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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

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SOLDIER ON PDD

820 ALBANY SHAKER ROAD

APPLICATION FOR PDD AMENDMENT

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THE STENOGRAPHIC MINUTES of the above entitled matter  
by NANCY L. STRANG, a Shorthand Reporter commencing  
on April 10, 2018 at 7:00 p.m. at The Public  
Operations Center, 347 Old Niskayuna Road, Latham,  
New York

BOARD MEMBERS:

- PETER STUTO, CHAIRMAN
- LOUIS MION
- KATHLEEN DALTON
- SUSAN MILSTEIN
- BRIAN AUSTIN
- STEVEN HEIDER

ALSO PRESENT:

- Michael C. Magguilli, Esq., Town Attorney
- Joseph LaCivita, Director, Planning and Economic  
Development
- Michael Tengeler, Planning and Economic Development  
Department
- Joe Bisognano, Fire Protection Services
- Mary Beth Bianconi, PE, Delaware Engineering
- Chuck Voss, PE, Barton and Loguidice
- Cheryl Rebhan

1                   CHAIRMAN STUTO: Good evening everyone. Welcome  
2 to the Town of Colonie Planning Board. Hope everyone has  
3 enjoyed the warm and lovely spring that we've had so  
4 far.

5                   We have an exciting evening for you tonight  
6 including a report from Fire Safety Services.

7                   MR. AUSTIN: Folks, it's always nice to see  
8 students from local schools stopping by to see what we  
9 do here in lovely Colonie.

10                  We have some students from the RPI Capstone  
11 course here tonight. Calvin Stauffer [sic], Luke Moran  
12 and Andrew Zending. It's good to see you guys.

13                  Can one of you guys stand up and tell us a  
14 little bit about why you're here?

15                  MR. MORAN: Our Capstone group is just  
16 designing a local building in downtown Albany. So, part  
17 of our project is to come and see a Planning Board like  
18 this to just see how it works. We appreciate you being  
19 here. It's great to sit and learn from you guys.

20                  MR. AUSTIN: Thanks guys for coming. I  
21 appreciate it.

22                  CHAIRMAN STUTO: Okay, next on the agenda were  
23 going to get a little bit of an education and Fire  
24 Safety and the latest trends.

25                  Joe, can you do the introduction?

1                   MR. LACIVITA: Sure. Before we get started, we  
2                   have had some conversation about some changes in the  
3                   Fire Code - the laws that have come up most recently in  
4                   2017 and we always talk about length of roads and  
5                   cul-de-sacs in sprinkler systems in those things.

6                   Being that we had a little bit of time this  
7                   evening, we thought it would be a great idea to have  
8                   Joe Bisognano with us. He is the senior in our Fire  
9                   Protection Services Department. Joe wants to give us a  
10                  little bit of a brief overview of the changes this  
11                  year.

12                  MR. BISOGNANO: Thank you for having me  
13                  tonight.

14                  I'm not quite sure what Joe was actually  
15                  wanting me to do tonight. I don't really have anything  
16                  prepared, but there are just a couple of things that  
17                  have come up over the last several years.

18                  Obviously, in Colonie we know that room for  
19                  development is getting smaller and smaller. A lot of  
20                  our developments now are in small areas that require  
21                  long drives in and out. A lot of them only have one  
22                  way in and out.

23                  I've been in Fire Services for 42 years. A  
24                  lot has changed over the years. The biggest thing that  
25                  we have noticed is over the last 10 or 15 years the

1 fires have changed drastically. It's a big change for  
2 us as firefighters. It's a big change for developers  
3 and it's a big change for the construction people. I  
4 will tell you why.

5 The materials that are being used now are  
6 petroleum-based products. They don't have cotton and  
7 wool like there used to be in your homes. The homes  
8 are larger and they are more open so they are not as  
9 compartmentalized. What that does is increases the  
10 burn rate for your home by eight times. So, when the  
11 Fire Department used to get called, we would get there  
12 in 7 to 8 minutes. Now, that fire is eight times as  
13 large. You can couple that with the dwindling  
14 volunteer fire service that we have - not just in  
15 Town, but throughout the country. We need to have  
16 access. We need to get room.

