County -- that's the problem in the Town of Colonie.
17 The Twin Bridges and the Mohawk Bridge are the
18 constraints we are paying for all with the backups in
19 this area. That is stopping commerce from happening
20 here.

21 My fear is that you approve this, you build
22 it and the tenant says we can get out of here. They
23 don't renew their lease and then you have a great big
24 empty building on top of the hill that should've been
25 a car dealership.

1 I would also recommend that this have no left
2 turns because left turns are what delay traffic.

3 There would be virtually no one that would go
4 straight across. This should be no left turn because
5 what I see people doing is coming out here, coming
6 down this road, making a left and then making a right
7 to get down to the Northway. That would be
8 counterproductive. We are all going to collectively
9 spend \$5 million so people can take a shortcut?

10 I also don't think our impact fees should go
11 to pay for this. We built our connector road at Auto
12 Park. It was the same thing. It was in the GEIS. It
13 was recommended that it connects from Century Hill
14 Drive to Auto Park. I built myself. I don't see this
15 benefiting anybody but the tenant. They should build
16 the road themselves.

17 They should also not build with public money.
18 They're really good at getting public money but this
19 is Colonie and we have never asked for -- we are in
20 Colonie. We don't need assistance. That's a problem
21 that I see is that we are trying to use taxpayer money
22 to support a company that is just moving again to a
23 cheaper location.

24 I would like to request that we open up the
25 traffic, get Creighton Manning together with all of us

1 and come up with a solution that we can come back to
2 the Board and say, this will work. I know what you
3 need to do out there. Thank you.

4 MS. DALTON: I have a question. You were saying
5 that it makes no sense to have people come up here and
6 make a left if they want to go to the Northway. To me,
7 it looks like -- obviously, I'm not a traffic engineer
8 -- if you cut off this access to Columbia Street
9 entirely and the egress is only this way, you take the
10 pressure off of Columbia Street, you make this connector
11 road big enough so that it's got a turn lane and a light
12 up here for people who want to go left and go back to
13 the Northway, or they can go north and do whatever. But
14 when I look at this whole thing and of course I'm
15 sensitive to the whole Columbia Street thing - because
16 I've been stuck in that traffic - it just seems to be
17 that is going to at least alleviate some of that
18 pressure. Is that dumb?

19 MR. BETTE: No, it's not but right now on Route
20 9 in the evening the traffic will back up all the way up
21 to Auto Park so there won't be any capacity to make a
22 left, which is why I say restrict the lefts so that
23 people just don't do the shortcut.

24 MS. DALTON: I mean, if you put a light there
25 with an arrow then there would be a capacity. I don't

1 know how that would back everything else up.

2 MR. BETTE: Traffic is light water. You can
3 push the problem around by putting different size
4 constraints in -

5 MR. MAGGUILLI: Kevin, wasn't this connector
6 road identified as early as 1991 at the first Boght
7 GEIS?

8 MR. BETTE: And we've been saying that it's not
9 needed, since then. We've been saying that it's not
10 going to solve the problem.

11 MR. MAGGUILLI: How you can base the statement
12 that this connector road that only benefits this project
13 when the connector road was shown to be a benefit for
14 the entire Town long before this came up?

15 MR. BETTE: I've been saying since the
16 beginning that it's not a benefit for the entire Town.
17 It really does very little for traffic pressure from the
18 main interchange problem - very little. It helps this
19 property immensely - is all that it does.

20 MR. MAGGUILLI: Doesn't that go against
21 everything that DOT has been saying?

22 CHAIRMAN STUTO: Are you done with your
23 question?

24 MR. BETTE: Yes, I don't want to argue. I think
25 that getting the engineers together to talk about it --

1 I think that it's flawed and I think that it was done
2 for Walmart and you're trying to ram through this
3 project using a study -

4 MR. MAGGUILLI: Walmart wasn't around in 1991.

5 MR. BETTE: The connector road was not around
6 in '91 either.

7 MR. MAGGUILLI: But the need for one was
8 identified in the GEIS.

9 MR. GRASSO: A cross connector road was
10 identified in the original Boght Road/Columbian Street
11 GEIS study area.

12 MR. BETTE: Correct, and it was also
13 recommended between Century Hill and Auto Park.
14 Connectors are good.

15 You're talking about pushing the problem
16 though. I'm talking about solving the problem. The
17 problem is that now we know who the customer is.