17 Years ago we used to have one Fire Department  
18 who would bring four fire trucks to a fire. Now with  
19 the dwindling staff, were calling for five Fire  
20 Departments. So, that means five or six trucks just to  
21 get 6 to 7 people there. What does that do? If you're  
22 on a bad street or a street that doesn't have a lot of  
23 access, you're backing all that equipment up in that's  
24 more work in longer that the firefighters have to  
25 carry equipment in order to get to the scene.

1                   Some of the features in the Codes have  
2                   changed to accommodate that. Probably the biggest  
3                   thing - and I think you have noticed it in the last  
4                   year - Joe, you have brought that up to me - is access  
5                   in one or two family dwellings developments. Also, in  
6                   commercial development as well.

7                   So, now they're putting a limit on how many  
8                   homes you can put with one access. Before it was  
9                   unlimited. Now, you have an X amount of homes. Now,  
10                  you need a second means of egress.

11                  So, we are trying to work out whether we can  
12                  put a through street in and whether we can put in an  
13                  emergency fire access road. We successfully put some  
14                  in within the Town already. I think we have about half  
15                  a dozen now.

16                  So, that's what the Code is doing. It's just  
17                  trying to allow us access for firefighting and for  
18                  equipment. The width of the roads have decreased over  
19                  time. The size of the fire apparatus has increased.  
20                  Obviously, you can do the math on that. You have a  
21                  more narrow road with a wider fire truck and now you  
22                  put some cars on the side of the road and put snow on  
23                  the road and it makes it a little more difficult.

24                  They're trying to help make the firefighters  
25                  job a little bit easier so we can be more efficient

1 and save lives.

2 I'm going to open up to questions because you  
3 had read through these. If you want to ask any  
4 questions about it -- that's really the biggest thing  
5 in the development stage.

6 There are a lot of issues with fire  
7 sprinklers. We are a big proponent of fire sprinklers.  
8 Some of these Codes relieve you of some of the duties  
9 if you do put a fire sprinkler in your home. It's also  
10 obviously a lifesaver.

11 The International Fire Code has adopted fire  
12 sprinklers, but New York State did not pass it. We  
13 still don't require that. I do see that down the road  
14 we probably will require it. That will be something  
15 else that will help, as well.

16 FROM THE FLOOR: You talk about the sprinkler  
17 system. Would that be fed by your standard water supply,  
18 or would there have to be an auxiliary source?

19 MR. BISOGNANO: No. In a residential home, they  
20 are designed to tap right off of your domestic water  
21 line.

22 The type of systems that are put in the homes  
23 - they're not like you have in a commercial building.  
24 Every part of the home does not have sprinkler heads.  
25 It's only the bedrooms in the egress areas of the

1 home. So, you don't have them in the closet, in  
2 bathrooms or smaller spaces. It's just to allow you to  
3 escape the house.

4 Again, statistics are that you roughly have  
5 four minutes and a new house now to escape once that  
6 fire alarm goes off. So, you have four minutes. If you  
7 have a path with sprinklers that are helping  
8 extinguish that fire as you leave, that's good to make  
9 your odds a lot better.

10 MR. LACIVITA: Joe, is there a grid that we can  
11 go to when we are doing a subdivision to say that this  
12 is the length of the road, this is how many houses that  
13 this new law will allow us to have, so when we are in  
14 the planning stages with developers, we know up front?

15 MR. BISOGNANO: Yes, and that section that I  
16 gave you tells you. There are 100 dwelling units and  
17 then one or two family houses - you can have 30 houses  
18 before you need a second means of egress.

19 FROM THE FLOOR: Joe, you mentioned right off  
20 the bat that the newer houses are mostly petroleum-based  
21 materials. Does that mean it starts eight times faster?

22 MR. BISOGNANO: No, it's not the components of  
23 the house. It's the components in the house. Your couch,  
24 your bedding and all those materials are more flammable  
25 and more combustibile and burn at a higher rate than the

1 old cotton and wool. Plus, the house designs now our  
2 lightweight construction. You have truss floors, truss  
3 roofs, you have open floor plans. That just allows the  
4 fire to develop much quicker and it creates a much more  
5 dangerous situation for firefighters upon their arrival  
6 and the cause the collapse is a lot faster than it used  
7 to be with ordinary construction. Those are some of the  
8 things that cause the issue when it becomes eight times  
9 as fast.

10 FROM THE FLOOR: You mentioned at the beginning  
11 of a staffing problem. Are there any other staffing  
12 problems with the volunteer fire fighters?

13 MR. BISOGNANO: Like I said, I've been in  
14 service for quite a while. There are programs out there.  
15 Volunteers and people are trying to do everything they  
16 can to get people to volunteer.

17 Unfortunately what we are finding out is  
18 houses have two incomes. They don't have the time to  
19 do it. The training is tremendous now to become a  
20 volunteer firefighter. It's the same as a career  
21 firefighter. So, unfortunately you can't just go down  
22 to the fire station and say I want to help. You have  
23 to commit yourself to some time and that seems to be  
24 the thing that's holding people back. The good thing  
25 is that we have mutual aid plan in Town and throughout

1 the county, as well. So, we're getting the folks there  
2 but it's just taking more departments so to speak to  
3 do it.

4 MR. MION: You say two fire apparatus access  
5 roads -- I want to make sure I'm clear on this. You can  
6 have a main road going in to the complex and the other  
7 one could be just an emergency only road?

8 MR. BISOGNANO: Yes. There are specifics here  
9 as to how they need to be built - the width and length  
10 and that sort of thing.

11 As far as gating them off, there are specific  
12 types of gates and things as well. It's pretty  
13 specific what we're looking for.

14 MR. MION: It looks like a minimum of 20 feet.

15 MR. BISOGNANO: Yes. That is unobstructed, too.  
16 That's the issue. You can't have that there and have  
17 vehicles parked on it. It has to be maintained at 20  
18 feet all the time.

19 MR. MION: Well, if you had an emergency access  
20 only road, it should be unobstructed.

21 MR. BISOGNANO: That's correct.

22 MR. MION: The main road is the one that you  
23 would want to be wider, obviously.

24 MR. BISOGNANO: Yes.

25 MR. LACIVITA: Do you know if we are going to

1 go standardized - whether it be a gate or a bollard? I  
2 know there has been talk through the Town.

3 MR. BISOGNANO: Yes, I have had some  
4 discussions with you and I had some discussions with Sue  
5 Pellegrini in the Attorney's office about as well. We  
6 really haven't standardized yet, but it would be pretty  
7 easy to standardize something. To me, the bollards would  
8 be the easiest because it's less expensive for the  
9 developer. As far as maintenance, it's easier to get  
10 around them than a gate or a chain or something like  
11 that.

12 MS. DALTON: When we do talk about putting in  
13 dedicated emergency roads, frequently it comes up how it  
14 should be finished. We have artificial turf or gravel or  
15 we have it paved.

16 Where do you come down on those questions?

17 MR. BISOGNANO: There is a Section that does  
18 talk about it. It should be a surface to support all  
19 fire apparatus and provide all weather driving  
20 capabilities. We have kind of gone on the idea that we  
21 would like to see asphalt. We would like to see  
22 something solid there. If you have anything different  
23 than that, with snow removal he can get torn up. The  
24 water could wash things away. So, if you have a solid  
25 road that's asphalt or concrete or something, that's the

1 best for us.

2 CHAIRMAN STUTO: Do you have any idea of the  
3 additional price on a sprinkler system in a house?

4 MR. BISOGNANO: Yes, it depends upon who you  
5 talk to. There are some numbers out there roughly  
6 anywhere from a \$1.00 to \$2.50 a square foot which are  
7 the numbers that I have been getting from some of the  
8 manufacturers in the local fire sprinkler people. I  
9 think that's a pretty solid number.

10 FROM THE FLOOR: I have a question. If you have  
11 a sprinkler in your kitchen, would your oven fumes or  
12 broiler fumes set that off?