18 MR. MAGGUILLI: We have all the other experts
19 telling us that this is one of the best things going for
20 the Town.

21 MR. BETTE: Who is that?

22 MR. GRASSO: Me.

23 MR. MAGGUILLI: It's not just Joe. It's DOT and
24 all the engineers from the state.

25 I'm trying to understand your position and

1 quite frankly, I don't. How can you say that this only
2 benefits this project?

3 MR. BETTE: The problem is the level of service
4 getting on the Northway. That's what backs up to the
5 south and backs up to the north and it backs up Columbia
6 Street. The problem is down here (Indicating). Dan
7 conveniently doesn't show the problem on the plan. There
8 is no traffic on that road.

9 For Century Hill I had to do a comprehensive
10 traffic plan that studied these all the way down Route
11 9. We did an enormous amount of traffic work so I know
12 this area very well. We have to get this traffic out
13 onto the Northway. Now you know who the tenant is.

14 Before when you were doing the study, you
15 were doing guesstimates based on your best estimate.
16 What I am saying is all these folks are coming from
17 Saratoga County. They all want to get onto the
18 Northway as fast as possible. This is going to
19 overload Columbia Street. You need through-lanes
20 getting onto the Northway right here. Some people may
21 choose to go up north and go across on the Route 9
22 bridge, which is fine. They can have a driveway coming
23 out of their Park.

24 At Century Hill we have been predicting doom
25 and gloom for the Auto Park interchange. People that

1 want to make us go south - make a right and get onto
2 the Northway and people want north - go up to the
3 Century Hill light - at the light and make a left.
4 That's why we built a connector road in between. I
5 would say they would do the same thing.

6 Some of the folks seek to go through Cohoes
7 to go down 787, but they are not going to be able to.
8 The problem you also have is in the morning.

9 As this gentleman said, in the morning the
10 traffic backs up and everyone coming in here comes off
11 the Northway - has to make a left-hand turn. You have
12 800 lefts in Phase 1. Phase II is going to happen in
13 2022. We know when their lease is up, they are going
14 to merged the whole thing. What you are faced with is
15 not 150,000 feet, they want 300,000 feet with 1,700
16 cars. Once you approve Phase I, you're going to tell
17 them you're not doing Phase II?

18 The traffic is not going to work. Even for
19 the tenant it's not going to work, is what I'm saying.

20 I have been saying this for a long time,
21 Mike. The traffic that is in the GEIS is flawed
22 because it was all recast because they had totally
23 different traffic patterns. This is all peak hour
24 traffic. That's where your problem is on Route 9 is
25 peak hour - morning and afternoon. It's 100% peak

1 traffic. It's all going to the Northway. That's the
2 problem. It can be solved. I am just saying that it's
3 not as easy as Dan may lead you to believe.

4 MR. AUSTIN: Mr. Bette, it goes back even
5 further than that because you're talking about people
6 coming from Troy from Alternate 7 and they stack up
7 going all the way down the hill and tried to get up the
8 hill from the Northway there. I believe that is the same
9 merge lane that you get off when you crossover Route 9,
10 correct?

11 MR. BETTE: Yes.

12 MR. AUSTIN: So, you are merging into that
13 whole traffic pattern, too.

14 MR. BETTE: Yes, but you bypass them all
15 because that ramp puts you right at the front of the
16 line.

17 MR. AUSTIN: But you still have to merge.

18 MR. BETTE: But it saves you about 20 minutes.
19 That's why people are coming home because Route 7 backs
20 all the way down the hill. So, people are coming through
21 Cohoes or driving through Boght Road. That's where all
22 that peak hour traffic comes in the evening -- we
23 couldn't figure out where is this generation coming
24 from? It is the 787 traffic moving through.