13 MR. BISOGNANO: No, they are strictly operated  
14 by heat. They are set at roughly a temperature of 135°  
15 to 175°. So, you would have to get that much heat on the  
16 ceiling around that sprinkler head to make it activate.  
17 It would not activate by smoke or steam or anything like  
18 that.

19 That's the other misnomer that people don't  
20 understand. They think that if a sprinkler goes off,  
21 they all do. That's not true. It only goes off where  
22 the fire is. If the fire gets larger and another one  
23 happens to go off, it would. They don't all go off at  
24 once.

25 CHAIRMAN STUTO: Any other questions?

1 (There was no response.)

2 Thank you for coming in. We appreciate your  
3 time.

4 MR. BISOGNANO: You're welcome.

5 CHAIRMAN STUTO: Okay, next item on the agenda  
6 is Soldier On, PDD amendment, Meeting House Road.  
7 Application for PDD amendment.

8 I will turn it over to Joe LaCivita for any  
9 introduction.

10 MR. LACIVITA: I will give you quick summary of  
11 where we have been with the project and what we plan for  
12 it for this evening.

13 Local Law 7 of 2016 was adopted where Soldier  
14 On went from a commercial office zoning district to a  
15 planned development district. At that time, they were  
16 going to have one rehab of an existing Ann Lee home  
17 building into 100 units and then there was going to be  
18 another structure similar in size to add another  
19 hundred units. The PDD that was adopted in 2016 had  
20 200 units in its law.

21 That's the same thing we're going to see here  
22 tonight. We're going to see a design change going from  
23 that single building that's going to be built into  
24 more of a garden style home setting for the project.

25 I will turn it over to Mary Beth so she can

1 take us through the project.

2 MS. BIANCONI: My name is Mary Beth Bianconi. I  
3 work for Delaware Engineering. We have been working with  
4 Soldier On in this project for a few years.

5 Some of you folks may remember that we were  
6 here in 2015.

7 In 2016, as Joe said, that PDD was adopted  
8 and that's the image that's on the side over there  
9 (Indicating). Essentially, this is a project that is  
10 intended to provide permanent housing for homeless  
11 veterans. The project scope hasn't changed. It's still  
12 200 units. The difference is that when we were here  
13 the last time, we were fighting the chicken and the  
14 egg.

15 In order for Solider On to move forward to  
16 look for financing, which is through the Federal  
17 Government for this project, you need to demonstrate a  
18 couple of things. One was site control.

19 This project is owned by the county and we  
20 needed to execute a lease. So, SEQOR needed to be  
21 conducted and the other thing that they needed to show  
22 was that the property was zoned for this use. This is  
23 a pretty unique use for your community and certainly  
24 for the office zoning it didn't fit particularly well.

25 The idea was that we would conduct SEQRA and

1           actually we conducted SEQR twice. We did it here as  
2           part of the PDD process and we also did it through the  
3           County Legislature for the lease to be signed. A PDD  
4           was advanced so that Soldier On would then be in the  
5           position to go demonstrate that they had the site  
6           control through the lease and that the land was zoned  
7           for the purpose.

8                         In 2017 Soldier On worked with project  
9           architects and engineers and finance folks to put in  
10          an application to the state for financing for this  
11          project. In that process, the project was refined to  
12          better meet the federal housing requirements of the  
13          funding program. So, it was changed and we actually  
14          think that it was changed for the better.

15                        This garden style, we think, is a very nice  
16          addition to this site. Folks may be aware that this is  
17          the Ann Lee Home.

18                        If you were at the airport and you look  
19          across, you can see this very sort of imposing  
20          structure that was built in the late 1920's or the  
21          1920's. It was the county nursing home for many, many  
22          years. It hasn't been used in many years. The County  
23          still owns it.

24                        Part of Solider On's project in the later  
25          phase would be to rehabilitate this building and have

1           75 housing units of services in this building. The  
2           balance, up to the 200, would be in this area  
3           (Indicating) with new construction.

4                         We were in front of the Town Board back at  
5           the end of the year - last year to get referred to  
6           here for review of the PDD revision to the plan.