25 MR. AUSTIN: It's not the Colonie residents.

1 It's all people passing through Colonie.

2 MR. BETTE: But now you are going to put a left
3 turn impediment into a lot of that and that has to be
4 dealt with.

5 MR. AUSTIN: It all has to be looked at. I'm
6 totally in favor of another traffic study.

7 CHAIRMAN STUTO: Thank you.

8 MR. HEIDER: For the Galesi Group, how many
9 employees do you have working in the Town of Colonie
10 now?

11 MR. GALESI: That's where Kevin is off base on
12 this.

13 They are not a Saratoga-based company, Kevin.
14 They have approximately 40,000 square feet in Saratoga
15 County. They have 125,000 square feet on British
16 American Boulevard and they have approximately 110,000
17 square feet on Wall Street off of New Karner Road of
18 which most of the residents are from the Town of
19 Colonie, Bethlehem and Voorheesville. So, the
20 contingency is actually the people who go into
21 Saratoga - the majority of them live in the Town of
22 Colonie, also.

23 MR. BETTE: Phase II is the British American
24 building that is 100,000 feet. Those folks will move
25 over in Phase II. So, they will empty the building out

1 of British American. The rest of the tenants are coming
2 from Saratoga County.

3 I responded to the same RFP you did. I know
4 what they come from.

5 CHAIRMAN STUTO: Okay, thank you. We're going
6 to try to get into this a little bit.

7 I don't know if the applicant wants to
8 respond or if Joe wants to respond.

9 MR. GRASSO: There is some misinformation
10 regarding the data and the traffic generation. So that
11 we can keep things in context with regarding how many
12 trips we are talking about from the project -- the
13 150,000 square feet office building is going to generate
14 155 trips during the a.m. peak and 162 trips during the
15 p.m. peak. That's both entering and exiting traffic. The
16 traffic study also looked at development with 312,000
17 square feet. That's a little bit more than the Phase
18 II. So, the total p.m. peak hour was 337 trips. So,
19 don't get confused by this 800 trips or 800 parking
20 space numbers because we are talking about apples and
21 oranges. Let's keep things in context.

22 I understand the viable traffic that is going
23 through these intersections that they are talking
24 about. Those are real. Those are at poor levels of
25 service or failing levels of service based on Colonie

1 standards, not based on CDTC standards but Colonie
2 standards. They are failing. We often talk about the
3 need to encourage diversions of trips. Unfortunately,
4 those intersections are already as big as they can be
5 and we can't just keep fitting in more lanes at those
6 intersections because they are already so large right
7 now. That's where you have to look at something out of
8 the box and that's what this connector road does. Yes,
9 we understand that the connector road isn't going to
10 take all the traffic off of this Route 9/9R
11 intersection. But if we can shave even 5% of the trips
12 through diversions onto this connector road, it's
13 amazing the amount of capacity that we now have built
14 back into that intersection because of the sheer
15 volume that it's currently serving.

16 This connector road is not because of
17 Walmart. It's not because of just development on Auto
18 Park Drive. It was needed to solve a regional traffic
19 problem. These roads are not cheap. They are not easy.
20 They are not easy to fit on private property. That's
21 the premise behind it is that we are basically
22 diverting a small number of trips away from this Route
23 9/9R intersection.

24 CHAIRMAN STUTO: Does the applicant want to
25 respond?

1 MR. HERSHBERG: I think with the traffic
2 issue -- we can beat our heads together all night and we
3 won't get on the same page.

4 This is what Creighton Manning is working on.
5 Creighton Manning will come up with a report. It will
6 go through the Clough Harbour traffic engineering
7 group and at that point if they want to bring some
8 sort of group together to talk about what their
9 findings are, we would certainly be amenable to that.

10 MR. GRASSO: There was a comment from a
11 residents about the lack of coordination of the traffic
12 signals. That is something that we did identify in our
13 letter. It's really important that as these
14 intersections get rebuilt, that all of these signals are
15 coordinated so that we don't have the issue that the
16 gentleman spoke of being through one light and then you
17 are immediately stopped at the next signal. That's
18 something that would occur both along the Route 9R
19 corridor as well as the Route 9 Corridor all the way up
20 to Century Hill Drive.

21 MS. WEBER: Hi, I'm Susan Weber from Shaker
22 Road and from Save colony and I have a question for Mr.
23 Grasso.

24 I am not a traffic engineer. I know you are
25 not a traffic engineer. It seems to me that if you

1 have 800 employees, you going to have way more than
2 155 trips at peak hour. Can you explain how that
3 works?

4 MR. GRASSO: Not all the trips occur during the
5 peak hour.

6 MS. WEBER: In an office building, most people
7 work from either 7:30 to 9 o'clock that they have to
8 show up and they leave at 4:30 to 6 o'clock. So, it
9 would seem to me that if you've got for Phase I - 800
10 employees, you going to have way more than 155 peak
11 trips per hour. I think the numbers are really skewed
12 that you guys use. It's not only this project, but some
13 other projects have also had really bizarre numbers.

14 MR. GRASSO: So you know, Susan, we use the
15 published data but we also go and validate these counts
16 after the fact to make sure that the analyses was
17 accurate.

18 MS. WEBER: Well, we need a better analysis in
19 the beginning - there are lots of different sets of
20 numbers that you can have. Thank you.

21 MS. AKTIN: Hi, I'm Tammy Aktin. I live right
22 here at 5 Ann Marie Court. We are just wondering - we
23 moved in and behind us was supposed to be state
24 wetlands. It doesn't appear to be on the map that way.
25 So, we have the question.

1 Secondly, if the timing of that light could
2 be looked into today, that would be fantastic. I would
3 love that. Thank you.

4 CHAIRMAN STUTO: Thank you.

5 MR. HERSHBERG: The wetland is shown behind the
6 property. The stark green color is, in fact, the
7 wetland. This is the wetland on your property
8 (Indicating). The symbol here is the dark green.

9 MS. AKTIN: It just doesn't look as dark as the
10 other side.

11 MR. HERSHBERG: It's the same color green.

12 CHAIRMAN STUTO: Joe, she commenting about the
13 timing of the light currently? That was the other issue
14 was raised.

15 MR. GRASSO: Just refresh my memory.

16 CHAIRMAN STUTO: Specifically the timing of the
17 light.

18 MR. GRASSO: I assume that she's talking about
19 the lack of coordination between the traffic signals. I
20 think that all of the signals that we are talking about
21 are controlled by DOT. They do try to optimize the
22 timing of those. I don't know specifically exactly how
23 the timing is set up or whether or not they are all
24 coordinated. All I would say is as part of this project,
25 when these improvements get done, there is a need to

1 have all the signals to become coordinated. You are
2 dealing with some signals that are just using outdated
3 technology. This is a chance that we would want to re-do
4 all the signals.

5 CHAIRMAN STUTO: I'm sympathetic to what she
6 says, too. Technology is getting cheaper. Computer chips
7 are getting cheaper. Why can't we have more intelligent
8 lights for a reasonable price? Can we ask DOT when they
9 coordinated there?

10 MR. TENGELER: There's no reason why we can't.

11 MR. FITZGERALD: My name is Jim Fitzgerald and
12 I live at 3 Ann Marie Court.

13 As far as the blue, I know it is drainage.

14 As far as going into the potential to build
15 over here and here in the future -- the Phase II and
16 III - is there any potential to build here?

17 MR. HERSHBERG: The Phase II building is
18 limited to a building approximately the same footprint
19 as the building that is there. It takes up a portion of
20 the parking and sits right about here (Indicating). So,
21 it takes up a portion of the parking. In order to make
22 up and add more parking, we woke probably -- again,
23 Phase II is not designed yet. We will probably deck the
24 parking and either put a parking deck or a street level
25 parking. A three-level will work because the grade drops

1 off here about 20 feet. So, we may have a deck that
2 comes back here (Indicating). The building itself will
3 stay where it is but the parking has not yet been
4 determined.