7                         Fundamentally, not a whole lot else has  
8           changed in terms of the design elements. Stormwater is  
9           still being addressed. We are still building on flood  
10          plains and we still have to raise the elevations above  
11          the flood plain to grading the site. There are a  
12          number of green infrastructure aspects to this project  
13          proposed to accommodate the stormwater.

14                        We are aware that our neighbors who are the  
15          Shaker Historical folks continue to have some concerns  
16          with this site. That's understandable. Right now there  
17          is nothing happening here. We are proposing to do  
18          something on this site and that's going to be a change  
19          that's going to have to be addressed.

20                        We think that this site plan has addressed  
21          many of the concerns.

22                        One of the big concerns that we have is about  
23          traffic.

24                        While there won't be a lot of traffic on this  
25          site because the folks that live here don't generally

1 own cars and don't drive, there will be deliveries and  
2 other things and we are concerned about this area  
3 where the existing road goes past the Meeting House.  
4 There is only maybe six or eight feet and we are  
5 worried about that so we actually proposed to relocate  
6 the road and that's a sensitive subject. We are  
7 continuing to work our way through that and that would  
8 be addressed as we get to the site plan process, as  
9 well.

10 Architecturally, the idea here is not to try  
11 to reflect a Shaker style, but is more in keeping with  
12 the existing Ann Lee Home - so, sort of integrated  
13 together in terms of their architectural styles.

14 CHAIRMAN STUTO: Do you have a large elevation?  
15 We have a nice elevation here in our package.

16 MS. BIANCONI: I did not bring it. I'm sorry. I  
17 apologize.

18 The other issue is parking. We have not  
19 proposed a lot of parking. We have proposed to bank a  
20 tremendous amount of parking on this site. We say that  
21 there is 122 spaces, but if you were to come out here  
22 you would have to use your imagination because the  
23 condition of the pavement is not very good and there  
24 is no striping. So, we did it based on area to come up  
25 with that number. We are looking to construct about 75

1 spaces and bank another 99. That would be a total of  
2 174 and that's a lot of parking. We would anticipate  
3 that wouldn't be needed because again, it's the staff  
4 that would need the parking spaces.

5 We would be maintaining an existing  
6 connection to the Ann Lee Pond and actually improving  
7 that, So there would be a nice connection there.

8 In terms of employees, we're looking at a  
9 total of 44 with 35 being non-resident employees. That  
10 is the same as before.

11 Water and sewer demand - 24,000 gallons a day  
12 or less. It's not a big water user and trip  
13 generation for cars is 29 trips a day at peak. Again,  
14 it's mostly deliveries and staff changes.

15 So, we have a comment letter from Chuck that  
16 has some things in it to address. There is nothing  
17 that is substantive that can't be addressed. It's  
18 mostly details and we are hoping that the Planning  
19 Board will refer this back to the Town Board so that  
20 we can get back to you with final site plan with all  
21 the details that we need to advance on.

22 CHAIRMAN STUTO: This has been reviewed by our  
23 Town Designated Engineer, Barton and Loguidice. Chuck  
24 Voss is here.

25 Chuck, can you give us your comments from

1 your review?

2 MR. VOSS: Sure, Peter.

3 The Board should have in their packets a  
4 letter from March 22 of this year. Essentially this  
5 is, as Mary Beth said, it's almost a mirror image of  
6 our concept letter that we gave to the Board almost a  
7 year and a half ago when the project first came before  
8 the Board for PDD referral. At that time we certainly  
9 were in agreement with the concept, the redevelopment  
10 plan.

11 Based on this minor revision that we are  
12 seeing here now, we actually think that the new design  
13 with have less visual impacts and actually less  
14 physical impacts on the site than the first proposal.

15 Again, Peter, at this time we haven't seen a  
16 lot of details in terms of the normal site plan stuff  
17 that we would look at. In terms of the PDD itself, I  
18 think that we certainly could concur that this project  
19 doesn't represent a huge change from what this Board  
20 approved last time.