5 There is a good chance that putting anything
6 back here will not happen. Putting anything here other
7 than the wetland or other than the storm water system
8 will not happen. Certainly from this portion of the
9 wetland over to that building there will be no
10 construction.

11 MR. CONROY: My name is Dave Conroy. My wife
12 Joanne and I live on Delta Boulevard. We have been there
13 since 1988. I have two quick comments.

14 First, thank you very much for mentioning
15 that there is no planned connector of this project to
16 Delta Boulevard because I can speak on behalf of the
17 24 homes there that we would be vehemently opposed to
18 that.

19 Second, we do have in our history a
20 demonstrated experience of a mass number of cars
21 leaving that site in the past.

22 I think Chief Heider might be able to back me
23 up on this.

24 When the previous owner had summer
25 entertainment at that site, they drew many many cars.

1 The control mechanism was Chief Heider and the Colonie
2 Police directing traffic, parking and for traffic
3 flows because of that vast number of cars that came on
4 those occasions.

5 So, if we are talking about 900 vehicles, we
6 may be looking at something similar to that on top of
7 what is already in existence within new home
8 construction and the traffic.

9 Thank you.

10 CHAIRMAN STUTO: Thank you.

11 MR. SORENSON: I have a question.

12 Following up on that lady's question about
13 the 115 trips. If you had 800 employees at this Phase
14 I and they are all coming to work in the morning and
15 there is a two hour interval for the peak hours, let's
16 logically say there would be 400 coming in the first
17 hour and 400 coming in the second hour. You say
18 there's only 115 trips. Can you tell me how those
19 other people are getting to work? Are they driving
20 three to a car?

21 MR. GRASSO: No. That's why I said there is
22 additional information that we are looking for from the
23 applicant.

24 MR. SORENSON: It must be really good
25 information. I would like to see when you get it,

1 please.

2 CHAIRMAN STUTO: Can you sum up or guide us to
3 our next steps?

4 MR. GRASSO: So, the project is up for concept
5 acceptance. I have not heard significant comments
6 regarding the layout of the site from a concept site
7 plan application. Obviously, I think there has to be a
8 lot of explanation of how the traffic is going to
9 operate. Those detailed studies are in the works. They
10 have provided us quite a bit of traffic information that
11 we feel comfortable. We have an unfair knowledge of the
12 history of the GIS so that gives us a higher level of
13 confidence getting into this project that I think
14 everybody else is aware of. I'm trying to be sensitive
15 to that. Additional information will be provided. There
16 is a lot of additional information and not only in the
17 file provided by the applicant but also in our letter.
18 We get into a lot of that detailed analysis.

19 It's up to the applicant to come through and
20 advance the plan based on the things in our letter to
21 work with DOT and to make sure that these improvements
22 are going to say what we said they were intended to
23 do. I have the confidence that it is going to work. I
24 think that the project scale is relatively small
25 compared to the scope of the transportation

1 improvements that we are looking at. I think that's
2 really important to understand that the improvements
3 that are going to be built, as part of this initial
4 phase of development are really improvements that the
5 GIS looked at for a 15-year planning period. So, we
6 are going to have the benefit of these improvements
7 when this project goes forward. I think they are going
8 to serve the Town well into the future. I think the
9 project has provided us a lot of really good
10 information as part of a concept site plan
11 application, much more than we typically get. It's
12 just a lot of information that I think the Planning
13 Board and the public have to work through because of
14 the scale of the project which is understandable.

15 CHAIRMAN STUTO: I will make these comments in
16 response to that. First, traffic is obviously a huge
17 issue. The public is concerned and we have had a lot of
18 people speak on it. The Board has asked a lot of
19 questions. The focus on traffic -- I don't think we have
20 full satisfactory answers to everybody's comfort level
21 in education. That is one part. The fact that we focused
22 on it so much, we didn't really focus on the other
23 aspects of the project. I personally think it's a good
24 project. I think you are saying that these traffic
25 improvements will have a net benefit over a net

1 detriment, for the short run. Are you saying that?

2 MR. GRASSO: Yes.

3 CHAIRMAN STUTO: There are also other little
4 nitpicky things.

5 I traveled north almost every weekend and I
6 monitor that intersection closely; either coming from
7 787 or Route 9 and I very often go over the bridge on
8 Route 9 and hook up with the Northway further north.
9 Obviously, there is a bottleneck on the two bridges
10 that go over the river. Is there really a solution
11 like Kevin suggests? Dan says no. I am personally more
12 in Dan's camp. There is no magic solution.

13 MR. GRASSO: I also wanted to speak to that.
14 There were a number of alternatives that were considered
15 when the GIS was done and when it was updated regarding
16 other things that could be done in terms of changing the
17 interchange at I87; more direct access - doing a grade
18 separated Route 9 and Route 9R. Big things were
19 considered - adding additional turn-lanes and this
20 connector road was clearly chosen to be the most
21 cost-effective long-term solution to solve the traffic
22 problems in this area. That's not to say the amount of
23 traffic is still going to be there, it's just going to
24 be distributed differently and operate better than it
25 does today.

1 CHAIRMAN STUTO: That all said, where do we go
2 from here? Any conversation that we had earlier today -
3 - this is a significant project. We had to bring
4 ourselves along so we are educated and comfortable. I am
5 personally in favor of it.

6 In our conversation you said we will probably
7 be coming back five or six times and justifiably so
8 because of the significance of the project. So, the
9 question before us is what is our next step? We have
10 had two projects like this. Do we vote on concept and
11 then do the other stuff or do we come back -- I think
12 in the end you're going to get to the same place and I
13 think you're going to get there and the same amount of
14 time. Do we come back for just a traffic segment and
15 try to give explanations that are more on the level
16 for non-traffic engineers? Do you want to have a
17 meeting with Kevin if he thinks he has a solution -
18 then, we can discuss those things in a more methodical
19 way. That the question for you and the other Board
20 Members.

21 MR. GRASSO: And we would be open to that
22 meeting. I try to understand where the project is and
23 basically the work that they have done. Our office has
24 gotten a lot of detail regarding the site separate from
25 the traffic issues.

1 I know that a lot of the discussion tonight
2 was about traffic, but we have done the hard analysis
3 of the project regarding these other things. I think
4 you can see that in our letter.

5 Based on where they are at, the concept
6 acceptance point, I don't think we are ready for a
7 SEQOR determination. I think that should come out when
8 additional details are provided. The applicant has
9 also made a commitment to do everything that we have
10 outlined. They are aware of what that level of
11 commitment involves in terms of what they have to
12 construct and how it's going to be funded. Based on
13 that, I am comfortable but it's really up to the
14 Planning Board.

15 CHAIRMAN STUTO: What does everybody think?

16 MR. AUSTIN: I must say, folks, that we have
17 been here for quite a while. This is one of our longer
18 meetings this evening. The amount of hours that we have
19 been here pales in comparison to the amount of hours
20 that the engineers and the developer has spent on this
21 project. We have to at some point -- that includes us,
22 too -- we haven't spent anywhere near as much time as
23 they have. We take that into account in respect the fact
24 that they have spent that many hours. They come in
25 knowing what they are talking about, to an extent. They

1 are respecting our opinion too and our comments and they
2 will take that back and acknowledge those as well.

3 As Joe said, they have spent unspoken hours
4 on this so far. I understand this is your first chance
5 and I completely agree with you. That's why we are
6 here so you can all make them aware of that. They have
7 gone through all these details over and over.