21 SEQOR has been taken care of, as was  
22 mentioned. So, there is really no further action  
23 there. We think that it's a nice redevelopment idea of  
24 an old abandoned site that could potentially bring it  
25 back for not only the use of the site but also provide

1 a very essentially service to the community, in terms  
2 of veterans.

3 CHAIRMAN STUTO: Okay, we're going to take  
4 comment from the public.

5 Cheryl Rebhan.

6 MS. REBHAN: I just want to say that I think  
7 that this is a great use of that property. I remember  
8 when I was a little girl it used to be the TB Sanatorium  
9 and my grandmother was there and we would go outside and  
10 wave to her and it's been empty so long.

11 My son is in the Army - 27 years. He works in  
12 the legal command for this sector as battalion  
13 administration. His job is to process soldiers that  
14 are being deployed and do the paperwork when they  
15 return.

16 He said that there is such a great need. So  
17 many of our veterans coming home don't have a place  
18 and this would be perfect for them. It's serene. It's  
19 in a park-like setting where they can walk and get  
20 their thoughts together and they would be safe. I just  
21 think that this is a tremendous project and a great  
22 way that we can say thank you to our veterans. Thank  
23 you.

24 CHAIRMAN STUTO: Thank you.

25 We will take comments from the Board.

1                   MR. MION: I think that it's a great idea. I am  
2 a 24-year veteran, myself. I'm all for it.

3                   CHAIRMAN STUTO: Anyone else?

4                   (There was no response.)

5                   I recommend you bring your elevation the next  
6 time. It really looks lovely and I personally think  
7 that it is a good project, as well.

8                   MR. LACIVITA: We have a findings statement.

9                   CHAIRMAN STUTO: Okay. As I understand it, we  
10 have a Resolution for the Town Board asking us to  
11 consider the PDD amendment.

12                   What they say in the Resolution from the Town  
13 Board is: We request that the Planning Board review  
14 and consider the proposed amendments of the Soldier On  
15 PDD and provide the Town Board with its findings,  
16 conclusions, recommendations thereon in accordance  
17 with Article XIII of the Colonie Land Use Law.

18                   Before us we have a Draft Resolution that  
19 would do that, assuming that we are going to act in  
20 the positive on that.

21                   Can you read the title?

22                   MR. LACIVITA: The title on this is: The  
23 Recommendations of the Planning Board and Required  
24 Findings of the Amendments to the PDD district known as  
25 Soldier On PDD, 820 Albany Shaker Road or better known

1 as Meeting House Road.

2 CHAIRMAN STUTO: And can you read where it  
3 starts: Be it further resolved that?

4 I will request that the stenographer put the  
5 entire Resolution in the record.

6 MR. LACIVITA: Prior to that there are five  
7 whereas clauses.

8 Now therefore be it resolved, the Planning  
9 Board has reviewed the application before the Town at  
10 a Planning Board meeting held on April 10, 2018 and,  
11 be it further resolved that the Planning Board  
12 recommends approval of the amendments being requested.

13 1. The new site design has been reviewed by  
14 the Town Department and the Town Designated Engineer  
15 which find the plan to be of a more appealing layout.

16 2. The new site design also has made simple  
17 modifications to the interior roadway design as from  
18 the original PDD which also improve circulation  
19 throughout the site.

20 3. The location of the existing building will  
21 be part of Phase II, which is the former Ann Lee  
22 Nursing Home. The process will be of a building  
23 renovation and modification of the structure. This  
24 Resolution shall take effect immediately and shall be  
25 transmitted to the Town Supervisor and Members of the

1 Town Board.

2 CHAIRMAN STUTO: Do we have any discussion on  
3 that Resolution?

4 (There was no response.)

5 Do we have a motion?

6 MS. DALTON: I'll make a motion.

7 CHAIRMAN STUTO: Do we have a second?

8 MR. MION: Second.

9 CHAIRMAN STUTO: Do we have any discussion?

10 (There was no response.)

11 All those in favor, say aye.

12 (Ayes were recited.)

13 All those opposed, say nay.

14 (There were none opposed.)

15 The ayes have it.

16 Thank you.

17

18 (Whereas the above entitled proceeding was concluded  
19 at 7:22 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