8 It's great that Kevin has brought a lot of
9 this stuff up. He has a lot of history and I think
10 it's really important. That's why we have these public
11 meetings. That's why we don't do it behind closed
12 doors. They do the work and they bring it before the
13 public and then they take public comment and go back
14 and finish it.

15 CHAIRMAN STUTO: Mike, did you want to say
16 something?

17 MR. MAGGUILLI: The one thing I can say is
18 this: You are here for concept acceptance. What is
19 that? Do you like the concept? It doesn't bind the Town.
20 We are able to ask for more details and the like. You
21 are telling the applicant at this point either yes you
22 do, or no you don't like the concept plan. That's what
23 you have to ask yourself, in my mind.

24 CHAIRMAN STUTO: Does anybody else want to
25 talk.

1 (There was no response.)

2 I heard a couple of Board Members say they
3 want to vote tonight. Let's assume we did vote. I
4 don't know if there are enough votes for concept
5 approval or not. What do you think the next step
6 should be? Should we have another traffic meeting
7 shortly and go back over it again? Look at all the
8 intersections in detail? Maybe bring the GIS stuff in
9 so we can see what the whole area looks like and
10 walked to that a little bit?

11 MR. GRASSO: Yes, I think so. I think to come
12 back with some concrete traffic generation and delayed
13 data and how these intersections operate today and how
14 they're going to operate after this project is built
15 with the improvements and then how they are expected to
16 operate at full build-out. I think that's important for
17 the Board to understand that so they can say with a high
18 level of confidence yes, we think this moving forward is
19 the right thing and we are not making a bad situation
20 any worse.

21 MS. DALTON: I would like that meeting noticed.

22 MR. MAGGUILLI: This connector road, Joe -
23 isn't that also in the Comprehensive Plan? Is it
24 referred to as one of the goals of the Comprehensive
25 Plan?

1 MR. GRASSO: I don't recall. I don't know

2 MR. MAGGUILLI: But it is part of the GIS.

3 MR. GRASSO: Yes and it was identified back in
4 the original 1991 study. It had a different alignment,
5 but it basically went through Route 9 heading east. It
6 was reevaluated in the last update. In 2011 the study
7 was first published. By the time I got through the
8 public review process and tweaking the list of
9 improvements and putting in into a finding statement, it
10 was adopted in 2013.

11 CHAIRMAN STUTO: Any other comments or
12 questions?

13 MR. BETTE: Every time the GIS has been updated
14 - because I have been involved here for the whole 30
15 years, I think. It is because a significant project came
16 and when you have the actual data for that project, you
17 plug it into the model. The peak hour will be different
18 than your ITC Manual because you know who it is and
19 where they're going. I think you should plan the new
20 data into the existing model and you will see how that
21 traffic affects those interchanges. That is what I'm
22 saying.

23 CHAIRMAN STUTO: I think that sounds sensible
24 to me.

25 MR. GRASSO: Yes, I agree.

1 CHAIRMAN STUTO: Anyone have a motion?

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

3 MR. HEIDER: Second

4 CHAIRMAN STUTO: What is the motion?

5 MR. MION: The concept acceptance based on
6 everything that was said tonight.

7 MR. MAGGUILLI: The concept acceptance would be
8 the project as proposed consisting of 150,000 square
9 feet building as described together with construction of
10 a connector road to Town standards.

11 MS. DALTON: And other traffic improvements, as
12 identified.

13 CHAIRMAN STUTO: And were also calling for the
14 next meeting - to revisit traffic with new data -
15 updated data and look at all the intersections and look
16 at all the improvements, etcetera. Also, with the
17 notice that when out tonight.

18 MR. MION: That's the motion.

19 CHAIRMAN STUTO: Any discussion?

20 (There was no response.)

21 All those in favor, say aye.

22 (Ayes were recited.)

23 (All those opposed, nay?)

24 (There were none opposed.)

25 The ayes have it.

1 (Whereas the above entitled proceeding was concluded
2 at 11:40 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
LEGAL TRANSCRIPTION
2420 TROY SCHENECTADY RD.
NISKAYUNA, NY 12309

